of the need for more thorough-going immersion of parliamentarians in the deep waters of science than in more traditional subjects of legislative concern.

As far as I know the *International Panel* concept is unique among legislative science committees. It does, however, point up a very important aspect of science involvement by parliamentarians which was quite often brought to the attention of our Canadian Committee when we visited other countries. Over and over again we were asked the question "How do *you* handle it?" in matters ranging all the way from total public funding of R & D to the science brain drain problems of developing countries.

It would be an understatement to say that it was a rewarding experience for the members of our Committee to be able to bounce off some of our assessments of the evidence we had heard at home on fellow legislators in other countries as well. Of course, on Ministers, administrators, industrialists and academics. I would go so far as to say that we could not have written our Report with any confidence without those contacts. Long ago Dr. Killiam of M.I.T., made us aware that one, at least, of the international spin-offs of the S & T explosion was what he called the "eclipse of distance" between nations in both transport and communications. Today we call it the concept of the global village.

We in Canada, for example, are aware of our dilemma in international science created on the one hand by our minimal input into world science (probably not much more than 1%) and on the other by the fact that we exercise political sovereignty over the second largest national land area, and the air and atmosphere above it and much of the Arctic shoreline, and large sectors of the Atlantic and Pacific coasts.

When we meet legislators from other countries in frank discussion—franker perhaps than takes place at any other level of international contact—we are often impressed with the similarity of the concern at our levels about input and output problems of air, sea and soil pollution, weather modification and forecasting, nuclear fall-out and so on.

Such meetings with our colleagues take place under a surprisingly varied set of auspices. In Canada we have delegations of legislators continuing coming and going to meetings of such international associations as the Inter-Parliamentary Union, the Commonwealth Parliamentary Association, the Francophone nations, the NATO Council of Europe, the Canada-United States Parliamentary Group.

I wonder perhaps if the time is not now ripe for the organization of an international Parliamentary Science Association. From the experience of the Canadian Senate Committee the advantages would seem obvious. The Panel meeting we are attending is, I think, a far-sighted recognition by Chairman Miller and his associates of the value of an international meeting of minds concerned with the very great problems poised by national science policies within the clearly evolving pattern of international science policy.

I believe that such an association would make a very real contribution to the great international science problems—the high seas and the ocean floors, disarmament, satellites, population, food and the transfer of scientific and technological resources from the affluent to the developing countries.

I put forward the suggestion today at this important International science meeting in the hope that it might be taken into consideration by some of those who are here from other countries. I know the obstacles because I have had something to do in a small way with similar organizations in other fields. I know, too, how great the rewards can be because of the immensity of the vacuum that exists in the knowledge and understanding between legislators in different countries about the procedures and mechanisms that are developing here and there in this important business of the involvement of parliamentarians in science policy making.

The available information and literature at the moment is minimal—almost non-existent. It has found practically no place in the proliferating literature on the Great Debate about science policy. Everywhere the stress is on the role of government—a syllogistic short cut perhaps but prone to many fallacies. In the long run it will be the generality of legislators in each individual country who will, as the elected representatives and spokesmen for society at large, resolve the conflicts between Science and Society. What a happy "technological innovation" it would be if somehow they were to find a way to join minds and hands across the boundaries of lands and waters to achieve that reconciliation for all men and all seasons.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 1971

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1500 American prisoners of war and their families.

How long?

HOUSE OF REPRESENTATIVES—*Friday, January 29, 1971*

The House met at 12 o'clock noon.

The Most Reverend Mark J. Hundiak, Bishop of Washington, D.C., of the Ukrainian Orthodox Church of the United States of America, offered the following prayer:

In the name of the Father, and of the Son, and of the Holy Spirit. Amen.

Almighty and eternal God, we lift up our hearts to You in humble prayer with gratitude for all the blessings You have bestowed upon the United States of America. Bless, O Lord, our President, the Vice President, the Members of both Houses of Congress, and all those in authority. Guide our Government in the crusade for just and honorable peace. Send Your blessings upon our Armed Forces; sustain them in their loyal service; heal the wounded and maimed; give eternal peace in Your kingdom to the souls of heroic dead; and console their bereaved families. Save our country from discord and violence; enlighten the misguided youngsters and adults who are undermining the welfare and future of America. Endow us with the spirit of brotherhood and dedication to the ideals of democracy, upon which this Nation was founded.

Grant, O Lord, that America remain the example and the beacon of hope for all the peoples who are in bondage.

On this day of the 53d anniversary of the proclamation of independence of the Ukrainian National Republic, we offer to you, our merciful Father, humble, and fervent prayers for the Ukrainian people and all captive nations enslaved by the godless and cruel Red regime. Sustain them, good God, in their aspirations and struggles for liberty and independence.

Grant us the privilege of welcoming the dawn of liberty, equality, and brotherhood of all nations and races under Your devine fatherhood. This we humbly ask in Your most holy name. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's sitting and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries.

RESIGNATION FROM THE HOUSE OF REPRESENTATIVES

The SPEAKER laid before the House the following resignation from the House of Representatives:

WASHINGTON, D.C.,
January 28, 1971.

Hon. CARL ALBERT,
Speaker, House of Representatives.

DEAR CARL: First, may I extend to you my heartiest congratulations and best wishes. You are going into a very critical task at a very critical time in the history of our nation. The American people are fortunate that a person of your great qualifications is assuming not only the responsibility of leadership in the House of Representatives, but an important position of succession to the Presidency.

It is with a very mixed feeling of emotion that I leave my seat in the House to move into the Department of the Interior. But I believe it is so important that we bring to people everywhere a new sense of responsibility to the values of our environment and our natural resources.

Please find enclosed a copy of my resignation to the Honorable Marvin Mandel, Governor of Maryland.

Again, with all best wishes, I remain,

Yours sincerely,

ROGERS C. B. MORTON.

The SPEAKER. Without objection, a letter to the Governor of Maryland will be printed at this point in the RECORD.

There was no objection.

The letter is as follows:

WASHINGTON, D.C.,
January 28, 1971.

Hon. MARVIN MANDEL,
Governor of Maryland,
Annapolis, Md.

DEAR MARVIN: It is my sad duty to advise you that I must resign from the House of

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Representatives, effective upon my swearing-in as Secretary of the Interior, which is scheduled to take place at 10:00 a.m. on January 29, 1971.

I have been privileged to represent the people of the First Congressional District, and in a larger sense, the people of our great State of Maryland in the House of Representatives during the past eight years. I look forward to serving them still, but in a new relationship.

Please accept this letter as my resignation from the House. Also, may I extend to you my very best wishes and high regard.

Yours sincerely,

ROGERS C. B. MORTON.

APPOINTMENTS TO THE JOINT COMMITTEE ON ATOMIC ENERGY

The SPEAKER. Pursuant to the provisions of 42 U.S.C. 2251, the Chair appoints as members of the Joint Committee on Atomic Energy the following Members on the part of the House: Mr. HOLIFIELD of California; Mr. PRICE of Illinois; Mr. ASPINALL of Colorado; Mr. YOUNG of Texas; Mr. EDMONDSON of Oklahoma; Mr. HOSMER of California; Mr. ANDERSON of Illinois; and Mr. MCCULLOCH of Ohio.

DESIGNATION TO ACT IN BEHALF OF THE CLERK OF THE HOUSE

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

WASHINGTON, D.C.,
January 29, 1971.

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

DEAR MR. SPEAKER: Under Rule III, Clause 4 (Section 647) of the Rules of the House of Representatives, I herewith designate Mr. W. Raymond Colley, an official in my office, to sign any and all papers and do all other acts for me under the name of the Clerk of the House which he would be authorized to do by virtue of this designation, except such as are provided by statute, in cases of my temporary absence or disability.

If Mr. Colley should not be able to act in my behalf for any reason, then Mr. Benjamin J. Guthrie, another official in my office, shall similarly perform such duties under the same conditions as are authorized by this designation.

These designations shall remain in effect for the 92nd Congress or until revoked by me.

Sincerely,

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

THE RIGHT REVEREND BISHOP MARK, ST. DEMETRIUS

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

Mr. PATTEN. Mr. Speaker, we had the pleasure today of having the opening prayer by His Excellency Bishop Mark of the St. Demetrius Ukrainian Orthodox Church of Cartaret, N.J., which is located in my district.

I felt the Members should know that these people have the love of freedom burning in their hearts as no other group of Americans of which I am aware. They love freedom, and they are great Americans.

I wanted to bring to your attention one other thing. I was on the U.S. bond sales program during World War II, and the Ukrainian people of our area bought more U.S. bonds than any other group. The church had planned to build a new building, but they took $800,000, without a whimper, and bought U.S. bonds with the money which they had set aside for new facilities. They are known as great church builders. I am happy to tell you that I have had the pleasure of knowing Biship Mark for 30 years. Everyone in the district loves him. He is a very personable man, and his church facilities are beautiful.

I am certainly happy that he had the honor of giving the opening prayer today.

BUDGET OF THE U.S. GOVERNMENT FOR FISCAL YEAR 1972—ADMINISTRATION BUDGET PROPOSALS

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

Mr. BOGGS. Mr. Speaker, I have in my hand the Budget of the U.S. Government for fiscal year 1972, which will be submitted to the Congress by the President in the next few minutes.

The budget is an infallible yardstick to measure the depth and fervor with which any President holds the goals of his state of the Union message. Rhetoric is squared against reality.

President Nixon in his state of the Union message enunciated as one of his goals for the coming year, the restoration and enhancement of our natural environment. His budget, however, recommends an appropriation of zero dollars for water and sewer facilities for next year. The Congress, by way of contrast, last year provided an appropriation of $350 million for 1971—after the President had vetoed an earlier appropriation of $500 million—and an authorization of $1,150,000,000 for 1972 for this highly successful antipollution program.

The President, likewise, listed as one of his goals the improvement of America's health care. His budget nevertheless recommends a reduction from $185 million to $108 million for medical facilities construction, a slash of over 40 percent.

The President also set forth as a goal the strengthening and renewal of local government, and described in rather glowing terms, proposals for increased aid to our hard-pressed municipalities in the field of urban development. Once again, we find the President has failed to back up last week's eloquence with this week's budget. In order to finance a new community development program, there would be a drastic reduction in moneys for urban renewal, and the complete elimination of the model cities program and the water and sewer facilities program. For 1971, Congress appropriated $1,200,000,000 for urban renewal, $575 million for model cities, and $350 million for water and sewer facilities, a total of $2,125,000,000. For 1972, the President recommends but $600 million for urban renewal, together with $1 billion for the new community development grant program, a total of $1,600,000,000. This represents a reduction of $525 million.

The President, in his state of the Union message, attempted to create the impression that there would be substantial additional Federal assistance for local law enforcement. Last year the Congress authorized an appropriation of $1.1 billion for law enforcement assistance in 1972. The President recommends an appropriation of but $698 million.

The President on January 22 spoke eloquently on behalf of a full employment budget and called upon Congress to accept expansionary policies. It appeared he had turned his back on the traditional Republican philosophy of a balanced budget at all times whatever the human costs. Yet, but a cursory reading makes it obvious that he has not in reality sent us a full employment budget. His abandonment of the tribal rites of his political forebears has been but halfhearted. Neither is it a progressive budget. In the grossly deficient areas of health, environment, urban development, and local law enforcement, it is certainly not expansionary in any meaningful sense. The President has not availed himself of the opportunity presented by both a slack economy and the winding down of the war in Vietnam, to redirect this Nation's priorities toward meeting those economic and social deficiencies which cry out for attention. This budget is thus a twofold tragedy.

I would commend to President Nixon the wisdom and council of President Franklin D. Roosevelt, uttered when he took office during the great depression.

> The greatest tragedy about unemployment is that it should exist at a time when there are so many things which need to be done. Surely in a country as great as ours the means can be found to put the unemployed to work doing those things.

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

Mr. GERALD R. FORD. Obviously, the majority leader has given the President's budget a very cursory examination, and because it is a cursory examination I will excuse any errors the gentleman has made in his analysis of the budget.

If you will turn to page 412 of the budget of the U.S. Government for fiscal year 1972, you will find under the proposed budget for Environmental Protection Agency construction grants that the President has recommended $2 billion for fiscal year 1972 rather than $1 billion, as appropriated for fiscal year 1971. This particular item in the budget will provide for the doubling of the 1971 program level for the construction of municipal waste treatment facilities.

Mr. Speaker, I hope and trust that in the future my friend, the gentleman from Louisiana, will do more than make a cursory examination of the President's budget before making such erroneous observations and comments.

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

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

Mr. BOGGS. Mr. Speaker, the gentleman has referred to grants for treatment

facilities only. But the appropriation for water facilities and sewer lines is completely eliminated in the budget. Treatment plants are of no value unless you have the lines to carry the effluent to the plant.

I would also refer the gentleman to pages 332 and 333 of the budget which gives a complete analysis of the subject I have discussed.

Mr. GERALD R. FORD. I would like to make a further comment on the gentleman's observations. His statement was that we have an alltime high inflation. Let me assure the majority leader that if he will go back and check the record, he will find that when this administration took over in January of 1969, we did inherit an alltime high inflation—and if he will notice the inflationary trend in 1970, he will find that the rate of inflation has gone down. The trend is in the right direction and will continue to get better as we go along.

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

Mr. GERALD R. FORD. I am glad to yield further to the gentleman.

Mr. BOGGS. I would point out to the gentleman, if I understood him correctly, to say that this administration took over in January 1971; did he not?

Mr. GERALD R. FORD. This administration took over in 1970.

Mr. BOGGS. The truth and the fact is that the cost of living is still the highest on record in January of 1971.

Mr. GERALD R. FORD. The truth and the fact is that since we have taken over, we have made a successful fight—and the trend is downward instead of upward as it was when the gentleman's administration left office.

THE PENN CENTRAL COLLAPSE: THE GREAT SOUTHWEST CORP. ADVENTURE

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, a number of matters with which the House Banking and Currency Committee has been involved over the last year were brought to mind by two recent articles that appeared in respected financial publications.

One was an article in the January 12, 1971, issue of the Wall Street Journal disclosing that the Great Southwest Corp., a 90-percent-owned subsidiary of the Pennsylvania Co., which is in turn a subsidiary of the Penn Central Transportation Co., announced that it has written down its net worth from more than $157 million on December 31, 1969—prior to the collapse of the Penn Central—to $50 million. This is a dramatic reduction on the books of the Great Southwest Corp. of more than two-thirds, and is a strong indication of the questionable value placed on this company by the Penn Central during its disastrous diversification program. This company represents a $92 million investment for Penn Central.

In another very interesting article in Barron's Weekly of January 11, 1971, Dr. Abraham J. Briloff, professor of accountancy at the Baruch College of the City University of New York, analyzes in detail the highly questionable accounting practices used to "produce" favorable financial statistics for the Penn Central Co. over the last several years. The example he uses is, again, the Great Southwest Corp.

The Banking and Currency Committee, in investigating the Penn Central collapse, put out a staff report on November 2, 1970, discussing the effects of Penn Central's diversification program on the railroad's cash position. This report spotlighted some of the same accounting gimmicks used by the Penn Central to hide the true financial position of the railroad and the serious adverse impact of its diversification program, of which the Great Southwest Corp. acquisition was a major part.

In addition, the Banking and Currency Committee between 1968 and 1970 spurred a proposal to require the development of uniform accounting standards for noncompetitive defense contracts of over $100,000. During consideration of this proposal, which was passed as part of the Defense Production Act Extension and signed into law on August 15, 1970, persuasive testimony was taken from distinguished members of the accounting profession on the need for establishing uniform accounting standards so that the Government could determine more accurately the cost of its purchases. The lack of such standards has also been criticized in regard to the reporting of financial information of interest to the investing public.

Professor Briloff's article dramatically illustrates the need for the accounting profession to reexamine its methods so that the public can obtain more precise and accurate information to protect itself against misleading and inaccurate information. It is hoped that the uniform accounting standards to be developed by a committee under the chairmanship of the Comptroller General of the United States as provided for in the Defense Production Act for defense contracts, can also be used as a guide for the accounting profession to adopt similar standards in carrying out its vital function of accurately reflecting the financial condition of companies in which the public invests.

I include the two articles referred to above in the RECORD at this point:

[From the Wall Street Journal, Jan. 12, 1971]

PENN CENTRAL CO.'S GREAT SOUTHWEST UNIT WRITES DOWN BOOK VALUE BY $107.7 MILLION

LOS ANGELES.—Great Southwest Corps., a Penn Central Co. affiliate, announced that it has written down its consolidated book net worth by about $107.7 million.

Great Southwest Corp.'s president, Victor H. Palmieri, said in a letter to shareholders that a management review and evaluation of the properties and projects of the company show that its current consolidated book net worth is likely to be less than $50 million. In the company's annual report for the year ended Dec. 31, 1969, the consolidated book net worth was valued at $157.7 million.

In November, Mr. Palmieri had warned shareholders to expect "substantial adjustments" in the value of certain California properties that the company held. Yesterday, Mr. Palmieri said that substantially all of the losses and adjustments relate to impairment of the book value of assets of the company's subsidiary, GSC Development Corp., successor to Macco Corp., and to operating losses and reserves against the assets of I. C. Deal Cos., another unit.

Great Southwest is a 90%-owned subsidiary of Pennsylvania Co., which, in turn, is a subsidiary of Penn Central Transportation Co., the Penn Central Co. unit that filed for reorganization under the Federal Bankruptcy Act in June. Soon thereafter Great Southwest announced its own liquidity problems and brought in Mr. Palmieri and Bruce Juell, owners of a Los Angeles-based real-estate counseling firm, to run the company.

Mr. Palmieri said the depressed condition of the Southern California real-estate economy hurt the properties there, and because of the company's serious liquidity problems over the past nine months, the Macco group of subsidiaries had to curtail substantially their real-estate development operations. This had drastic effects on the value of properties in partially completed projects and joint ventures and on previously capitalized development costs, the executive said.

Mr. Palmieri said these conditions, in turn, affected the value of notes and other receivables held by the company as a result of previously reported sales.

Included in the properties held by the former Macco Corp. are 15 housing and recreational property developments, most of which are in California. Included in the recreational property developments are Lake California, in Northern California; Bryant Ranch, in Southern California, and Timber Shores in Michigan.

Mr. Palmieri said that the report didn't suggest any impairment in the operations of the Six Flags amusement parks operating in Arlington, Texas, and Atlanta, Ga., and one under construction in St. Louis; in the Great Southwest Industrial District, Arlington, Texas; in Richardson Homes Corp., an Elkhart, Ind., maker of mobile homes, or in the Movieland Wax Museum or Japanese Village and Deer Park, Buena Park, Calif.

Mr. Palmieri said the company was continuing its efforts to solve its critical cash position and debt structure. In December the company said it had requested $8 million further financing from a group of banks led by First National City Bank of New York. The new request would be in addition to $11 million in new loans arranged in October as part of an $83 million refinancing agreement.

Mr. Palmieri said that the discussions with the banks are continuing but that "we aren't in a position to report any progress."

[From the Barron's Weekly, Jan. 11, 1971]

SIX FLAGS AT HALF-MAST? GREAT SOUTHWEST CORP. HAS NOT EXACTLY RAISED ACCOUNTING STANDARDS

(By Abraham J. Briloff)

In view of the plight of its corporate parent, the bankrup Penn Central, Great Southwest Corp. and its trouble might rate hardly more than a footnote to financial history. However, the losses suffered by public shareholders in the railroad's 90%-owned realty subsidiary are real enough—the stock, which hit a peak 41½ in '69 (after a 10-for-1 split), now trades around 2. Moreover, Great Southwest's difficulties are far from over. A little over a month ago, the new management which took over last summer disclosed that Great Southwest was faced with a fresh cash squeeze. It was entering the new year, they were told, with all funds committed and the company urgently in need of an infusion of capital. First National City and other lenders were being asked to advance Great Southwest another $8 million to keep going. To add to the woes, the company has warned,

"substantial adjustments" are in prospect in the value of certain properties.

CRITICAL QUESTIONS

Yet, while Great Southwest faces an uncertain future, a critical glance back at some of the goings-on, especially in 1969, seems in order. For one thing, it may help shed some light as to how the company reached its present dismal state. For another, and even more important, it reveals clearly how the results of Great Southwest was inextricably woven into the Penn Central's finances. The appearance of Penn-Central's financial viability, I submit, was achieved with the aid of some accounting procedures, which, to put it mildly, raise serious questions. Indeed, there is reason to question the underlying theory on which these accountings were based, as well as the auditing standards applied in the verification of the accounts.

I am mindful, of course, that Fortune magazine got into a controversy when it presumed to attack Penn Central's accounting practices. Let's begin, ironically, by quoting from a letter sent by the auditors, Peat, Marwick, Mitchell & Co., in which they took umbrage at Fortune's article.

THERE BUT FOR FORTUNE

In response to Fortune's assertion that "sales of real estate, which should have been designated as extraordinary items, were credited to normal income . . .," the auditors said:

"Fortune states that gains and losses from sales of real estate . . . are an extraordinary part of Penn Central's operations. This is untrue. Penn Central is one of the largest real estate companies in the world and has substantial real estate transactions every year. . . . Obviously, therefore, as required by Opinion No. 9 of the Accounting Principles Board, these items must be shown as part of ordinary income. Fortune could have avoided this error by simply reading the APB Opinion. Even without the Opinion, common sense and simple logic dictate that something which recurs annually cannot, by definition, be extraordinary."

Now, I have read Opinion No. 9, as well as a very perceptive analysis and critical commentary on it by my colleague, Professor Leopold Bernstein, of the Baruch College. I profess a modicum of common sense and simple logic. And I assert that a gerrymandered, contrived transaction, even if it is made to recur annually, need not, *ipso facto*, be ordinary.

Actually, in a limited respect, I agree with *both* Fortune and the aggrieved auditors. Thus, on the one hand, I agree with the magazine's writers that at least $25 million of Penn Central's 1969 real estate income should not have gone into ordinary income. On the other hand, as the auditors maintain neither should it have gone into extraordinary income. My "common sense and simple logic" tell me that at least $25 million of that reported income from real estate transactions didn't really exist. Including that amount in income makes sense and is logical only if we are willing to presume that our generally accepted accounting principles (GAAP) are nonsensical and preposterous.

At the center of this particular issue is Great Southwest Corp. (GSC). It owns large real estate holdings in Texas, Georgia, California and Hawaii, and as a result of a 1969 merger absorbed the operations of Macco Corp. (formerly an almost wholly owned Penn Central realty subsidiary).

A FEW MISGIVINGS

In 1969, Great Southwest was a prime factor in keeping Penn Central's (the railroad's parent holding company) operating (i.e., "ordinary") income out of the red. Thus, while Penn Central's 1969 "earnings from ordinary operations" were reported to be $4.4 million, it included consolidated profits from real estate property sales and operations of about $82 million. My misgivings here are not with that full sum, of course (some of it came from hotel operations and the like). However, I do quarrel with about $29 million, or 35%, of the total.

Further, while not all the real estate income came from Great Southwest, that unit did contribute most felicitously to Penn Central's reported earnings. As the Penn Central report noted: "Net earnings for Great Southwest Corp. last year set another new high of $34,364,000 after taxes, an increase of 25.3% over 1968 earnings of $27,425,000."

Actually, the statement regarding GSC's contribution to Penn Central's earnings for 1969 may have been understated. Unless I misinterpret the footnotes, the parent washed out the tax reserves established by GSC, which increased the subsidiary's earnings to $51 million, not $34 million. After allowing for the 10% minority interest in the public's hands, Penn Central could be seen to have included net of about $46 million of GSC profits in arriving at its $4.4 million net ordinary operating income for '69.

Let's turn to my "$29 million" complaint. Thus, of GSC's $51 million pre-tax income, about $29 million, or almost 60%, came from a transaction involving the Six Flags Over Texas Amusement Park, a thematic park in the Fort Worth-Dallas area. The Amusement Park was constructed and owned by Great Southwest. In June 1969, however, it was sold to a newly created limited partnership, comprising 152 individuals.

ANOTHER PARTNERSHIP

In June 1969, the partnership—called The Six Flags Over Texas Fund Ltd. (to be referred to as "Fund")—sold publicly subscriptions aggregating $5,950,000 in limited partnership interests. The proceeds were used to purchase the amusement park from GSC on June 30, 1969, coincidentally the last day of GSC's (and Penn Central's) quarterly accounting period. Immediately after the purchase, Fund contributed the property to another partnership ("Flags") in which a new Great Southwest subsidiary, SFOT, became the general partner (with a $1,000 contribution). Fund was the limited partner in the Flags venture. SFOT thereafter became the "sole and exclusive manager of the partnership business."

The nearly $6 million Fund raised among its 152 limited partners was disbursed as follows: $1.5 million as a down payment; another $3,932,670 for "the prepayment of interest"; the next $416,500 covered the underwriter's commission; and the rest (yes, there was something left over—exactly $100,830) to Fund's working capital.

The price tag for the Amusement Park and a covenant by GSC not to compete in that area was set at $40 million. That contrasts with the gross cost of the Amusement Park to GSC of $14,183,175 as of April 30, 1969; after allowing for accumulated depreciation on the Amusement Park of $4,842,647, GSC's carrying value was about $9.3 million. According to the Fund prospectus: "The price of the Amusement Park and consideration for the covenant not to compete was determined through negotiations between Property Research Corp. and GSC. Fund did not participate in any negotiations relating to such price or such consideration for the covenant not to compete. . . ."

WHERE THE MONEY WENT

The $40 million total purchase price was allocated as follows: land, $5,000,000; buildings and improvements and personal property, $25,000,000; GSC's covenant not to compete, $8,000,000; Goodwill and license to use the name "Six Flags Over Texas," $2,000,000.

GSC wound up with the $1.5 million cash down payment, plus an "Amusement Park note" for the remaining $38,500,000. The indebtedness is vital to the accounting analysis which will follow, so let's study it closely. The note carries an interest rate of 6.5% per annum (when money was going for 8% or more to prime borrowers), with principal and interest payable in the combined amount of $2,315,685 annually. The indebtedness would be liquidated by the year 2005 A.D.

Lest I be accused on being "chintzy," and caviling over whether the rate should have been 6.5% or more, let's read on about the Amusement Park Note. Thus, under "limited liability," the Fund prospectus makes the following point:

"The sole recourse of such holder for the collection of the Amusement Park Note shall be against the property covered by the Amusement Park Mortgage. The Amusement Park Note will provide that neither Fund nor any general or limited partner of Fund shall be liable personally for the payment of the Amusement Park Note or for the payment of any deficiency upon foreclosure under and sale of the property covered by the Amusement mortgage."

This, then, is the way GSC sold to Fund the land, buildings, improvements and equipment (which, as duly noted in a 14-page exhibit to the prospectus, included a Merry-go Round complete with 1 Band Organ, a cannon range with 8 cannons, a Crazy Horse, and a "Casa Magnetica" complete with 1 bed).

Despite the questionable "quality" of the paper taken back on the sale, GSC picked up (with its auditor's blessing) $17.5 million in after-tax income (and about $29 million in pre-tax income) on that $40 million transaction. By way of an aside, it's worthwhile pointing out that the limited partners, who "anted up" almost $6 million (so that GCS could enjoy this $29 million of bookkeeping income) also got a nice slice of pie—but not from GSC; the slice will come out of IRS' hide (to switch the metaphor).

TAX GIMMICKS

At first blush, it might appear they were euchred. Thus, when one looks at Fund's 1969 Form 10K, it's clear that the *entire* $6 million of investment was eliminated by a loss of about $6 million so that the limited partners ended up with a *capital deficit* after six months of playing in the park—all duly certified by Fund's independent certified public accountants. As a result, the limited partners hope to enjoy huge tax writeoffs.

Clearly, what attracted the limited partners was that they were being let in on a tax gimmicked deal. The prospectus informs the potential "investor" that for tax purposes the first $32 million (with certain adjustments) of accumulated net losses (computer without depreciation) will be deemed to be for the account of Fund's limited partners. Further, and especially essential to the tax maneuver, "for tax purposes, all depreciation allowable in respect of the property of Flags and all amortization of intangibles allowable to Flags . . . and all credits allowed to Flags (as investment credits, for example) will be allocated to the Flags Limited Partner" (and thereby to the Fund limited partners who provided the $5,950,000 lubricant).

Also in the prospectus, limited partners are informed that: "In the opinion of counsel for Fund, at least $3,734,405 of the interest to be prepaid on the Amusement Park Note on the Closing Date ($3,932,670), will be deductible by Fund in computing its net income or loss for the year of payment. . . ."

There is some equivocation, as is appropriate for a proper opinion from tax counsel, that this conclusion might be challenged by the Interial Revenue Service. For example, this expert opinion is predicated "upon assumptions and representations to the effect that the consideration for the covenant on the part of GSC not to compete and the

purchase price of the amusement park are their respective fair market values arrived at through arm's length negotiations by unrelated parties. . . ."

BAREFOOT IN THE PARK

It's abundantly clear that the sophisticated syndicate investors were not a party to the negotiations leading to the $40 million price. As far as they were concerned, they'd probably say "the bigger the price, the merrier" because they would then be getting even bigger tax write-offs. In fact, they were not paying the $6 million just to become Texas entrepreneurs. This simply was their price for admission to the Tax Planning Gravy Train (not one of the rides open to the general public in the Texas amusement park); as it turned out, they got a handsome return on their investment by the 1969 write-offs alone.

At this point, we should more fully identify Property Research Corp., which conducted the negotiations with GSC leading to the fixing of the $40 million price and its allocation. As noted, Fund's limited partners were not privy to these deliberations and determinations. They were handed a *fait accompli*. The opinion from tax counsel made explicit that their conclusions were predicated on the assumption that the price and allocations were made at arm's length and hence were done independently and objectively. But were they? Judge for yourself regarding the length of the arm:

First, it should be pointed out, Property Research was not licensed as real estate brokers in Texas (GSC, in fact, had to pay a James L. Flowers, Jr., an honorarium to lend his professional credentials to the transaction). Property Research Corp. happens to be the sole owner of Property Research Interstate Inc. (PRI), underwriters of Fund's limited partnership offering. As noted earlier, PRI realized over $400,000 on that sale. And even more interesting (and sweeter), GSC was obliged to pay PRI's parent, Property Research Corp., $1.2 million in cash plus a promissory note in the original principal amount of $750,000 for compensation for services performed by it in connection with the sale of the Amusement Park, if the deal was consummated.

But back to our main theme, which is: Should Penn Central have recognized this whopping sum as income—extraordinary or ordinary? To be sure, since a similar transaction took place on a smaller scale in 1968 with Six Flags Over Georgia, Peat, Marwick, auditors for both Great Southwest and Penn Central, were able to say that this was recurring annual ordinary income. But, to repeat, was this really income of any kind? (For the record, the Georgia deal was reported in 1968 as extraordinary income. Then, sometime in 1969, it was decided such transactions were now going to be perennial, whereupon the auditors' deemed the gains to be ordinary and accordingly restated the 1968 accounts.)

MEETING THE PROJECTION

In all this, I have been using Great Southwest and Penn Central financial statements for the calendar year 1969 as the frame of reference. However, it is probable that the primary focus should be on the interim financial statements. What appeared in the annual reports may really have been entirely anticlimactic. It should be emphasized that there is no indication that the independent auditors knew of, or concurred in, the reporting of the transactions in the interim disclosures. Just when they first learned of them, and their reaction, are not known to me. But it's worth noting that at their May 1969 annual meeting, Penn Central shareholders were told by Board Chairman Stuart Saunders that Penn Central "will have a favorable showing in its second quarter."

As it turned out, Penn Central reported a 7.5% drop in second quarter (1969) earnings, including a loss from its railroad system. On a consolidated basis, Penn Central said it earned $21.9 million, down from $23.6 million in the June quarter of 1968.

If, then, after picking up Penn Central's share of the Amusement Park income (which must have been more than $25 million, after deducting the minority interest) Penn Central could show only $21.9 million, it is safe to say that the consolidated second quarter operations would have shown a deficit absent the Amusement Park deal and such a loss would have been inconsistent, to put it mildly, with Chairman Saunders' prophecy to shareholders.

WHAT SALE?

The fundamental question, though, is whether this $40 million transaction stands up as a sale. Great Southwest, after all, still acts (through SFOT) as the general partner and is solely and exclusively responsible for the management of the operation. Furthermore, was this $38.5 million of non-recourse, 6.5% paper taken on the sale, entitled to be entered in the balance sheet as an asset and, even if so, should it have been carried at face value? Further, should not the auditors at least have spread the $8,000,000 explicitly attributed by the sales contract to the 10-year covenant over the decade in which GSC is constrained not to compete?

And while one might sense the tenuous quality of the GSC earnings in the GSC footnotes, who would be expected to read them since Penn Central owned over 90% of that subsidiary? How, then, could the reader of the ultimately significant Penn Central consolidated statements get even the slightest inkling of this contrived income even after the most careful study of the financial statements and all 15 footnotes, or the euphoric statements of Chairman Saunders included with the 1969 annual report? Should not the independent auditors at least have had the humility to carry over to the Penn Central collage the footnotes (however inadequate in my view) shown by the GSC statement?

What's more, the independent auditors could not here take a "cop-out" by asserting they were merely the auditors for the Penn Central parent and were, therefore, very much like the piano player who had no idea what was going on upstairs. No, the same auditors who certified to the Penn Central statements were the independent auditors for GSC as well. They are also listed as the accounting experts in the Six Flags Over Texas Fund prospectus, and it was they who certified the 1969 statements for that limited partnership.

I cannot but feel that had the GSC auditors stepped back to look at this tangled web as a whole they would have recognized the absurdity of reporting a $29 million profit on this maneuver. They would have seen that the very most that GSC could have realized was the $5 million paid by their new partners, of which $2 million went to the underwriters. They would have seen that at best the extrapolation from $3 million to $29 million was fair only to the extent that GAAP was unfair.

Peat, Marwick's partners have shown some sensitivity to questions regarding the GSC accountings. One partner is quoted as saying that the facts were all in the footnotes. But they were surely not in the Penn Central statements—since there was nothing there regarding this crucial transaction. It wasn't in Penn Central's statements to shareholders nor in the 10K filed with the SEC. As to the GSC statements, statements to which few excepting the most morbidly curious (like this writer) would turn, my response is that it's *not all* there either. The GSC notes disclose naught but the tip of the iceberg—the rest is submerged in the murky waters of GAAP.

This leads to what might well be the crux of this essay. How did the auditors square the absence of any disclosure on the Penn Central statements (and in my view less than full disclosure on those of its subsidiary) with Rule 2.02 of our Code of Professional Ethics, whereby a CPA is enjoined from expressing an opinion on representations in financial statements if he fails "to disclose a material fact known to him which is not disclosed in the financial statements but disclosure of which is necessary to make the financial statements not misleading . . ."?

Somehow this whole saga of income exaggeration, all asserted to be within the ambit of GAAP is remindful of the views expressed six years ago by Leonard Spacek, the distinguished Chairman Emeritus of the Board of Arthur Andersen & Co., and a senior partner of that major accounting firm. Speaking on the subject of the flabbiness of GAAP (which he referred to as "double-standard accounting"), he said:

"How my profession can tolerate such fiction and look the public in the eye is beyond my understanding. I suppose the answer lies in the fact that if your living depends on playing poker, you can easily develop a poker face. My profession appears to regard a set of financial statements as a roulette wheel to the public investor—and it is his tough luck if he doesn't understand the risks that we inject into the accounting reports."

EMERGENCY GUIDANCE BOARD

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

Mr. MONAGAN. Mr. Speaker, the Nation's economy has deteriorated to a critical level. Sharply rising inflation and increasing unemployment with reduced economic activity have characterized the economy for a period of months and in the face of the unwillingness of the executive branch to intervene to restore stability and full employment, it is incumbent on the Congress to act quickly and effectively to achieve these objectives. We should not accept a national unemployment rate at 6 percent, especially with rising volume. The 6-percent level reached in December marked the highest national unemployment level in 9 years, and represented a 75-percent rise in the number of unemployed persons in the last 12 months. The number of unemployed now stands at 4.6 million.

While the number of unemployed persons continues to rise, inflation remains unchecked. In the month of December wholesale prices increased by six-tenths of 1 percent, the highest increase in prices in a year. Last month also marked the first time since the 1958 recession that the Nation's gross national product declined—a net decrease of 0.3 percent.

Clearly, the administration's economic policies are not working, and I am convinced that the utilization of new tools is necessary.

On December 29, 1970, I introduced House Concurrent Resolution 798, setting forth a basic emergency economic program as one approach that would enable the country to come to grips with inflation and recession. This resolution, which I am inserting at the conclusion of my remarks, recognizes that the present economic situation presents an emergency and sets forth a novel solution to retard and control the price-wage spiral.

My program is designed to bring quick, short-term relief during a time when an expansionary monetary policy is being pursued—as it is increasingly by the Federal Reserve—to increase demand. For a long-term solution to rectify the present situation, it is hoped that more traditional economic policies will suffice. The concurrent resolution calls for the creation of an Emergency Guidance Board to set and administer voluntary wage and price guidelines for certain concentrated industries and large labor organizations.

I am today introducing the Emergency Guidance Board Act of 1971 to establish such a program by law. My bill establishes an Emergency Guidance Board composed of five members appointed by the President and subject to confirmation by the Senate. One member with extensive Federal administrative service is to be appointed by the President to be Chairman and the other members are to represent a fair balance between business, labor, and consumer leaders. The life of the Board is limited to 18 months, except that its life may be extended by a concurrent resolution of Congress.

As soon as is feasible after taking office, and after consulting with business, labor, and consumer leaders, the Board will publish a set of basic guidelines for price and wage changes. After the guidelines are published, corporations and labor organizations subject to the mandatory provisions of the act will be required to file an economic justification with the Board indicating how a price increase or wage settlement complies with or departs from the published price and wage guidelines. The mandatory provisions of the act will apply to corporations having capital assets in excess of $500 million or supplying more than 30 percent of any market of substantial volume, and to any labor organization bargaining with such a corporation. In addition, the Board will have discretionary power to require an economic justification from any corporation having capital assets in excess of $100 million or more than 10 percent of any market of substantial volume if the Board determines that an economic justification is necessary to carry out the purposes of the act. A similar grant of discretionary power is granted to the Board over labor unions which, in the Board's determination, obtain wage increases that the Board determines to have a substantial inflationary impact on the economy.

Under the terms of the bill the Board may publish economic justifications filed with it, negotiate with corporations where the guidelines appear likely to be breached, hold hearings, administer oaths to witnesses appearing before it, subpena witnesses and records, and announce findings and recommendations with respect to inflationary departures from the guidelines. Where a corporation or union refuses to cooperate with the Board by failing to supply documents or neglecting to appear or by refusing to file an economic justification, the Board may apply to a district court of the United States for an order requiring the production of documents, personal appearance or the filing of an economic justification.

It is my belief that business and labor would cooperate with the Emergency Guidance Board, recognizing its merit as a bulwark against inflation, cooperate with it in its task, and voluntarily adhere to any published guidelines, so that the mandatory provisions of this bill would not have to be used.

The administration has started haltingly on this course in setting up a wage board in the construction industry. But as I .W. Abel of the Steelworkers has said, "jawboning" and deterrents should be equally applied to all industries and not introduced after increases have already been achieved in one and withheld from another. The Federal Reserve policy is beginning to steam up the economy and until normal function is resumed, a method of restraining runaway inflation is needed. I believe that my bill provides such a method.

House Committee 798 follows:

H. CON. RES. 798

Whereas the United States has been experiencing simultaneous inflation and recession; and

Whereas the administration's plan to control inflation by creating unemployment of both workers and machines has failed to limit the rise of prices in the more concentrated industries and the rise in the cost of living; and

Whereas the present state of unemployment of 5.8 per centum and industrial activity of 76 per centum of capacity is intolerable; and

Whereas the economy is now operating at a rate of $40,000,000,000 to $50,000,000,000 below its potential; and

Whereas it has taken less than a year to bring the economy from a condition of 3.5 per centum unemployment and 84 per centum of capacity operation to the present low state; and

Whereas the real stock of money, adjusted for its buying power, has declined in the past year; and

Whereas fiscal measures have contributed little stimulation to the economy; and

Whereas a rapid expansion of demand monetary and fiscal measures to achieve full potential, if used alone, would engender further rapid inflation; and

Whereas the real hourly earning of nonagricultural workers have not increased in the past year though national productivity has increased; and

Whereas a major source of continuing inflation arises from the exercise of market power in the more concentrated industries; and

Whereas the recovery to full potential cannot wait on a permanent solution to the problem created by the inflationary tendencies in the economy: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the present situation is so serious as to constitute an economic emergency requiring special temporary emergency measures to bring the economy back to its potential within a year and with the minimum of further inflation; and be it further

Resolved, That it is the sense of the Congress that such rapid recovery requires two major lines of action to reach the economy's full potential:

(1) Monetary and fiscal action to bring about a rapid expansion of aggregate demand;

(2) Positive measures to limit the rise of prices and wage rates during the emergency expansion period; and be it further

Resolved, That it is the sense of the Congress that a rapid increase in aggregate demand can be achieved through the existing institutions provided fiscal policy is designed either for a small surplus at full potential or for a deficit and monetary policy should expand the stock of money only to the extent necessary to support the economy at full potential; and be it further

Resolved, That it is the sense of the Congress that the rise in prices and wage rates can be kept to an acceptable minimum while the return to full potential is achieved through a voluntary price-wage guidance program which sets up an Emergency Guidance Board with responsibility for—

(1) Establishing emergency guidelines (after discussion with leaders of business, labor, and consumers) which take account of changes in business costs per unit of output and changes in national productivity and in living costs;

(2) Requiring that any substantial business with substantial market power should file an economic justification for any substantial price increase and any union seeking a wage increase in excess of the increase in national productivity and in living costs should file an economic justification;

(3) Publicizing situations in which substantial price or wage increases appear to exceed the published guidelines; and be it further

Resolved, That it is the sense of the Congress that for the emergency program to be fully successful—

(1) An Emergency Guidance Board should be created by law;

(2) The President should call in the leaders of business and labor and ask them to agree to abide by the guidelines for the year of the emergency program;

(3) The Federal Reserve Board should expand the stock of money to the extent needed to support the operation of the economy at its full potential.

FUNDS FOR PUBLIC HEALTH SERVICE HOSPITALS AND OUTPATIENT CLINICS

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

Mr. LONG of Maryland. Mr. Speaker, today I am introducing a House concurrent resolution directing the Public Health Service hospitals and outpatient clinics to remain open and be funded through fiscal 1972. During that time the Secretary of Health, Education, and Welfare and the Congress should explore the resources, capabilities, and position of these facilities in the community to determine which should operate and which, if any, should be closed.

Last month HEW Secretary Richardson said the administration was considering closing these facilities because they could not provide quality care and because the administration objected to spending $140 million to modernize and replace them.

The President's budget, just sent down, does not contain enough money to keep the hospitals open. The budget provides only $81.1 million for patient care and salaries. Last year we appropriated $136.6 million for these items. The President is asking for $55.5 million less; $48.8 million of the cut in the 1972 budget was in the salary category. In 1971 Congress appropriated $63.9 million for salaries for 6,240 employees.

This year the President is asking $15.1 million for 970 employees.

This decision is contrary to the President's commitment in his state of the Union message to improve health care and to provide medical services where they are in short supply.

We have a health crisis on our hands. Congress has not been consulted. We established the Public Health Service in 1798. Now we have to tell our constituents their hospitals are closed, and they will have to go to the Veterans' Administration hospitals on a space available basis or fend for themselves. This will be a hardship on my constituents—the VA hospitals have limited treatment facilities for women, and no facilities for children.

More than 25 of my colleagues—including the majority leader, the Democratic whip, and the Merchant Marine and Fisheries and Armed Services Committees' chairmen and Representatives from every State which has one of these hospitals—except Virginia—have joined with me. I invite the rest of my colleagues to join me in fighting the administration's arbitrary decision.

RAILPAX REVISED

(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, it took some doing, but Secretary Volpe has come up with a truly national plan for continuing and improving passenger train service throughout the United States.

In his final designation of the new national rail passenger system, made yesterday, Mr. Volpe has given the Railpax Corp., which will take over the management of passenger service on May 1, a more than adequate blueprint for the great task ahead.

As many of our colleagues will recall, we who represent California and the West were distressed, with good reason we thought, with the first, tentative Railpax system which Mr. Volpe proposed last November 30.

The six Senators from the three westernmost States and 37 of the House Members from California filed strong protests over the omission from that first plan of north-south service along the Pacific coast and a route to link California to the South and Southwest.

Individuals, governments, and organizations also swung into concerted action at the local level, in my home county of San Diego and elsewhere, in the campaign to persuade the Secretary to make the revisions we felt were necessary.

In my area, intercity train service to Los Angeles is no mere frill. Now, and even more so in the future, the passenger train must serve as an essential component of our capability to move people from place to place. The 128-mile corridor stretching from San Diego to Los Angeles is already one of the most congested in the country. The highways and airways joining the two cities now handle nearly 40 million travelers a year, with far greater loads projected in the years ahead.

Clearly, the railroad must be developed as an attractive alternative, for intercity travelers in southern California and elsewhere, if we are to head off the looming possibility of massive traffic jams grinding vital commerce to a halt.

San Diego was excluded altogether from the system initially suggested by Secretary Volpe. Final exclusion would have allowed the one railroad serving San Diego to casually discontinue its present inadequate passenger service to Los Angeles, and would have left San Diego with scant hope for any resumption, much less improvement, of the service in the foreseeable future.

In expanding the Railpax system yesterday by adding five routes, including San Diego-Seattle and Los Angeles-New Orleans, Secretary Volpe has fully met the objections raised by many of us.

He has both laid the groundwork for the National Rail Passenger Corporation, and provided assurance of continuing and hopefully better service for San Diego and other major cities.

The new Corporation will, of course, have leeway to curtail or expand the service now called for the plan. It may not, for instance, prove necessary to operate daily through trains from San Diego to Seattle. But the demand for regular service on intercity segments of this route is certain to grow. And thanks to the inclusion of this route in Secretary Volpe's final plan, the Corporation will be in a position to guide the orderly growth and development of passenger service along the entire length of the Pacific coast.

NATIONAL YOUTH APPRECIATION WEEK

(Mr. MAZZOLI asked and was given permission to extend his remarks at this point in the RECORD, and to include extraneous matter.)

Mr. MAZZOLI. Mr. Speaker, I no doubt speak for all Members of the House of Representatives when I say that I am weary with the unfortunate emphasis given by the news media to the negative aspect of America's youth. Nearly all we see and hear reflects adversely on our Nation's young people, and I believe this must be corrected.

I do not, of course, suggest that the problems of even a small minority of our young people are to be taken lightly. Nor do I suggest that we can afford to be less vigilant or less dedicated in our efforts to cope with problems such as juvenile delinquency, drug addiction, and antisocial behavior. These are realities we cannot overlook.

What I am suggesting, however, is that all too often the commendable and constructive actions of the great majority of America's young people pass unnoticed and receive but scant attention by our country's writers and commentators. I very firmly feel that young people should be officially recognized for the good they do, if they are to be chastised for the problems they create.

I am pleased to report that efforts to adjust this imbalance are currently underway in my home State, the Commonwealth of Kentucky. For each of the past 3 years, groups of citizens from various parts of my State have officially set aside a week during which attention is focused on the useful and constructive activities of our young people and to demonstrate genuine appreciation for their contributions to community, school, and family.

By way of background, in 1967 a number of students from Thomas Jefferson High School in Louisville visited, entertained and donated gifts to children in our local hospitals. Unfortunately, but typically, there was no mention of this gesture by any of the news media in our district. But, these activities did not go unnoticed by local residents, and, as a direct result, the movement for appreciation of our young people originated. The movement is now known as We Appreciate Our Young People.

In 1968, during the Kentucky State high school basketball tournament, the first tribute to Kentucky's young people was made with testimonials and comments carried on the area's radio stations. The following year, 1969, Hardin County devoted the week of February 10–16 to promoting public awareness of the wholesome activities engaged in by our young people.

In September 1969, the Kentucky Federation of Women's Clubs adopted the "We Appreciate Our Young People" concept and, accordingly, in 1971, the 259 Kentucky Women's Clubs across the Commonwealth will observe the week-long tribute to youth. This has proved to be such a popular means of expressing official thanks to our young that in 1970 three additional States, South Dakota, Maine, and Delaware joined the movement.

This is entirely appropriate, but I truly believe that recognition of the basic worth and basic good of America's young people should be national in scope rather than regional. Therefore, I am today offering a resolution which authorizes the President of the United States to issue a proclamation designating the first week of February of each year as National Youth Appreciation Week. This resolution further encourages the people of the United States to observe this week with appropriate ceremonies and activities involving and devoted to the young people of America.

I urge support of this resolution. Perhaps the disenchantment and discontent of the young will be relieved by the realization that this government and its people recognize the energy, effort and dedication of our young people toward making America a better place in which to live.

The resolution reads as follows:

JOINT RESOLUTION PROVIDING FOR THE DESIGNATION OF THE FIRST WEEK OF FEBRUARY OF EACH YEAR AS NATIONAL YOUTH APPRECIATION WEEK

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized and requested to issue a proclamation designating the first week of February of each year as "National Youth Appreciation Week," and calling upon the

people of the United States to observe such week with appropriate ceremonies and activities.

A FIRST GLIMPSE OF THE FEDERAL BUDGET

(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, the President's 1972 budget, which has just been placed in our hands, will very rapidly become the book of the year—it combines inflation, fiction, and folly. The following items should be of interest:

FOR SALE: CHEAP!

Two distinctive and utilitarian airports. One close-in, near historic national monuments and tourist sites. Plenty of accommodations close-by. Loaded with valuable equipment and federally financed out-buildings. Unique and prestigious investment. Other airport further out in quiet pastoral setting. Unique four-lane highway built specifically for access to airport. Tremendous possibilities for development along access road. Distinctive terminal designed by world-renowned architect. Operations in the black for the first time this year. Bargain at $105 million for both National and Dulles Airports. Easy Terms. Occupancy immediately. Federal financing available.

If your taste is not for airports, consider complete railroad in one of the most scenic parts of North America. Includes track, rights-of-way, equipment, and out-buildings. Located in most untapped, undeveloped part of continent with great potential. Views unexcelled. Challenge unparalleled. Great buy at $100 million for Alaska Railroad. Prices undoubtedly negotiable for both or singly.

Call Uncle Sam at Department of Transportation immediately—before it is too late. These kinds of bargains don't last long.

After having seen these items in the budget, Mr. Speaker, I decided a closer examination of the budget was in order. I wanted to be able to assure my colleagues on the floor and the American taxpayers, who have spent hundreds of millions of dollars for both airports, that our beloved Capitol Building was not for sale at an equally low sum, in an effort to bring some revenue into the Federal Treasury. Up to the present, I have not been able to determine whether the Capitol Building is for sale, because of the complexity of reading the budget, but I shall keep at it.

CANCER RESEARCH IN THE PRESIDENT'S BUDGET

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

Mr. SMITH of Iowa. Mr. Speaker, as a Member of the House Appropriations Subcommittee for Health Appropriations, I took careful note of President Nixon's announcement in his state of the Union message of a brand new program of $100 million for cancer research which he compared to a program for landing a man on the moon. However, an analysis of the budget submitted today and the details of the program clearly indicate that this was pure Madison Avenue gimmickry and that the net result of shiftings within the budget would leave cancer research at the same level that Congress would have appropriated anyway.

Our formula for appropriations has been to fund all ongoing programs and in addition thereto to fund new applications by research teams which have been approved and recommended by the independent advisory committee of scientists. Last year we appropriated the exact amount that this formula added up to and that happened to be $25 million more than the budget request. The amount needed to fund under this formula in 1972 fiscal year would be $135 million and I can almost guarantee that this would be the amount appropriated by Congress and the administration surely knew this. However, the President's budget only includes $105 million for this purpose. That is $30 million short. In another place in the budget, they include the right to obligate $100 million but only includes a request for an outlay of $30 million in fiscal 1972. This $30 million is exactly the amount by which they had reduced the regular program. The net effect of the budget proposal is that appropriations for cancer research are proposed at exactly the same level as they would have been anyway and all this talk about a brand new program about cancer research turns out to be pure Madison Avenue gimmickry.

I suppose a certain amount of this propaganda is to be expected from politicians but I think it is cruel to use it in connection with health matters and to build up false hopes. It is time more people commit themselves not only to the solution to the health problems but also to telling the American people the true alternatives which exist and are being proposed.

Mr. CASEY of Texas. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Texas.

Mr. CASEY of Texas. Is it not also true that for almost all the other Institutes of Health, the appropriations for which the committee of the gentleman in the well and myself handle, that he has reduced those amounts over last year's appropriations?

Mr. SMITH of Iowa. Not only have they been reduced, but also there is no offset over on page 491 to put the money back.

Mr. CASEY of Texas. That is correct, so instead of a better health program we will have a rougher one if we stick with the budget the President submitted.

Mr. SMITH of Iowa. That is correct.

ENVIRONMENTAL EDUCATION FOR ALL CHILDREN GOAL OF NATIONAL COUNCIL OF STATE GARDEN CLUBS

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

Mr. MELCHER. Mr. Speaker, National Council of State Garden Clubs, Inc., announced their civic development project for 1971–72 at a reception held in Washington, D.C., Wednesday, January 27. The goal of the project is to provide teachers with the material necessary to make conservation/environmental education an integral part of the educational activities in every classroom in the United States.

In the weeks and months ahead, members of garden clubs in communities across the Nation will be contacting schools and teachers, neighbors, civic and business leaders for their support of what National Council has termed "one of the most important and far reaching programs ever undertaken by any national organization."

In a statement released at the reception, National Council of State Garden Clubs, Inc., said:

We have committed ourselves to this enormous nationwide task because we firmly believe the greatest single step to safeguard our environment and to improve the quality of life is to provide the children in our schools with the means to understand and appreciate the world they will inherit.

Earnestly seeking the support and aid of friends, neighbors, other civic organizations, businessmen and members of industry, our 387,700 members in over 14,500 Garden Clubs across the nation will work to donate the appropriate volume from the Series of Teachers' Curriculum Guides to Conservation Education, PEOPLE AND THEIR ENVIRONMENT, to teachers in every school in the United States.

People and their environment is a program written for teachers by teachers and designed to make conservation/environmental education an integral part of any school system's curriculum. It was edited under the direction of Dr. Matthew J. Brennan, and is published by J. G. Ferguson Publishing Co., a subsidiary of Doubleday & Co., Inc. Each of the eight volumes in the series was specifically developed for a different grade level and/or subject area. The eight volumes are grades 1, 2, 3; grades 4, 5, 6; science 7, 8, 9; social studies 7, 8, 9; social studies 10, 11, 12; biology; home economics; and outdoor laboratory, 1–12.

Representing National Council of State Garden Clubs, Inc., at the reception were: First vice president and acting president, Mrs. Maxwell W. Steel of Huntingdon, Pa.; vice presidents: Mrs. Howard S. Kittel of Fort Worth, Tex., and Mrs. Vernon L. Conner of Mount Dora, Fla.; treasurer, Mrs. Robert R. Crosby of New York, N.Y.; national projects chairman, Mrs. Lyle Johnsrud of Fort Benton, Mont.; and conservation chairman, Miss Elizabeth Mason of Atlanta, Ga.

The National Council of State Garden Clubs has 14,500 clubs with 387,000 members in 49 States and the District of Columbia. There are approximately 100 clubs in Montana.

The project is described in the following announcement by the council:

NATIONAL PROJECT 1971–72

Believing that Man holds the keys to the future of all life on earth, National Council of State Garden Clubs, Inc., through local member Garden Clubs, has begun what may be the most important and far reaching program ever undertaken by any national organization.

Earnestly seeking the support and aid of our friends, our neighbors, civic organizations, businessmen, large and small companies, the Garden Clubs will work to: Place in the hands of every teacher in public,

private, and parochial schools in the United States, the appropriate volume of People and Their Environment, a series of teachers' guides to conservation education.

The National Council of State Garden Clubs have committed themselves to this enormous nation-wide task because we firmly believe the greatest single step to safeguarding our environment and improving the quality of life is to provide the children in our schools with the means of understanding and appreciating the world they will inherit.

In the weeks and months ahead, members of Garden Clubs in communities across the nation will be contacting schools and teachers, neighbors, civic and business leaders for their support.

BUDGET EXPERTS

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

Mr. COLLIER. Mr. Speaker, after having just been subjected to several minutes of partisan political drivel on the budget I would make one suggestion. Since the budget was just released yesterday it would be well if some of my colleagues on the other side of the aisle who are prone to dispense this type of criticism, ought to do an indepth study of the budget before assuming the role of self-appointed experts on a subject they appear to know little about.

LET MY PEOPLE GO

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

Mr. PELLY. Mr. Speaker, increasingly the cry of "let my people go," is being heard throughout the world. It is in response to the continued oppression of Jews in the Soviet Union.

The ill-treatment of Jews in Russia has been well-documented in the press over the last few weeks, and it is no wonder that the freedom loving people of the free world are reacting with such outrage.

Mr. Speaker, we think that from experience over the ages we gain the basic knowledge of how to improve the life style of our world society, yet we too often find oppression of a certain group of people raising its ugly head. What progress is made in our civilization if we continually revert back to prejudices, abuse and persecution?

Mr. Speaker, I join the movement that is attempting to gain freedom for Jews in the Soviet Union by nonviolently appealing to every man's sense of justice. Let us join our voices to theirs as they demand, "Let my people go!"

NIXON BEHIND THE SCENES

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

Mr. MORSE. Mr. Speaker, the current issue of Newsweek magazine contains an article on the President which I wish to commend to the attention of my colleagues. The article is written by the Secretary of Health, Education, and Welfare, Elliot Richardson—a man highly qualified by many years of close association and intimate contact to give an accurate assessment of the leadership capacity and personal human qualities of the Chief Executive.

I was especially struck by Mr. Richardson's description of the President's effectiveness during the Jordanian crisis. Precisely because this potentially explosive situation was handled calmly and surely, the President's courage and leadership did not receive the wide public acclaim that it merited. Mr. Richardson's revealing insights serve as a timely reminder that quiet competence too often goes unrewarded, and that the measure of effective leadership lies not in brilliant atmospherics, but in the ability to deal circumspectly with difficult and complex matters in a logical, sensitive, and cogent manner.

The text of the article follows:

NIXON BEHIND THE SCENES

(By Elliot Richardson)

(In last week's issue of NEWSWEEK, Washington bureau chief Mel Elfin offered an appraisal of Richard Nixon at midpassage in his Presidency. The White House requested space in the magazine for a reply. The article was written by Secretary Richardson of Health, Education and Welfare.)

To those who do not know the President, or to those who accept the stereotype presented in NEWSWEEK last week, the leadership and compassion shown in the State of the Union address might have come as a surprise—and we can expect the customary interpretations of a "new" Nixon.

But to those who have come to know the real Nixon—as I have over the years, in working with him on foreign affairs and now again on human needs—his "New American Revolution" comes as no surprise at all.

Rather than apply facile labels to a complex and unconventional man, let me simply recount some of my own observations of him over the years.

Jordan.—The most essential quality of a modern President is one that no experience or training can teach: the courage that comes from strength of character.

Moments of high drama, played on a public stage, are not the only times that Presidential courage is needed. I believe future historians will judge the solution of the Jordanian crisis to be one of the high-water marks of the Nixon Presidency.

The story cannot now be told in full. But with Syrian tanks rolling across Jordan's border, with one of the men who holds the key to peace in the Middle East on the brink of disaster, with Israel poised for attack and with both superpowers being drawn toward confrontation, the President of the United States did exactly what Presidents are supposed to do: he took personal charge of the situation, lived with it day and night, used the levers of power calmly and surely and—always behind the scenes—displayed the courage that averts wars.

Because there was no widespread public fear beforehand, there were few accolades and no widespread sense of relief afterward. Which is just as well—the American public and the world public do not need any emotional roller-coaster rides at this time. But the "Middle East war of 1970" is not in the history books largely because of the courage and skill of the American President.

The Eisenhower years.—I recall a time back in 1958, when I worked in HEW in the Eisenhower Administration and when there was a desperate need for more school construction and more college buildings. We had a plan for Federal subsidy of the debt service on new facilities for education, which would not have had great immediate impact on the budget but that would commit the government to a generation of support—and that would get more schools built quickly.

We had exactly one ally in the Cabinet—Vice President Nixon. He saw that problem in terms of schoolchildren and college students in the 1960s and 1970s and he volunteered to take up what had been conceded to be a losing cause.

At a Cabinet meeting where the decision was to be made, the Budget Bureau presented its objections. I was sitting back against the wall, with my resignation in my pocket, and with that sinking feeling that comes when you see heads nodding away thousands of schools.

The Vice President knew that direct confrontation would freeze the opposition. Little by little, in the course of the meeting, he chipped away at the objections, letting the subject be changed, coming back to it later on another tack, never argumentative, always reasonable.

Finally, President Eisenhower said, "I don't see where there can be any strong objection to this, either philosophically or in terms of money. Let's go ahead with it." The pencil the Vice President was holding snapped in his hand, and I reached in my pocket and crumpled up my resignation.

Welfare reform.—Recently, after his speech to the White House Conference on Children—a moving and heartfelt speech—he called me to discuss how else he could show his personal commitment to welfare reform. At 4 in the morning that day, he told me, he had gotten out of bed to add to his speech his memories of his own childhood—how his family may have been poor, but they never felt poor, because they were never subjected to the demeaning indignities of the present welfare system. He could not understand why some people still felt his heart was not in welfare reform—because he knew what it did to human beings, and he has a deep, even a fierce, personal commitment to changing the system. That's why I am certain we are going to get it changed, and soon.

SALT. Our position at the Strategic Arms Limitation Talks was discussed at a series of National Security Council meetings. The President had been given voluminous option books, weighing the implications of each consideration, including the detailed misgivings of some of his military advisers about making a comprehensive proposal—they preferred, instead, a series of individual steps.

I cannot think of a more complex decision that could confront any President, or one with more far-reaching ramifications. The fact that he did his homework was apparent in his questioning. He encouraged argument. He listened a lot. He took his time, thinking about it both alone and aloud with advisers for months. And then, on a sheet of paper with a series of "approve-disapprove" choices, we saw his decision. He incorporated his own modifications and additions and settled on a comprehensive arms-limitation presentation.

Perhaps it will succeed; perhaps only part of it will be accepted, since it is not presented in an all-or-nothing way. But every man who worked on it knows that the one man who is elected to decide has decided on the basis of thinking it through.

Sensitivity.—In 1956, in the midst of the mini dump-Nixon campaign in which Christian Herter was pushed forward as a possible replacement, I was asked by Governor Herter to help draft a speech for him nominating Nixon.

After I had something on paper, I showed it to the then-Vice President and asked if he found it suitable. Politely, he replied: "This says everything that needs to be said." I started to leave with the speech unchanged, but it occurred to me that the Vice President's answer was a little restrained. I asked him if there were other things he would like to have said.

Then, and not until then, he opened up to give me a short and unforgettable lesson in speechwriting. He showed me how to put myself in the shoes of the speaker, standing in front of a live audience of thousands—a political audience that wanted to express itself from time to time. It was a far better speech for his editing, but it would not have been unless he had been invited to edit.

Biafra.—We were discussing what to do about starvation in Biafra. There was a definite danger in straining our relations with Nigeria, then in the final stages of its civil war. The President weighed the problem of Nigerian displeasure against the need of the hungry Ibos; the deciding factor was the humanitarian feelings of the American people. The President owed it to his fellow citizens to make the kind of response that was rooted in the American character: the President's reaction could not be the "correct" diplomatic reaction, it had to be the gut American reaction.

I have seen the President at work, and worked with him. I know that the qualities he has displayed to me over the years are not "new." And they are once again reflected in his speech to the joint session of the Congress last Friday.

In his State of the Union address, the President of the United States revealed himself to be a calmly rational revolutionary—in the sense that the men who founded this nation were revolutionaries.

Without the bravado and fury one associates with a revolution, Richard Nixon outlined a fresh approach to two of the overriding concerns of the American people: the need for the Federal government to do more for the poor and the sick, and the need for each American to have much more of a say in the decisions that affect his life.

That definition of the American character—the evocation of the American spirit—is what Presidents must constantly strive to do. That is what we saw last week in the State of the Union. That is the overriding theme President Nixon repeatedly returns to, in talks on campuses and discussions with his Cabinet and staff.

This is how he put it, off the cuff and off the record, early last week: "There was running through the theme of that constitutional convention, even among the Federalists, let alone the Jeffersonians, the idea that it was important to keep government close to the people, that people had to have a part of the action, that every person did count, that the individual was what was important. That is what we have lost sight of. So now we come to a point 190 years later.

"We are setting forth before the country a whole new approach to government, one which we trust will be good for the next two years when adopted, or the next four years or six years, or through the balance of the '70s, but beyond that it will do as well for this country for the next 100 years as the present system did for the past 190 years.

"This is a great goal. That is one that should inspire us. It is one that should lift us, and it is one also that should build for all of us the strength we are going to need to withstand the barbs of our critics."

When a President speaks that way to the men around him and when you see how fervently he means what he says, you understand why he inspires such loyalty and commitment in the men around him. It needs to be transmitted more widely, which is the hardest task of all, but I believe it will be done.

FUNDS FOR CANCER RESEARCH

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

Mr. BOW. Mr. Speaker, a question has been raised about funding for the Cancer Institute and the $100,000,000 referred to in the President's state of the Union message. I believe the statement was made that it is not in the budget.

This is not correct. On page 306 the 1972 estimate for the National Cancer Institute is shown as $232,234,000. This is an increase over 1971.

Then, if Members will look to page 309 of the budget, they will find cancer research initiatives—an additional $100,000,000.

So the President said he would increase this effort by $100,000,000, and it is there. This is in addition to the increase on the National Cancer Institute.

The point about $30,000,000 instead of $100,000,000 is misleading. The $30,000,000 refers to outlays—actual payments to be made from the Treasury during 1971. The full amount of $100,000,000 is requested to be available for obligation or commitment in 1972. No new initiative can ever be spent entirely the first year. Time is required to gear up to this level and prompt action by the Congress on the appropriation bill will be essential. I can assure my colleagues that the staff of the National Cancer Institute are working as diligently as possible to develop careful plans for the use of these funds. Every effort will be made to implement this effort as rapidly as possible, but in a careful and responsible way. I am sure this program will result in real progress against this dread form of disease and prove a credit to both Congress and the administration.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

WASHINGTON, D.C.,
January 27, 1971.

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

DEAR MR. SPEAKER: I have the honor to transmit herewith a sealed envelope from the White House, received in the Clerk's Office at 5 p.m. on Wednesday, January 27, 1971, said to contain a Message from the President, transmitting the Nineteenth Decennial Census.

With kind regards, I am,
Sincerely,

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

NINETEENTH DECENNIAL CENSUS OF THE POPULATION AND APPORTIONMENT OF REPRESENTATIVES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 92–38)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on the Judiciary and ordered to be printed:

To the Congress of the United States:

Pursuant to the provisions of Title 13, United States Code, section 141(b) and Title 2, United States Code, sections 2a and 2b, I transmit herewith a statement prepared by the Director of the Census, Department of Commerce, showing (1) the population of each State and the District of Columbia as ascertained by the Nineteenth Decennial Census of the population, and (2) the number of representatives to which each State would be entitled under an apportionment of the existing number of representatives by the method of equal proportions.

RICHARD NIXON.

THE WHITE HOUSE, *January 27, 1971.*

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

WASHINGTON, D.C.,
January 28, 1971.

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

DEAR MR. SPEAKER: I have the honor to transmit herewith a sealed envelope from the White House, received in the Clerk's Office at 3:30 p.m. on Thursday, January 28, 1971, said to contain a Message from the President to the Congress on Selective Service Reform and the All-Volunteer Armed Force.

With kind regards, I am,
Sincerely,

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

NEW APPROACH TO MEETING MILITARY MANPOWER REQUIREMENTS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 92–37)

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

To the Congress of the United States:

On April 23, 1970, in a message to the 91st Congress, I proposed that the Nation embrace a new approach to meeting our military manpower requirements—an approach that recognized both the necessity for maintaining a strong national defense and the desirability of ending the draft.

In that message I put forth two sets of proposals.

The first set of proposals dealt with the fundamental question of how this Nation should raise the armed force necessary to defend the lives and rights of its people and to fulfill its existing commitments abroad.

After carefully weighing both the requirements of national security and the desirability of reducing infringements on individual liberties, I urged that we should begin moving toward an end of the draft and its replacement with an all-volunteer armed force, with an eye to achieving this goal as soon as we can do so without endangering our national security.

The second set of proposals dealt with reforming the draft system itself, while this continues to be needed in the immediate future to maintain our armed

strength as we move toward an all-volunteer force.

Now, more than nine months later, I am even more strongly convinced of the rightness of these proposals. Now, as then, the objective of this administration is to reduce draft calls to zero, subject to the overriding considerations of national security—and as long as we need the draft, to make it as fair and equitable as we can.

Over the past 9 months the Secretary of Defense and the Director of Selective Service have initiated a comprehensive series of steps designed to help us achieve that goal. Average draft calls are now substantially lower than they were when this administration assumed office, and we have significantly improved the consistency and fairness of the draft system. We shall continue these actions at an accelerated pace.

However, to continue the progress that now is possible toward both goals—toward ending the draft, and in the meantime making it more nearly fair—legislative as well as Executive action will be needed.

ENDING THE DRAFT

Since my April 1970 message, a 7.9 percent across-the-board increase in the rate of basic pay has been enacted that will raise the pay of members of the Armed Forces by almost $1.2 billion a year. Building on this base, I am submitting a number of legislative proposals (some of which were previously submitted to the 91st Congress) which, together with Executive actions I shall take, would move us substantially closer to the goal of an all-volunteer force.

—I propose that we invest an additional $1.5 billion in making military service more attractive to present and potential members, with most of this to be used to provide a pay raise for enlisted men with less than two years of service, effective May 1, 1971. If approved by the Congress, this action would result in a total additional investment of $2.7 billion for military manpower, and would substantially reduce the present inequity in the pay of men and women serving in the Armed Forces. The proposed pay raise would increase rates of basic pay at the entry level by *50 percent* over present levels. Also, I am proposing increases in the quarters of allowance for personnel in the lower enlisted grades.

—I am proposing a test program of special pay incentives designed to attract more volunteers into training for Army combat skills.

—Existing law provides that as general adjustments are made in civilian pay, corresponding increases will be made in military pay. In addition, I am directing the Secretary of Defense to recommend for the 1973 fiscal year such further additions to military compensation as may be necessary to make the financial rewards of military life fully competitive with those in the civilian sector.

—The Department of Defense, through Project Volunteer, has been actively engaged in expanding programs designed to increase enlistments and retentions in the services. A fair level of pay, while necessary, is only one factor in increasing the relative attractiveness of a military career. I will propose that approximately one-fifth of the additional $1.5 billion be devoted to expanding our efforts in the areas of recruiting, medical scholarships, ROTC, improvement of housing, and other programs to enhance the quality of military life.

—During the past year, the Department of Defense has reviewed the policies and practices of the military services and has taken actions to emphasize recognition of the individual needs and capabilities of all military personnel. These efforts will be continued and strengthened.

EXTENSION OF INDUCTION AUTHORITY

No one knows precisely when we can end conscription. It depends on many things—including the level of military forces that will be required for our national security, the degree to which the combination of military pay increases and enhanced benefits will attract and hold enough volunteers to maintain the forces we need, and the attitude of young people toward military service.

Current induction authority expires on July 1, 1971. While I am confident that our plan will achieve its objective of reducing draft calls to zero, even the most optimistic observers agree that we would not be able to end the draft in the next year or so without seriously weakening our military forces and impairing our ability to forestall threats to the peace. Considerations of national security thus make it imperative that we continue induction authority at this time.

Normally, the Congress has extended induction authority for four year intervals. I propose that this Congress extend induction authority for two years, to July 1, 1973. We shall make every endeavor to reduce draft calls to zero by that time, carefully and continually reexamining our position as we proceed toward that goal.

REFORM OF THE DRAFT

As long as we must continue to rely on the draft to meet a portion of our military manpower requirements, we must make the draft as equitable as possible. To that end I am proposing legislation to modify the present draft law, including the resubmission of recommendations I sent to the Congress last year. This proposed legislation would:

—Permit the phasing out of undergraduate student deferments, and also exemptions for divinity students.

—Establish a uniform national call, by lottery sequence numbers each month, to ensure that men throughout the country with the same lottery numbers have relatively equal liability to induction by their local boards.

In addition, the legislation I am proposing includes a number of other amendments which will improve the administration of existing law.

For the immediate future we will need the draft and, moreover, even when the draft has been ended, we will have to maintain some form of a standby system that could be re-activated in case of emergency. Therefore, I urge favorable Congressional action on these proposals to reform the draft and make it as nearly fair as we can for the time it is needed.

While the reforms proposed in our existing draft system are essential, however, it must be remembered that they are improvements in a system that will be used only as long as the draft is necessary.

This Congress has both the power and the opportunity to take an historic action. As I stated in last year's message, with an end to the draft we will demonstrate to the world the responsiveness of our system of government—and we will also demonstrate our continuing commitment to the principle of ensuring for the individual the greatest possible measure of freedom.

I urge the 92nd Congress to seize this opportunity, and to make the bold decisions necessary to achieve this goal.

RICHARD NIXON.

THE WHITE HOUSE, *January 28, 1971.*

PRAYER BREAKFAST IN MONTGOMERY, ALA.—ADDRESS BY HON. LAMBERT MIMS

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

Mr. NICHOLS. Mr. Speaker, it is a tradition in Alabama to hold a prayer breakfast in Montgomery prior to the gubernatorial inauguration. At this breakfast, governmental leaders from throughout the State gather to pray to God for guidance. This year's address was given by the Honorable Lambert Mims, a lay leader in the Baptist Church and the public works commissioner of Mobile, Ala. I would recommend that my colleagues read the address of Mr. Mims. I believe there is something in his remarks for each of us:

AMERICA, LET US PRAY

This is a Prayer Breakfast. We have come here today to pray—to recognize the Almighty as our God and Savior—to confess our insufficiencies and our sins—to ask His forgiveness, and to seek His continued blessings upon our lives as individuals, and upon this State, and this Country.

Our coming together in this fashion causes us to admit our dependence upon God, and reaffirm our convictions that without Him, we shall fail.

This State needs God; our new Governor and his Cabinet need God; this new Legislature needs God. We all need Him. America needs Him—and as we think together today, we want to think on the subject, "America, Let Us Pray."

I. AMERICA, LET US PRAY BECAUSE WE NEED PRAYER AS NEVER BEFORE

I am reminded of Georgia's Senator Herman Talmadge's remarks at the Presidential Prayer Breakfast, held last February at the Washington Hilton Hotel. Senator Talmadge said,

"These are difficult and extremely troubled times for Americans and for people throughout the world. The best in all of us is put

to the test almost daily. In recent years, it has often seemed to me," he said, "that our nation has gone from one crisis to another, either at home or abroad. The faith of all Americans in freedom, in what is right, in what is good, and in their God, is tested time and again. This is why men must take time from their duties to meet, to pray, and, most especially, to seek divine guidance."

"These are difficult and extremely troubled times," the Senator said. Let us look at these times.

One would not have to look far to see our times troubled by war, a war seemingly unending. For ten years America has been at War in Southeast Asia. For ten years many a mother and father have seen their son go off to war, some never to return. For ten years many a wife has kissed her husband goodbye, with many never returning.

While we meet here today, there are thousands of our servicemen upon foreign soil, and hundreds in Prisoner of War Camps—for you and for me. A time troubled with war, and tensions getting worse!

America, Let us Pray!

Then, one would not have to look very far to see times troubled with crime and violence. Never before has there been so much crime in our Country. In the past ten years, the crime rate has risen ten times as fast as the population—the crime rate rising 131% and the population rising 13%. It is predicted that within the next twelve months, one of every three of us are subject to being a victim of some vicious criminal.

The streets of the average American city are more dangerous than the jungles of Vietnam. In our Nation's Capitol, people are afraid to walk the streets at night. A Washington columnist recently said that there were more murders committed in Washington last year than in Saigon, a city three times its size.

America, Let Us Pray!

Ashamedly we must admit, too, that these are times troubled with drug addiction, when thousands of young people are ruining their lives with pills, and pot, and hard drugs of all types. And if we will take our heads out of the sand, we will see times troubled with permissiveness, promiscuity, and pornography. Hundreds of skin-flick, so-called "art" theaters, grind out sex movies by the hour, and thousands of bookshops and newsstands sell suggestive and hard core pornographic materials in almost every city in America. And in addition to that, your postman delivers unsolicited, obscene materials to your mail box to pollute the minds of your children.

And if that is not enough, you can look a little further, and you see a time troubled with racial unrest; social inequities; poverty; economic strain; polluted air and waters; alcoholism; and dozens more things that should cause the deepest of concern for all Americans.

Yes, America needs to pray because we need prayer more than ever before.

General Douglas MacArthur declared that the basic problems of modern life are theological—meaning that if modern life lacks spiritual dimensions, nothing can save it from decay and death.

America, in my opinion, lacks spiritual dimensions. We are rapidly coming to the place that we don't need God, we think. We live in an age of materialism; a time of things. We do a lot of Church-going, but not enough practicing Christianity. We are losing our spiritual power. We have a form of godliness, but we deny the power thereof. We want to be connected with the Church, but we don't want to be too Churchy in the business world, or in the political world, or in our social lives.

We must face the fact that we are on a downhill course spiritually and this decline will rob us as individuals, and as a nation, of the strength to stand upright.

The things that count most in life are not wealth, public acclaim or high station. It is the simple things that last—things like peace, and love, and being a good neighbor. Things like unity. These are the things that we are losing sight of—the very things that have made us great.

America, Let us pray because we need prayer more than ever before.

II. AMERICA, LET US PRAY BECAUSE OUR FOREFATHERS SET THE EXAMPLE

This Country was founded by men who wanted to pray. Their desire to have the privilege to pray and worship God in whatever way they saw fit, literally drove them to this continent.

The storms of the North Atlantic raged; the food ran out; fresh water was scarce; sickness spread throughout the group. Some died and never made it, but prayer brought most of them to Plymouth. Before setting foot on this soil, they made a covenant glorifying God.

"In the name of God," they began their covenant, "In the name of God." And now there are forces in this Country who are trying desperately to take the name of God out of everything. They have succeeded in taking Him out of the schools. Some are trying to take God's name off our coins, and out of the "Pledge to the Flag", while others are terribly upset because the astronauts read from the Bible when they circled the moon.

The second line of the *Mayflower Compact* begins, "having undertaken for the glory of God, and the advancement of the Christian faith," (not for advancement of yippies, hippies, atheism, communism, or some false doctrine,) "we covenant and combine ourselves together into a civil body politic."

Yes, our Founding Fathers set an example for us to pray.

George Washington, our first President, prayed in the snow at Valley Forge, and said, "This event is in the hands of God." When the battle appeared to be unfavorable, he was asked, "How will it end?" he said, "God will direct."

When the leaders of our Country assembled to write the Constitution, it was suggested by Benjamin Franklin that each session be opened with prayer. Franklin said, "I have lived a long time, and the longer I live, the more convincing proof I see of this truth—that God governs the affairs of men. And if a sparrow cannot fall to the ground without His notice, is it possible for an empire to rise without His aid?"

Heeding Franklin's remarks, the Congress was opened with prayer and our forefathers were led to mention God at least four times in the Declaration of Independence. From that time until now, Congress has been opened with prayer.

Our forefathers have set the example. Let us make sure that we follow their example.

America, Let Us Pray.

III. AMERICA, LET US PRAY BECAUSE IT IS GOD'S WILL THAT WE PRAY

Government is of God. The Apostle Paul made it explicitly clear in his letter to the Romans, that Government is of God. "Let every soul be subject unto the higher powers. For there is no power but of God: The powers that be are ordained of God." He went on to say in Verse 6 of Chapter Thirteen that those in office are God's ministers. "For this cause pay ye tribute also: For they are God's ministers, attending continually upon this very thing. Render therefore to all their dues: Tribute to whom tribute is due: Custom to whom custom: Fear to whom fear: Honour to whom honour."

If Government is of God, then we in Government surely need God's blessings. He wants to bless us, and it is His will that we pray and seek His face.

In the Old Testament we find these words, "If my people who are called by my name will humble themselves and pray and seek my face, and turn from their wicked ways, then will I hear from heaven and will forgive their sin and heal their land." II Chron. 7:14.

And then, in Jeremiah we read, "Call unto me, and I will answer thee and shew thee great and mighty things, which thou knowest not."

In the New Testament, we are exhorted to pray. "I exhort therefore that, first of all, supplications, prayers, intercessions and giving of thanks be made for all men; for Kings, and for all that are in authority, that we may lead a quiet and peaceable life in all godliness and honesty. For this is good and acceptable in the sight of God, our Saviour," said the Apostle Paul.

Christ taught us to pray, and ask, "Ask, and is shall be given unto you; seek, and ye shall find; knock, and it shall be opened unto you; for everyone that asketh, receiveth, and he that seeketh, findeth, and to him that knocketh, it shall be opened." Matt. 7:7–8.

America, Let us pray because God wants us to pray.

The Apostle Paul has taught us to "pray without ceasing, and in everything give thanks: For this is the will of God in Christ Jesus concerning you."

And in Phil. 4:6 he said, "Be careful for nothing; but in everything, by prayer and supplication with thanksgiving, let your requests be made known unto God."

I am confident that this very prayer breakfast is pleasing to God. It is His will that we pray, not only today, but every day.

IV. AMERICA, LET US PRAY BECAUSE GOD IS ABLE TO HELP US

We are a Nation under God. "I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, *one* Nation, *under God*, indivisible, with liberty and justice for all."

The main trouble with America today, as I see it, is that we are losing our oneness. We have too many hyphenated Americans—the Afro-American; the Spanish-American; the rich-American; the poor-American; the middle-American; the young-American; the aged-American, and on and on.

What is needed more than anything else is godly-Americans, moving forward with one common cause, with one common goal, and that is to do God's will in our lives, looking to Him, who is able to solve our problems.

Some try to pretend that God is dead. Some say that He is outdated. Some say that He has served His purpose, and that God and Christianity is not relevant.

How absurd. God is real. God is alive. He is here today. He is the same yesterday, today, and forever. The same God that spoke the world into existence; the God who put the moon in place; the same God that hung the stars in space, this day, wants us to call upon Him.

"If my people who are called by my name will pray, I will heal their land."

God can and will meet the needs of this Nation if we will meet His conditions.

It is up to us—God's people. I am sure that everyone here today is affiliated with a church. I can't imagine a person holding public office in the State of Alabama who is not a member of, or connected with, some organized church. We are God's people, and God says "if my people who are called by my name" will humble themselves first of all, He will heal.

It is absolutely imperative that we humble ourselves. It is not easy, especially in this day when so much emphasis is put on the ma-

terial, and when we all have so many blessings, but there is one thing that we all must remember and that is, if we want to have favor with God—if we want to make points with Him—we must be humble. It makes no difference how high the position in politics, or how prestigious a station we attain in our community, or how powerful a spot in our government, what really counts is how humble we are before God. "He that exalteth himself shall be abased but he that humbleth himself shall be exalted."

"If my people will turn from their wicked ways—I will heal." This doesn't mean that we have to rob a bank, or commit murder, to be classified as wicked. Our pride, our selfishness, our unconcern for our fellowman, our malice, our envy, and a multitude of things can keep God from healing our land.

And then, if we will seek His face and pray, he will hear.

Not long ago, David Lawrence, *U.S. News and World Report*, said,

"These are times not for internal strife, but for serious consideration on how America can best serve mankind in a distraught world. We need to awaken the American people to the fact that this is an occasion for prayer, not only on every campus but in every home, every day—a prayer that we may see the right course and carry out the mission which God wishes us to fulfill for human welfare.

"We have been omitting the greatest 'demonstration' of all—mass prayers by young and old together, so that we may sense the spiritual power which can bring salvation to the troubled world of today."

We want to end on this note knowing that these are not the times for internal strife, and knowing that God is able to help in time of need, we want to unite our hearts in prayer for this administration and this legislature so that we may sense the spiritual power which can bring salvation to this troubled State and world.

James said, "If any man lack wisdom, let him ask of God, that giveth to all men liberally, and upbraideth not: and it shall be given him."

We all need the wisdom of God to guide this State, and there is absolutely no better way to start an inaugural day or a new administration than with a Prayer Breakfast.

We have many new members of the Legislature here. Take it from me, gentlemen, you will need Divine Leadership. You will find yourselves in positions where there is no place else to turn—a hundred of your friends and supporters will be for an issue, and a hundred will be opposed—the only place for you to go is a quiet place of prayer, to seek God's will in the matter. This is what I challenge you to do.

Governor, as you well know, there will be many times when your staff cannot give you the proper answers. You will have to retreat and seek God's answer. These are the moments that count, moments when God's will is sought, and found—the moments when we make Christ our leader.

As we bring this message to a close, let us all, State, County, and Municipal Officials, ask God's forgiveness of our sins and shortcomings, and rededicate ourselves to Christ, our Savior and Leader, and ask Him to help us be the kind of public officials that He wants us to be, and the kind of public officials that our fellow-Alabamians expect us to be.

We trust that our gathering here today in the name of Christ will encourage Alabama and America to pray—not only today, but every day!

ETHNIC HERITAGE STUDIES CENTERS

(Mr. DERWINSKI asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DERWINSKI. Mr. Speaker, it is quite natural for us to review the record of the 91st Congress and just as President Nixon has done, note what was not accomplished and should properly receive attention in this the 92d Congress.

One such item which deserves objective and, I believe, prompt consideration is a bill which would establish Ethnic Heritage Studies Centers throughout the country.

An article in the spring 1971 issue of the Ukrainian Quarterly by Prof. Lev E. Dobriansky of Georgetown University concentrates on this matter. The article follows:

COSMOPOLITAN AMERICANISM VIA ETHNIC HERITAGE STUDIES CENTERS

In the 91st Congress of the United States a couple of multi-sponsored bills were submitted, calling for the establishment of ethnic heritage studies centers throughout the country. One was H.R. 14910, offered by Congressman Roman C. Pucinski and thirteen other Representatives, including the Honorable Edward J. Derwinski of Illinois. The other, S. 3807, was an exact copy of the House bill which Senator Smith of Illinois advanced in the Senate, with the support of Senator Richard Schweiker of Pennsylvania and others. The bills were referred to the respective committees in the two chambers, to the Committee on Education and Labor in the House and the Committee on Labor and Public Welfare in the Senate. Hearings were held on the House bill, but none were conducted on the Senate one.[1] In both cases, the lagging 91st failed to act for passage of these measures.

At this writing, plans are under way for the reintroduction of these bills in the 92nd Congress. It is expected that Congressman Pucinski and his cosponsors will again assume the lead in the House. With the defeat of Senator Smith in the last Congressional elections, it is likely that Senator Schweiker will take the lead in the Senate. Because of the long-term value and vital importance of the bill, it is hoped by many observers that the need for any additional hearings on the bill be expeditiously satisfied so that the subcommittees may adequately consider the measure and report it for full committee consideration. The sooner this is done, the sooner the bill can be reported out for a House vote. In the Senate, where no hearings on the bill were held in the 91st Congress, it would be reinforcing to the anticipated process in the House to have such hearings conducted in the other chamber. A concerted effort should be made in both chambers right from the start of the 92nd Congress.

On the basis of the hearings that have been held so far in the House, there is no need whatsoever to alter the main thrust and objective of this far-seeing bill. Its consummate end is to provide a program for improving the opportunity of students in elementary and secondary schools to study the cultural heritages of the major ethnic groups in our Nation. The funding of the program would be $10 million in the first year, doubled to $20 million in the second year. Subsequent funding would depend on the results of the program's execution. A corollary objective of the bill is to produce educationally a general awareness of the multi-ethnic composition of American society and the respective contrbutions made to the rich diversity of this unprecedented socio-economic organism in the history of mankind. In short, it is proposed to advance and intensify the unity-in-diversity being of the American social organism and, to all intent, to develop the special pride each and every one of us should share in being an American regardless of ethnic background.

THE UNIQUENESS OF AMERICA

The hearings before the General Subcommittee on Education in the House make for highly productive reading and understanding of the subject. Much of the data brought out by them is instructive and substantially supportive. Throughout the testimonies constant references are knowledgeably made to the major ethnic groups in our country, such as the Italians, Irish, Jews, Poles, Germans, Ukrainians, Chinese, Japanese, Negro and others. Along with these references, there are numerous problems that are properly raised. For example, concerning the problem of resource allocation, one witness states, "there are a considerable number of Hungarians in New Jersey, Ohio, and in certain other places. The Ukrainians have a number of different locations and so on. It seems to me that a regional center in Cleveland ought to reflect the spectrum of ethnic groups within the Cleveland metropolitan area."[2] His pitch is for centers of a neutral character, but it can be logically held that if the preparation of materials for primary and secondary school consumption is the prime objective, this kind of locationalizing is really unnecessary. What is necessary is the concentration of expertise.

Another witness, concerned with the problem of inclusion, observes that in his area, New York City, "we have a substantially large Greek community and a substantial Ukranian group, et cetera. Even if we were to get an ethnic study center, we would have to make some decisions as to which one we would include or not, otherwise the money that is available and the resources that you can mobilize make your efforts so very thin that they are not meaningful."[3] In essence, this, too, refers to the fundamental problem of resource allocation. The legislation is specifically directed at "the major ethnic groups in the nation," but the question is where does one draw the line between the major and minor ones? A witness, representing several organizations in Illinois, in effect raises this point: "And I say the majority ethnic groups, like the Poles and Lithuanians, Ukranians, they may get some answer to it. But what will happen to the others, Croatians and Bulgarians, Estonians and Latvians and Byelorussians, and all of those, and they are adamant about their demands?"[4]

What is the answer? Among the many elements and factors supporting the uniqueness of America is the public forum to air out and discuss thoroughly problems and issues of this and like nature. If, as President John F. Kennedy put it, America is "a nation of immigrants," then we are all ethnics, and logically the base of the studies centers should be all-embracing, all-encompassing. And if conceptually this is so, doesn't the whole venture become prohibitive in cost, time and resourcees? Moreover, what of the "melting pot," the assimilation idea in all this? This long-standing idea emerges in testimony after testimony in the House hearings, and from the negative point of view, it isn't always treated cogently and with perspective. Furthermore, would a concentration on differences and contrasts, as the proposed program necessarily entails, intensify them to the disservice of national union and integrality? These and cognate questions must first be adequately resolved before the relatively lesser problems of resource allocation, location and so forth need be considered. In point of fact, the solution of the latter is to the largest extent predicted on the resolution of the former.

One testimony in the House hearings provides several excellent quotations that seem to answer in eloquent form the critical questions raised above.[5] For example, in 1782, Michel de Crevecoeur dubbed the American the "new Adam," and in his *Letters From An*

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American Farmer wrote "Here, individuals of all nations are melted into a new race of men, whose labours and posterity will one day cause great changes in the world." In 1908, a Jewish immigrant by the name of Israel Zangwill put it this way: "America is God's Crucible, the great Melting Pot where all races of Europe are merging and reforming . . . Germans and Frenchmen, Irishmen and Englishmen, Jews and Russians—into the Crucible with you all! God is making the American!" With a different emphasis, Archibald MacLeish said, "America is a symbol of union because it is also a symbol of differences, and it will endure not because its deserts and seacoasts and forests and bayous and dead volcanoes are one mind, but because they are of several minds and are nevertheless together . . . " One can find similar expressions in the writings and observations of Jacques Maritain, Justice Oliver Wendel Holmes, Calvin Coolidge and others.

If reasonable acceptance can be given to the substance of thought in these and similar quotations, then it can be held that the goals and objectives of this Ethnic Heritage Studies Centers bill are thoroughly consistent with the historical basis and the significant nature of our national entity. In maintaining this we have not, of course, resolved the specific problems posed earlier. However, their resolution becomes easier once we establish a satisfactory and realistic concept of America. Without such a concept, rational answers to the pending questions cannot be offered. It is maintained further that the provisions of the measure and their systematic implementation would result in a formidable instrument capable of intensifying the qualitative growth and cultural richness of our nation-state. As the measure's statement of policy emphasizes, a deeper understanding of one's heritage and those of others cannot but contribute to our national cohesion and more harmonious and prosperous, overall development.

What is oftentimes overlooked in such discussion is the fundamental uniqueness of our Nation in the history of the world and the basic need for preserving and cultivating this unprecedented character, which by intent, content and portent this legislation would reinforce. Neither romanticism nor any form of super-patriotism need be invoked to recognize philosophically that on the basis of both historical and political evidence no nation in the history of mankind possessed or possesses the nature and character of our Nation. Historically, from the very beginning and drawn into the very body and soul of America have been people from every corner of the globe, from every race, and from all major religions. Characterized by one of America's outstanding columnists as an historic document, the Captive Nations Week Resolution (Public Law 86–90) begins with this very essential truth: "Whereas the greatness of the United States is in large part attributable to its having been able, through the democratic process, to achieve a harmonious national unity of its people, even though they stem from the most diverse of racial, religious and ethnic background. . . ."[6]

Politically, and also in sharp contrast to other nation-states of the world, human diversity in developmental unity has been and continues to be another unique characteristic of America. Multi-ethnicity at work in national union has been and is the ever-expanding reservoir of resourcefulness, innovation and challenge in this grand and tremendous historical experiment called the United States of America. This Nation suffered a costly Civil War over 100 years ago, but survived it to become in the next century the most powerful politico-economic entity in the history of mankind. Its salient character of unity-in-diversity is now being tested again by hostile external forces, and the paramount question of our times is whether we can survive this divide-and-conquer operation while America peaceably pursue its Manifest Destiny in technologic progress, economic investment, and constructive creativity both at home and abroad. Then, to parallel, as many do, the USSR and its numerous nations with the U.S. in this unity-in-diversity respect well indicates more than one mark of professed ignorance regarding the nature, composition and development of the empire-state.[7]

With a measure of sober reflection, the ramifications of thought flowing from these fundamental truths cannot but impress themselves on anyone who begins to think in terms of a cosmopolitan Americanism adaptable and fitted to the needs and demands of our global position. It would be foolish to overemphasize the domestic to the exclusion of the international, or the latter to the neglect of the former. The two are intrinsically interrelated, and this fact reinforces further our chief thesis on cosmopolitan Americanism which rests on the two basic truths adumbrated above.

In this framework of understanding, then, the essence of the EHSC bill really extends beyond the passive attainment of understanding ourselves and each other to tap and regenerate the very springs of our national origin, growth and destiny. Clearly, in the global context today, it is surely not a species of putative reasoning to maintain that by its unique nature and all that this implies in terms of human progress and civilization, the presence and consummate power of America are integral parts of God's design for the future of mankind. Zangwill's Crucible and "God is making the American" make far more realistic sense with the foremost empirics at hand—almost all races and peoples, diverse cultural heritages, most powerful nation, decisive bastion of world freedom, manifest technico-economic destiny, societal pluralism, domestic-international balance, and historic experiment—than any so-called naturalistic or humanistic explanation. Whether by faith, reason and will we shall accomplish the demands of this prominent design is actually the titanic test and challenge we today face. The directions paved by EHSC undoubtedly will enable us to meet this challenge more adequately and more successfully.

THE ANSWERS OF COSMOPOLITAN AMERICANISM

Before positive action can be taken on the EHSC bill, the outstanding questions regarding the feasibility of the undertaking must be adequately answered. After having examined carefully the volume of hearings testimony on the subject, one still is left somewhat uneasy about the justification offered in behalf of EHSC. For example, one can easily take to task the bland statement that "the 'melting pot' theory of Herbert St. Jean de Crevecoeur and Israel Zangwill has not worked and today we find that a variety of ethnic and racial groups have combined to form the mosaic of the American social fabric, living in relative peace on the same turf."[8] Isn't a mosaic possible within any organic whole, and what happened to the concept of nation? Grevecoeur's and Zangwill's conceptions do not constitute a theory; they are organic views of an evolving process where successive cultural mosaics are not only possible but also desirable for the unique development of this national, moral organism. Customs and even languages perpetuated in some ethnic communities in the United States have, from one viewpoint, become outdated by the changes sweeping so-called counterpart homelands, and yet they render cultural beauty and richness in an environment that is far advanced educationally, technologically, economically and politically than the given counterpart.

So, then, in what is a far more complex subject than what appears on the surface, answers of a cosmopolitan Americanism can be given to questions such as "Won't a program of this nature prevent ideal assimilation?"; "Wouldn't such a concentration on differences produce disunifying forces, in some instances even to the point of questioned loyalty?"; "If we are all ethnics, shouldn't all be included in the program?"; "How, indeed, is the allocation of resources to be executed?" From the evidence these appear to be the dominant questions raised by some who doubt the wisdom of the proposed EHSC program.

In the broadest perspective, the emergence of the United States these past few decades from a protected stance of splendid isolation to one of necessary worldwide involvement has laid the groundwork for a cosmopolitan Americanism. This new outlook and national bent engender a growing appreciation of cultural differentiation, the need for multi-national exchange and concourse, an awareness of an evolving world community and values of change, relative peace, constructive evolution, and universal bonds. Posited in this expansive reality, the so-called ideal of assimilation becomes an elusive and vague expression, the "melting pot" process shifts more and more on a global scale, and the impact of external forces and influences on American being and existence becomes greater than ever. The assimilative process is inescapable in any changing environment, but the fundamental question is what are we assimilating to? A cosmopolitan American cannot but continually assimilate himself to the progressive realization of the principles of freedom, opportunity and challenge that have made this unique Nation what it is and also to the creative building of a world order and a free community of nations. The unity-in-diversity sought in the latter actually necessitates a resourceful unity-in-diversity in the American environment. And this is the very key to the problem here.

Logically, then, the EHSC program would not impede assimilation, difficult as that is. On the contrary, it would accelerate it in the realistic sense described above, furnishing new energies within for bountiful expression without, especially in the advancement of the numerous freedoms that have always constituted the unfolding "American dream." Likewise, and quite rationally, too, a methodical and selective concentration on differences within would intensify, rather than weaken, unifying forces within, as well as without. In addition, true as it is that America is a nation of immigrants, that by whatever point of generative remotion we are all ethnics, the fact is that by one circumstance or another, some Americans have conserved their ethnical legacies, as manifested in customs, language, community efforts, religion and so forth, providing cultural strains in the ever-evolving cultural embodiment of America and emphasizing America's intrinsic affinity to different parts of the world. It is no accident, for instance, that the prominent listing of these groups spontaneously appears in the volume of House hearings inasmuch as their response to the EHSC bill was well nigh instantaneous.

The problem of resource allocation shouldn't be an insurmountable one if certain dominant criteria are borne in mind. These are: (1) the size of the ethnic group, (2) the books and materials already available on a particular group, (3) existing facilities in a group for ready implementation of the program and (4) the contributory worth of knowledge to Americans in general as concerns our foreign relationships and

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global tasks. These criteria can scarcely be equally weighted, and no logical priority can be imputed to the given order of criteria. For example, if a particular ethnic group is quantitatively large, this would not necessarily warrant a proportionate allocation if (2) and (3) are substantial and (4) is relatively moderate. Certainly, to begin with, a collective, university project of textbook and materials preparation should be undertaken to cover all possible ethnic groups in America, their size, communities, activities, and contributions. In the 50's, an attempt along these lines was made at Georgetown University with the foundation of the Institute of Ethnic Studies, but it was a generation ahead of its time and little public interest produced scant funding.

MEDIA FOR BASIC PROPAGATION

Above this fundamental requirement for an overall textbook, fair application of the given criteria would have to be reasonably flexible so as to maximize the output of results and performance, not to say the maximum justification for the tax-supported program. A few aspects of this problem will be described suggestively here as we conclude on the media for basic propagation and the problem of location.

Regardless of the sources preparing ethnical materials, the media for basic propagation are the elementary and secondary schools. As the writer stressed in his own testimony on the bill, "It is unnecessary to dwell on any psychology or philosophy of education in order to emphasize the primacy and crucial importance of one's early education in the formative years."[9] Since the beginning of man's history this truth has been affirmed and reaffirmed. Hebrew scribes, Chinese sages, Greek philosophers, Jesuit fathers and Red totalitarians have underwritten the basicity of this truth. Most appropriately and wisely, the measure on EHSC is designed to improve and assist elementary or primary and secondary school education in connection with the multiple heritages in our evolving society.

As any educator would attest, lack of such knowledge concerning fellow citizens, their respective backgrounds, their traits and aspirations inevitably leads to misunderstandings, prejudices and biases that take their costly toll on society. Also, mistaken and fallacious preconceptions woven into maturing minds during these early years invariably remain with the students on higher levels of education in later years. Not only do they serve to perpetuate myths and early contrived misceptions but also the millions who form our citizenry and conclude their formal education with high school. Despite the irresistible, normalizing forces of science, technology, and economic development, there has never been, nor cannot thereby, any homogeneity in America, not to speak of other states in the world. The vigorous pluralism of the American environment is a tremendous and necessary asset to be preserved and deepened, and the first appreciation of it should come formally on the primary and secondary levels of our educational system.

When, in this framework of analysis, criterion four is applied, relating all this to the essential security of our Nation, an appalling fact is discovered. As the writer further maintained in his testimony, "Ironically enough, perhaps no subject has been mangled and distorted by perpetuated myths and misconceptions than that of the Soviet Union, its multinational composition and so forth."[10] Or, as pointed out in a quote from another testimony, "Finally, it must be pointed out that there exists a certain abnormality in our universities which are engaging in the research and teaching of East European history. One may wonder about the training of our future scholars who are denied the start of the history of non-Russian nations even in our largest universities and research centers."[11] Although pluralistic America consists of heritages that in living form signify the contrary, children mistaught that the USSR is "Russia," continue to harbor this myth and all that flows from it for the rest of their lives.

In light of all this, there is little cause for wonderment that even college students today evince an ignorance as to nations such as Estonia, Latvia and Lithuania, despite their independent existence between the two world wars. The dark blemish on America's record and honor in the recent case of the Lithuanian sailor is another startling case in point. As Congressman Daniel J. Flood stated in the House, "when the news broke out concerning the repatriation of the Lithuanian sailor, Simas Kudirka, to Soviet Russian enslavement, in total astonishment and with a sense of outrage every friend of the captive nations and every American honoring our treasured principle of political asylum whom I know, took to the phone or the pen to inquire into this unbelievable incident and to bring it to public account."[12] He stated further, "at this stage I am not satisfied by the probes that have taken place nor by the confused testimonies that have been given. Neither is Congressman Wayne L. Hays who in a probe recommended that "Rear Admiral William B. Ellis take a trip to the USSR to complete his education on Soviet Russian totalitarianism."[13]

The fact is one doesn't have to go to the USSR to learn the difference between a Lithuanian and a Russian. This knowledge to guide our actions resides in America's very pluralism. More, with Moscow being for years and for years to come, the chief threat to the security of our national being, a modicum of common sense would demand that our citizenry become quickly enlightened about the different nations and peoples in the empire-state known as the USSR. With ethnic heritage studies centers dealing with Ukraine, Byelorussia, Lithuania, Estonia, Latvia, Armenia and others, there can be no question that this grave deficiency would be rapidly eliminated, with all the positive benefits that this would entail.

Quite plainly, then, with an eye to the maximum utility of the taxpayer's dollar, it is not enough to seek domestic cohesion through pluralistic understanding and knowledge but also to protect domestic gains through international understanding and knowledge, especially in the direction of the chief source of threat to our cohesive, national being. In applying criterion four, a group, like the Latvians, Estonians, Byelorussians, Georgians or others, may be small in ethnical size, it may have some availability of books and materials, as well as institutional facilities for studies centers, but it would rank high in terms of maximum national purpose. Along these rational lines it is evident that a careful, economical weighing of factors would have to be observed. For example, history courses in our schools cover Western Europe and to a lesser extent Central Europe and "Russia," as well as the Mideast, Asia and Latin America, but who could point to courses on the numerous non-Russian nations in the USSR? Yet in pluralistic America ancestral roots in these nations abound with immense potential good for our Nation as well as the peoples involved.

THE PROBLEM OF CENTERS LOCATION

Extensive discussion in the House hearings is devoted to the problem of locating the centers. For instance, one witness states, "I would be very surprised if the universities in New York City did not have a center for the study of the Jewish culture. I would be very surprised . . . that the study of Chinese culture would not be located in areas where people are more concerned about the Chinese population in terms of cultural heritage and contribution and so on."[14] Actually, there is no necessity for the center to be located in the very ethnic community itself. Are the groups simply to learn about themselves or, more importantly, is the general community there and elsewhere to learn about them? The EHSC bill would be self-defeating, indeed, if only the former were contemplated. As to the basic minimum suggested earlier, the overall textbook project, this could be economically lodged in a revived and sufficiently funded Institute of Ethnic Studies at Georgetown University.

Going beyond the initial project, the guidelines of maximized output and efficient and constructive implementation should be scrupulously observed. Safeguards against uneconomical arrangements with overloaded overhead, waste of resources in being, and fly-by-night operations, such as have characterized other programs in the recent past, can and should be strenuously invoked. To a large extent the anatomy for efficient and sound programming already exists in the case of several major ethnic groups. Unquestionably, what is desperately required is a substantial improvement and beefing-up of the apparatus and structures already in existence, such as the bill implicitly contemplates. This course of action would insure an economical use of resources, certainly as to productive results, and the necessary avoidance of waste in disuse, duplication, and symmetrical arrangements. An asymmetry of arrangement is virtually mandatory to satisfy the guideline for implementation.

The Ukrainian group, for example, is generally recognized as a major ethnic segment. References to it are often made in the House hearings. A familiarity with the organizational network of this group will show that it lends itself to an economical and efficient use of resources. One of the few of its kind, the Ukrainian Congress Committee of America is a unified, national organization to which, with the exception of minor communist elements, organizations, clubs and religious, cultural and academic groups across the country belong in integrated membership. In short, the UCCA is an educational organization of organizations. It enjoys tax exemption and supports schools and studies of Ukrainian history, culture, language, the arts, and religious development.

A thorough study of this major ethnic body would have to extend back to the eighteenth century, before the founding of this Nation, and would trace the socio-economic and other contributions to the development of American society. Such a study and the preparation of materials based on it and projected also into the international dimension could be easily undertaken through the organizational structure of UCCA. Operated from the center in New York and with little or no overhead costs, regional and local Ukrainian heritage studies associates can be formed, serving and assisting our elementary and secondary schools in the immediate areas. Moreover, hundreds of Ukrainian heritage academicians at universities and colleges across the country could be productively enlisted to participate in the undertaking.

Undoubtedly, this example of least-cost implementation can be applied in only a few other instances. Among ethnic groupings in the country UCCA is generally viewed as a unique, organizational vehicle for all Americans of Ukrainian heritage. There isn't the division or fragmentation that has marked other ethnic segments. Where such a condition prevails, the arrangement would, of course, have to be of a more collective, in-

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ter-ethnic type if the least-cost formula is applied and the four mentioned criteria are adroitly employed.

In conclusion, therefore, the idea of ethnic heritage studies centers is a sound and beneficial one. The 92nd Congress should consider it favorably, and the Nixon Administration should offer it its fullest support. Contrary to the doubts of some, the establishment of such centers would enrich the pluralism of our society contribute to more vigorous national cohesion and in the advanced spirit of cosmopolitan Americanism further the interests of our country abroad. For national and efficient operation, an overall project should be instituted, covering all the ethnic segments of our Nation, and an asymmetrical arrangement in use of resources should be introduced in view of existing facilities and the institutional make-up of each major group. The suggested criteria and guidelines, if properly applied, would guarantee the maximization of output that the idea, in its fulfillment, most assuredly deserves.

FOOTNOTES

[1] *Ethnic Heritage Studies Centers,* Hearings, Committee on Education and Labor, U.S.G.P.O., Washington, 1970 pp. 363.
[2] Ibid. p. 91.
[3] Ibid. p. 109.
[4] Ibid. p. 293.
[5] Ibid. p. 154.
[6] Lev E. Dobriansky, *The Vulnerable Russians.* New York, 1967, p. 36.
[7] On this, see Lev E. Dobriansky, *U.S.A. and the Soviet Myth,* Devin-Adair, New York, 1971.
[8] *Ethnic Heritage Studies Centers,* Hearings, p. 252.
[9] Ibid. p. 320.
[10] Ibid. p. 320.
[11] Ibid. p. 232.
[12] "The Simas Kudirka Case and a Special Committee on the Captive Nations," *Congressional Record,* vol. 116, pt. 31, p. 41421.
[13] "Go to Russia, Congressman Tells Admiral," *UPI,* Washington, D.C., December 30, 1970.
[14] *Ethnic Heritage Studies Centers,* Hearings, pp. 88–89.

OIL IN THE SANTA BARBARA CHANNEL

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

Mr. TEAGUE of California. Mr. Speaker, around noon on January 28, 1969, a drilling rig over federally leased ocean lands in the Santa Barbara Channel blew out. Thousands of barrels of oil and gas belched from the ocean floor, blackening beautiful beaches, and suffocating wildlife. This spill provided the emotional impetus which thrust the problem of oil pollution onto the national political arena.

Since that time a prima facie pursuance of the Santa Barbara Channel problem has occurred. The Department of the Interior has issued more stringent regulations, the White House convened a panel, the Congress has introduced bills and held hearings, yet the problem still persists. I think it persists because of the apparent dichotomy between, in this case, the need for oil and the need for environmental protection. But I do not think the need for resource development and environmental protection are necessarily conflicting needs that cannot be met simultaneously. Indeed, I think the environmental movement today is realistically aimed at just this—achieving progress and protecting our environment at the same time.

Today, at the 2-year mark since the disaster, I am introducing the Santa Barbara Channel Moratorium and Ecological Preserve Act, which attempts to reconcile the resource and environmental needs. This bill combines and refines the best of the legislative ideas on this which I have previously sponsored in the House. The preserve concept received administration support in hearings last fall; the moratorium concept stemmed from those earlier hearings; and the method of moratorium and termination compensation is unique. I am pleased to introduce this new legislation today with the bipartisan support of the following 29 of my distinguished colleagues:

REPUBLICANS

Mr. MAILLIARD, Mr. MCCLOSKEY, Mr. ANDERSON of Illinois, Mr. CONTE, Mr. GUBSER, Mr. COLLIER, Mr. HANSEN, Mr. DEL CLAWSON, Mr. BROWN of Ohio, Mr. DUNCAN, Mr. THONE, Mr. WILLIAM STANTON, Mr. HALPERN, Mr. BIESTER, Mr. WILLIAMS, and Mr. CLAUSEN.

DEMOCRATS

Mr. SISK, Mr. WALDIE, Mr. LEGGETT, Mr. VAN DEERLIN, Mr. RONCALIO, Mr. DENT, Mr. HARRINGTON, Mr. HELSTOSKI, Mr. MATSUNAGA, Mr. SCHEUER, Mr. ABOUREZK, Mr. DORN, and Mr. MIKVA.

This bill does basically three things. First, it terminates the leases seaward of the State created sanctuary and terminates leases adjacent to the channel islands, creating a Federal ecological preserve.

Second, the bill calls for suspension of drilling on the remaining leases. This moratorium concept is a measure designed to meet the dichotomy. It implicitly states that it is necessary to both develop our valuable resources and protect our environment. The moratorium lasts for a leasee only until that oil company develops its technology sufficiently to produce oil and not pollute. There are criteria in the bill which I think can reasonably be met and achieve this goal. No legal rights to the submerged oil are rescinded. I think the moratorium concept is a unique approach because it does not simply rectify past mistakes, but demands that technology afford an assurance of future environmental protection.

Thirdly, this bill's method of compensation is unusual in that, even though this is a comprehensive measure, no funds are appropriated from Treasury receipts. The bill creates its own funding in a special Santa Barbara Channel account and that the account's source of revenue stems from the sale of the U.S. share of oil extracted from such U.S. petroleum reserves or other Federal lands as the Secretary of the Interior designates.

This bill has the support of Santa Barbarans and is a reasonable piece of legislation with no additional costs on our Federal budget. I hope it will be enacted.

I am pleased to note that yesterday California's Senators CRANSTON and TUNNEY introduced a bill almost identical to the legislation which I am introducing today. Our efforts in this, and the bipartisan support my colleagues have offered, indicates that the solutions to environmental problems ought not be a political issue.

The text of the bill follows:

H.R. 2637

A bill to provide for a Federal ecological preserve in a portion of the Outer Continental Shelf in the Santa Barbara Channel and to provide for a moratorium on drilling operations pending the ability to control and prevent pollution by oil discharges and to improve the state of the art with respect to oil production from the submerged lands, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Santa Barbara Channel Moratorium and Ecological Preserve Act."

SEC. 2. The Congress finds and declares that—

(1) hazards exist in offshore oil and gas production which present a threat of pollution of coastal waters, and that such pollution has occurred in the Santa Barbara Channel of California;

(2) present drilling and production methods and unsightly drilling rigs constitute an environmental and navigational hazard and a threat to Santa Barbara and its submerged lands sanctuary, including the offshore islands;

(3) energy resources in the form of gas and oil do exist in and under Federal lands in the Santa Barbara Channel, and development of these resources must be weighed against the need to protect our environment; and

(4) there exists the need for a drilling moratorium and an ecological preserve in the Santa Barbara Channel.

SEC. 3. All rights on the leases listed in this section issued pursuant to the Outer Continental Shelf Lands Act in the Santa Barbara Channel, offshore of the State of California, are terminated.

The United States shall be vested with all of the right, title, and interest in such leases:

P–0167	P–0212
P–0168	P–0213
P–0169	P–0218
P–0170	P–0219
P–0171	P–0220
P–0172	P–0221
P–0173	P–0222
P–0174	P–0223
P–0175	P–0226
P–0176	P–0227
P–0177	P–0228
P–0178	P–0229
P–0179	P–0230
P–0198	P–0231
P–0199	P–0232
P–0200	P–0233
P–0201	P–0234
P–0206	P–0237
P–0211	P–0238

The area described in such leases shall be deemed to be a Federal ecological preserve, and shall be designated as such.

SEC. 4. (a) The holder of any lease terminated pursuant to this Act may bring an action against the United States for the recovery of just compensation for the lease or leases so terminated and such action shall be brought in the Court of Claims as provided in section 1491 of title 28, United States Code, within one year after the date of enactment of this Act. No part of this Act shall be deemed to divest the Court of Claims from

determining whether or not the termination of any such lease is legally compensable.

(b) The amount of any judgment in any such action or of any compromise settlement of such action and any interest accruing thereon shall be certified to the Secretary of the Interior (hereinafter referred to as the "Secretary") by the Department of Justice. There is authorized to be appropriated out of the Santa Barbara Channel account such amounts as may be necessary to enable the Secretary to pay such judgments and compromise settlements and any interest accruing thereon. In the event the funds in the Santa Barbara Channel account are not sufficient to pay any amount so certified and appropriated there is authorized to be appropriated to the Secretary of the Treasury for advance to the Santa Barbara Channel account out of any money in the Treasury not otherwise appropriated, such funds as may be necessary for such payments. The Secretary of the Treasury shall be reimbursed for such advances from funds paid into the Santa Barbara Channel account in accordance with this Act, with interest thereon, at such rates as may be determined from time to time by the Secretary of the Treasury.

(c) There is hereby created in the Treasury of the United States a special account which shall be known as the Santa Barbara Channel account from which the Secretary is directed to cause payments to be made in accordance with the provisions of this Act. In order to provide the funds for the "Santa Barbara Channel account," the Secretary is directed to offer for sale on the open market under such competitive bidding procedures as he may establish, the United States share of the oil extracted from such U.S. Petroleum Reserves or other Federal lands as he may designate pursuant to the provisions of this Act and to pay the funds realized from such sale into the United States Treasury. In each year, sales proceeds equal to the Government's receipts from such reserves or other Federal lands during the twelve calendar months immediately preceeding enactment of this Act shall be credited to the general fund and the remaining sales proceeds shall be credited to the Santa Barbara Channel account. Any sums remaining in the Santa Barbara Channel account after the payments authorized by subsection (b) have been made shall be transferred to miscellaneous receipts of the Treasury, and thereafter the funds realized under this subsection shall be paid into miscellaneous receipts of the Treasury.

(d) Without regard to the provisions of chapter 641, title 10, United States Code, any U.S. official invested with authority over such lands as the Secretary may designate in the above section is authorized and directed to produce, by whatever means he deems necessary, sufficient oil from the designated lands to fulfill the requirement of this Act. Such U.S. official is also authorized to renegotiate and modify existing contracts relating to production of oil from said reserve in such manner as may in his judgment be necessary or advisable to enable such increased production.

SEC. 5. All drilling on the leases listed in this section and issued pursuant to the Outer Continental Shelf Lands Act, in the Santa Barbara Channel, offshore of the State of California, is suspended. Such suspension will remain in effect with respect to any such lease until the Secretary of the Interior finds and reports to the Congress that drilling on any such lease can be accomplished without risk of pollution or hazards to navigation, and Congress so concurs in that finding with respect to the first such lease for which the suspension period is terminated.

P–0180	P–0195
P–0181	P–0196
P–0182	P–0197
P–0183	P–0202
P–0184	P–0203
P–0185	P–0204
P–0186	P–0205
P–0187	P–0207
P–0188	P–0208
P–0189	P–0209
P–0190	P–0210
P–0191	P–0215
P–0192	P–0216
P–0193	P–0217
P–0194	

SEC. 6. In making the finding required in section 5 with respect to any lease, the Secretary shall insure that—

(1) the characteristics of the specified geological formation to be drilled and produced indicate sufficient stability to allow for drilling and production without the danger of causing oil seepage from the ocean floor;

(2) the technology of the offshore drilling provides the optimum in pollution prevention for the specific geological formation to be drilled;

(3) the drilling and production plan minimizes the ecological hazards, and the oil spill containment techniques are adequate for local sea conditions (which findings shall be based upon written recommendations of the Environmental Protection Agency, to which shall be annexed plans of the lessees approved by the United States Coast Guard, describing specifically such spill containment techniques);

(4) environmental impact recommendations are filed by appropriate Federal agencies or advisory boards;

(5) underwater completion and production techniques have been perfected and will be used;

(6) the location of the drilling site offers no navigational hazards;

(7) public hearings on these matters are held in Santa Barbara, California.

SEC. 7. (a) The Secretary is authorized to extend the primary term of each lease listed in section 5 for the period of the suspension provided for in section 5 and for an additional period equal to the total length of time of the primary term of the original lease. During the period of suspension the Secretary shall waive all of the rentals and drilling deferment payments with respect to each such lease. After the period of suspension is terminated and at the time the holder begins to produce oil on its leased property, the Secretary shall pay interest to such holder on its total investment in such leasehold for each day of the period of the suspension of such lease, at the rate of six per centum per annum. The total investment in a leasehold shall include the bonus payment for the lease and the expenses incurred in successful explorations on that lease before the suspension began, but shall not include expenses incurred for unsuccessful explorations for oil.

(b) All interest payments referred to in subsection (a) shall be appropriated out of the Santa Barbara Channel account (which was created in section 4(c) of this Act.)

(c) At any time after the period of suspension is terminated for any lease listed in section 5, the Secretary may terminate the period of suspension for any other lease listed in section 5 which satisfies the criteria in section 6.

SEC. 8. (a) The Secretary is authorized under such terms and conditions as he may prescribe to unitize all or any part of the following described leases issued pursuant to the Outer Continental Shelf Lands Act, in the Santa Barbara Channel, offshore of the State of California, if he finds such action is necessary or desirable to prevent or minimize oil spillage, leaks, or other pollution.

P–0241 P–0240 P–0166

(b) The Secretary shall not permit the erection of any further platforms within the leases described in this section unless he finds such erection is necessary to prevent oil leakage, not otherwise contained, and where no other methods are feasible. Before any such platforms are authorized, the Secretary shall comply with requirements of section 6 of this Act.

(c) The Secretary shall provide for and require the orderly removal of all platforms within the leases described in this section when he finds that they can be replaced by underwater drilling or production units.

(d) At such time as the Secretary determines that no further drilling or production is required in leases P–0240 and P–0241 to prevent or minimize oil spillage, leaks, or other pollution, he shall report such fact to Congress in order that it may consider the termination and inclusion of such leases within the Federal ecological preserve as provided in section 3 of this Act.

(e) The Secretary shall terminate and include the lease designated as P–0166 within the Federal ecological preserve as provided in section 3 of this Act at such time as the State of California terminates the lease designated PRC–3150, granted by such State, with respect to adjoining lands in the Carpinteria Offshore Oil Field.

COMMITTEE ON URBAN AFFAIRS

(Mr. MORSE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MORSE. Mr. Speaker, last week, in a letter to the President, I urged the creation of a White House Council of Municipal Advisers to provide a focal point specifically for the consideration of urban problems. "It is imperative," I wrote, "that an effective, creative and sympathetic mechanism be established to insure that the priority attention that our urban problems require be continued."

There is no less need to insure that the legislative branch also be able to focus on and respond adequately to the problems of our cities, and act on them effectively. We are not now set up to do so. There are at present time no less than nine separate committees in the House which share jurisdiction over various but closely related aspects of urban programs. The Committees on Agriculture, Banking and Currency, the District of Columbia, Education and Labor, Government Operations, Judiciary, Interior and Insular Affairs, Interstate and Foreign Commerce, and Public Works all have significant areas of jurisdiction over urban problems, ranging from food stamps to recreation. This system makes it virtually impossible for the Congress to consider urban programs as a comprehensive whole or to offer the coordinated approach necessary to solve them. The diffusion of responsibility prevents us from considering the interrelationships between, for example, housing and education, between transportation and pollution, between highways and open spaces. At times, in fact, this wide dis-

persal of authority results in our working at cross purposes.

I am, therefore, filing legislation today, with the bipartisan cosponsor of 28 of my colleagues, to create a Committee on Urban Affairs in the House of Representatives. It would consist of 25 Members, and would handle all measures relating to urban areas generally, including housing, urban renewal, and the prevention and elimination of urban blight, the problems of air and water pollution that plague our cities, and transportation. Hopefully its membership would be composed of Members from each of the existing committees now dealing with such problems, thus providing the expertise necessary for a stepped-up, coordinated congressional effort to develop new programs for our cities and to oversee and improve existing ones.

The creation of a Committee on Urban Affairs is not a new idea. I have, in fact, as have many others in the House, been urging action on this since my first year as a Member of this body. It has become increasingly clear, however, that without a more meaningful approach and more effective action than we have had in the past, we will be hard pressed to find solutions to our ever more critical urban situation.

Christopher Morley once wrote:

> All cities are mad but the madness is gallant. All cities are beautiful but the beauty is grim.

But there is nothing very gallant nor very beautiful about the continuing deterioration of the urban condition, and the physical and social decay that is all too visible. Certainly there is much that is grim. It has taken violent upheavals to rivet the Nation's collective attention on problems it has too long neglected—the so-called crisis of the cities has become a national crisis. We must be able to respond to it.

Those joining me today in filing the resolution for a Committee on Urban Affairs in the House of Representatives are as follows:

Mr. JOSEPH P. ADDABBO of New York.
Mr. JOHN B. ANDERSON of Illinois.
Mr. LES ASPIN of Wisconsin.
Mr. HERMAN BADILLO of New York.
Mr. EDWARD G. BIESTER, JR., of Pennsylvania.
Mrs. SHIRLEY CHISHOLM of New York.
Mr. HAMILTON FISH, JR., of New York.
Mr. BILL FRENZEL of Minnesota.
Mr. JAMES G. FULTON of Pennsylvania.
Mrs. ELLA T. GRASSO of Connecticut.
Mr. SEYMOUR HALPERN of New York.
Mrs. JULIA BUTLER HANSEN of Washington.
Mr. MICHAEL HARRINGTON of Massachusetts.
Mr. JAMES HARVEY of Michigan.
Mrs. LOUISE DAY HICKS of Massachusetts.
Mr. JACK H. MCDONALD of Michigan.
Mr. STEWARD B. MCKINNEY of Connecticut.
Mr. ABNER J. MIKVA of Illinois.
Mr. PARREN J. MITCHELL of Maryland.
Mr. BERTRAM L. PODELL of New York.
Mr. ROMAN C. PUCINSKI of Illinois.
Mr. CHARLES B. RANGEL of New York.
Mr. OGDEN R. REID of New York.
Mr. HOWARD W. ROBISON of New York.
Mr. BENJAMIN S. ROSENTHAL of New York.
Mr. EDWARD R. ROYBAL of California.
Mr. JAMES H. SCHEUER of New York.
Mr. FRED SCHWENGEL of Iowa.

CONGRESSIONAL ROLE IN INTERNATIONAL POLICIES

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

Mr. MORSE. Mr. Speaker, as in the 91st Congress, the issue of reasserting congressional responsibility in the formulation of the basic policies relating to our commitments abroad which affect all Americans will be one of the dominating issues in this new Congress. The debate will, I hope, focus at least in part on legislation which was introduced in the Senate last Monday by Senator CLIFFORD P. CASE, of New Jersey, and which I am filing in the House of Representatives today.

It is designed not only to insure that the Congress has adequate information concerning our Nation's commitments abroad so that it may act responsibly and meaningfully in the consideration of important world problems, but also to establish a more stable basis for improved cooperation and communication between the executive and legislative branches with regard to the formulation and the conduct of our foreign policy.

Hopefully, by requiring the Secretary of State to transmit to the Congress the text of any U.S. international agreement other than a treaty as soon as possible after it has entered into force and within 60 days at the latest, it would serve to build greater trust and cooperation in this relationship. Should the President determine that public disclosure of such an agreement is prejudicial to the national security, the bill stipulates that it be transmitted to both the Senate Committee on Foreign Relations and to the House Committee on Foreign Affairs under an appropriate injunction of secrecy.

Although similar legislation was first proposed in 1956 by then senate minority leader, Senator William F. Knowland, that initial proposal provided for the transmission of executive agreements to the Senate only. It was passed by the Senate, but was never acted on by the House.

The legislation I am submitting today goes beyond that early version. It includes the House of Representatives as a recipient of the information to be transmitted by the executive, thereby recognizing the rightful and essential role which this Chamber can and should play in the consideration of international issues vital to our national security.

The lessons of the recent past have shown the hazards which arise when the process of foreign policy is isolated from the scrutiny of the people and their elected representatives. Passage of this bill would help to insure that we have the essential information for responsible and enlightened debate concerning our commitments abroad. Working together with the executive branch, we can thus seek to heal the divisions caused by misunderstanding and error, and to cooperate on policies which balance our interests and abilities in striving to achieve a more peaceful world.

FISCAL RESPONSIBILITY ACT OF 1971

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

Mr. BOW. Mr. Speaker, I am today joining with minority members of the Appropriations Committee and the House Republican leadership in introducing a bill entitled "Fiscal Responsibility Act of 1971." This bill provides an effective limitation on the Congress as well as the administration. It is essentially the same bill we introduced last year, but updated to include the 1972 budget estimates.

For years Presidents and Congresses have sought to blame each other for big spending and budget deficits. No matter who wins this political argument, we all know the American taxpayer loses.

We cannot continue along this path. Last year the Congress added over $1.2 billion to the President's budget requests for the Agriculture, Education, Housing, and Labor-HEW appropriation bills.

This bill places a limitation on Federal spending for fiscal year 1972 in a way that would permit Congress to control the results of its own actions on individual appropriation bills from the point of view of the total Federal budget. In order to accomplish this it would provide a means of modifying actions on individual appropriation bills if these actions, collectively, would exceed the limitation proposed in this bill.

Specifically: First, it would provide that congressional increases over the budget on individual appropriation bills that would have the effect of increasing total expenditures above the bill's ceiling would then be subject to automatic reduction according to a formula and by an amount necessary for the budget to remain within the ceiling;

Second, it would make possible the application of this formula in those mandatory spending programs when appropriate and necessary to comply with the limitation and exempt the Government from liability for any differences between the amount appropriated and the amount made available; and

Third, it would only exempt from the ceiling those increase or decreases that result from the so-called uncontrollables—social security trust fund payments, veterans pension funds, and so forth.

We intend to press for prompt consideration of this Fiscal Responsibility Act of 1971 and I trust we will have the support of our colleagues on both sides of the aisle. This bill will give every Member of this Congress an opportunity to vote the same way he talks on the subject of big spending by the Federal Government.

NATIONAL WEEK OF CONCERN FOR PRISONERS OF WAR/MISSING IN ACTION

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

Mr. YOUNG of Florida. Mr. Speaker, I am proud to join many of my colleagues in sponsoring House Joint Resolution 16, to designate the week of March 21–27 as a "National Week of Concern for Prisoners of War/Missing in Action."

Today, over 1,500 Americans are listed as prisoner of war/missing in action in Southeast Asia. Presumably, these men who have been reported as missing in action are being held captive in North Vietnamese prisoner-of-war camps. However, the facts and information necessary to substantiate this presumption have repeatedly been denied by the Communist government officials in North Vietnam.

Despite ratification of the Geneva Convention in 1957 by the Communists of North Vietnam, they have consistently failed to honor those terms set forth pertaining to the treatment of prisoners of war. They have refused to release a complete listing of those Americans held captive. They have refused to provide adequate medical attention to the sick. They have refused to release the seriously wounded. They have refused to permit impartial inspections of North Vietnamese prisoner-of-war camps. And these Communists have refused to permit the free exchange of mail to and from our American prisoners. These refusals are in direct violation of the requirements contained in the Geneva Convention—requirements which have been flauntingly abused by North Vietnam.

It is for these brave and courageous American fighting men and for their families and loved ones who have suffered endlessly that we propose to set aside a National Week of Concern to focus worldwide attention on this inexcusable, barbaric, and deplorable situation. I am proud to have cosponsored this resolution, and I pray that our message will be heard and, most of all, felt all the way around the world.

TAKE PRIDE IN AMERICA

(Mr. MILLER of Ohio asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

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. Mass production, America's important contribution to the industrial revolution began in Connecticut in 1798 when Eli Whitney, a New England schoolteacher, used machines he had previously invented to make a system of interchangeable parts. He gave impetus to the mass production of inexpensive goods which have created the standard of living we know today.

FEDERAL RESPONSIBILITY IN INDIAN AFFAIRS

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

Mr. MEEDS. Mr. Speaker, I am today introducing, along with 16 other Members of this body, a House concurrent resolution to make clear that termination of Federal responsibility in Indian affairs is not a policy or goal of the U.S. Congress.

Last July, President Nixon recommended in his famous and well-received message on Indian policy, that the Congress "expressely renounce, repudiate, and repeal the termination policy." This is what we seek to do today.

Historically, the U.S. Government made treaties with Indian nations. Tribes often surrendered claims to vast areas of land in return for the Government promising a reservation and health, police, and sanitation services for the community.

In August of 1953, Congress passed House Concurrent Resolution 108 stating that its long-range goal was termination of government responsibility and services. This has often had a retarding effect on tribal progress. The threat that the Government/Indian relationship may end has caused many tribes to shy away from any kind of social, economic, and political autonomy for fear that it will lose the benefits and protection they now enjoy.

The resolution my colleagues and I are introducing today would repudiate the termination policy declared by the 83d Congress. Hopefully, passage of this resolution will give Indians the security necessary to pursue vigorous programs for social and economic betterment.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to state that in view of the fact that the special orders requested by the distinguished chairman and ranking member of the Appropriations Committee refer to the budget, without objection, the Chair will recognize those gentlemen for the purpose of making their statements prior to the call of the regular special orders.

There was no objection.

LEGISLATIVE PROGRAM

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

Mr. GERALD R. FORD. Mr. Speaker, I have requested this time for the purpose of asking the distinguished majority leader the program for next week.

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

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

Mr. BOGGS. Mr. Speaker, I appreciate the gentleman asking about the program. We have no program for next week for the reason that the House is still not organized committeewise. It is my understanding that your conference will meet on Tuesday, is that correct?

Mr. GERALD R. FORD. Our conference to firm up or finalize committee assignments will probably be held Wednesday morning, and we trust that we can complete action on committee assignments by the Committee on Committees on Tuesday, which action will then be referred to the conference on Wednesday morning.

Mr. BOGGS. Mr. Speaker, if the gentleman will yield further, our Committee on Committees has largely completed its work, but there are still some assignments to be made and we expect to be finished at our caucus on Wednesday or Thursday of next week.

Mr. GERALD R. FORD. I thank the distinguished majority leader.

ADJOURNMENT OVER TO MONDAY NEXT

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

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

There was no objection.

THE BUDGET MESSAGE OF THE PRESIDENT, 1972—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. 92–15; PART 1 AND 92–16)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Appropriations and ordered to be printed with illustrations:

To the Congress of the United States:

In the 1971 budget, America's priorities were quietly but dramatically reordered: For the first time in 20 years, we spent more to meet human needs than we spent on defense.

In 1972, we must increase our spending for defense in order to carry out the Nation's strategy for peace. Even with this increase, defense spending will drop from 36% of total spending in 1971 to 34% in 1972. Outlays for human resources programs, continuing to rise as a share of the total, will be 42% of total spending in 1972.

The 1972 budget has a historic identity of its own.

- *It provides a new balance of responsibility and power in America* by proposing the sharing of Federal revenues with States and communities on a grand scale—and in a way that will both alleviate the paralyzing fiscal crisis of State and local governments and enable citizens to have more of a say in the decisions that directly affect their lives
- *It introduces a new fairness in American life,* with the development

of national strategies to improve the health care of our citizens and to assure, with work incentives and requirements, an income floor for every family in this Nation.

- *It adopts the idea of a "full employment budget,"* in which spending does not exceed the revenues the economy could generate under the existing tax system at a time of full employment. In this way, the budget is used as a tool to promote orderly economic expansion, but the impact of the resulting actual deficit is in sharp contrast to the inflationary pressure created by the deficits of the late sixties, which were the result of excessive spending that went far beyond full employment revenues. *The full employment budget idea is in the nature of a self-fulfilling prophecy: By operating as if we were at full employment, we will help to bring about that full employment.*

The 1972 budget reaffirms the determination of the Federal Government to take an activist role in bringing about the kind of prosperity that has rarely existed in the American economy—a prosperity without war and without runaway inflation. In the 1972 budget, the Government accepts responsibility for creating the climate that will lead to steady economic growth with improving productivity and job stability.

Of course, our objective of prosperity without inflation cannot be achieved by budget policy alone. It also requires:

—the monetary policy adopted by the independent Federal Reserve System to provide fully for the growing needs of the economy; and

—increased restraint in wage and price decisions by labor and business—in their own and the Nation's interest and as a matter of common sense.

Only by working together can the budget, monetary policy, and common sense in the private sector make orderly expansion the order of the day.

The full employment 1972 budget—expansionary but not inflationary—does its full share to provide a defense strong enough to protect our national security, higher standards of income and care for the poor and the sick, a reorganized and responsive Federal structure, and the basis for a sound prosperity in a full generation of peace.

TOWARD A GROWING NONINFLATIONARY ECONOMY

Economic setting.—When I took office 2 years ago, rampant inflation was the Nation's principal economic problem.

This inflation was a direct result of the economic policies of the period 1966 to 1968, when we were mired in war in Vietnam, and when Federal spending rose sharply. Federal outlays were allowed to exceed full-employment revenues by $6 billion in 1966, $10 billion in 1967, and $25 billion in 1968. Expansive monetary policy in the summer of 1968 helped upset the hoped-for stabilizing impact of an income tax surcharge. The effect of these actions was to turn the thermostat up in an economy that was already hot enough.

My administration acted promptly to move us out of that war and cool the superheated economy.

We controlled Federal spending in 1969 and achieved a budget surplus. Spending was restrained again in 1970. Independently, the Federal Reserve System maintained a monetary policy of restraint which increased in severity throughout calendar year 1969 and continued into early 1970.

The forces of inflation have been durable and persistent—and they remain strong. But their momentum was slowed in calendar year 1969 and early 1970. Excessive demand was eliminated as a source of inflationary pressure during this period. The turnaround of this inflationary trend permitted us to enter the second phase of our plan: to follow more expansive economic policies without losing ground in the battle against inflation.

Budge policy.—Last July, I set forth the budget policy of this administration:

"At times the economic situation permits—even calls for—a budget deficit. There is one basic guideline for the budget, however, which we should never violate: except in emergency conditions, expenditures must never be allowed to outrun the revenues that the tax system would produce at reasonably full employment. When the Federal government's spending actions over an extended period push outlays sharply higher, increased tax rates or inflation inevitably follow."

The principle of holding outlays to revenues at full employment serves three necessary purposes:

- It imposes the discipline of an upper limit on spending, a discipline that is essential because the upward pressures on outlays are relentless.
- It permits Federal tax and spending programs to be planned and conducted in an orderly manner consistent with steady growth in the economy's productive capacity.
- It helps achieve economic stability by automatically imposing restraint during periods of boom and providing stimulus during periods of slack.

The budget policy of this administration is to keep firm control over Federal spending. The outlay total of $229.2 billion in 1972 is the sum of spending for programs that were scrutinized carefully to make certain that they would be managed effectively and efficiently, and that they are essential to carry out present laws or to achieve desirable changes in our national priorities.

If this careful scrutiny were not maintained—if we weaken in our resolve to control spending—we would risk permitting outlays to build up a momentum that will carry them beyond full employment receipts in the longer run, and we would risk losing the ability to restrain spending in times when a deficit is undesirable.

SUMMARY OF THE 1972 BUDGET

The budget that I propose for 1972 is consistent with the fiscal policy I announced 6 months ago.

THE BUDGET AT A GLANCE
[Fiscal years, in billions]

Description	1970 actual	1971 estimate	1972 estimate
Budget receipts	$193.7	$194.2	$217.6
Budget outlays	196.6	212.8	229.2
Actual deficit (—)	—2.8	—18.6	—11.6
Full-employment surplus	2.6	1.4	0.1
Budget authority	213.0	236.3	249.0

	1969 actual	1970 actual	1971 estimate	1972 estimate
Outstanding debt, end of year:				
Gross Federal debt	$367.1	$382.6	$407.0	$429.4
Debt held by the public	279.5	284.9	302.5	313.1
Outstanding Federal and federally assisted credit, end of year:				
Direct loans [1]	46.5	51.1	53.8	56.
Guaranteed and insured loans [2]	104.0	106.4	119.4	140.3
Direct loans by Government-sponsored agencies	27.0	37.6	45.4	53.

[1] Including loans in expenditure account.
[2] Excluding loans held by Government or Government-sponsored agencies.

Budget receipts in 1972 are estimated to be $217.6 billion, $23.4 billion more than in 1971, but still below the $229.3 billion of revenue that would be produced if the economy were operating at full employment throughout the year.

The estimates reflect a reduction in revenues of $2.7 billion due to the new tax depreciation rules announced on January 11. These rules are part of our plan to expand the economy and help the Nation achieve full employment without inflation.

Budget outlays in 1972 are expected to be $229.2 billion, an increase of $16.4 billion over the previous year.

The increase in outlays will help move the economy toward higher employment and production. At the same time, outlays are being held to full employment receipts.

I am requesting *budget authority*—the right to make commitments to spend—of $249.0 billion in 1972. Over $170 billion of this total will require new action on the part of the Congress.

REVENUE SHARING: RETURNING POWER TO PEOPLE

During the 1960's, more governmental initiative and power shifted to Washington and away from elected officials in State and local governments. Towards the end of the decade it became apparent that, despite new programs and massive Federal expenditures, government at all levels was not working well.

When this administration took office, I directed that an intensive review of our governmental system be made. We found that State and local governments were breaking down under an incredible fiscal burden. We also found that the red tape involved in the narrow categorical grant system made it almost impossible for the Federal Government to be effective and responsive to the needs of individuals in different localities.

The financial squeeze on State and local governments is acute, and shows no sign of becoming less painful. These govern-

ments rely mainly on receipts from consumer and property taxes, which have not grown nearly as fast as the demand for State and local government services. As a result, combined State and local debt has increased by over 600% since 1948.

The Federal Government helped meet some of this demand by increasing its financial aid, largely through grant programs, which now accounts for 18% of State and local revenues.

The results of grant programs have been impressive in some cases. But the grant structure has become a haphazard collection of hundreds of separate programs, each with its own policies, its own requirements and procedures, and its own funding.

Such a complicated method of providing Federal assistance is not only inefficient, but it:

—*restricts the freedom* of State and local governments to spend funds in accordance with their priorities;

—*is unresponsive* to the needs of specific local situations because the funds are distributed and regulated by guidelines that do not—perhaps cannot—sufficiently take account of differences among local communities; and

—*separates resources and responsibility,* because State and local governernments have the responsibility for providing services, but, all too often, they do not have the money to provide those services. The Federal Government dominates the field of income taxation, and its redtape restricts the discretion of State and local governments over the services they provide.

Clearly, not enough authority over the use of resources for federally assisted programs is now lodged at the State and local level. More of the power—and the responsibility—for using federally collected funds must be given to elected officials in these governments.

The need for remedying this situation is urgent. The time for reform is now.

Local freedom of action.—I propose a revenue sharing plan to give State and local governments the money they need to deliver the services that can best be performed by government closest to the people.

This is how the the new "freedom of action" plan will work:

In the first full year of the plan, $16 billion will be directed to the States and localities, in a way that will enable them to decide as never before how that money will be spent.

Of this amount, $5 billion will be in the form of *general revenue sharing,* without restrictions. This will all be "new" money, without matching requirements and with the decision on how it is to be used exclusively a State and local matter.

The remaining $11 billion will be in the form of *special revenue sharing,* with the discretion on how it will be used within each of six broad subject areas strictly a State and local matter. These areas are:

—Urban community development,
—Rural community development,
—Education,
—Manpower training,
—Law enforcement, and
—Transportation.

The hobbling restrictions now on much of the Federal aid in these areas would be removed, along with matching requirements that presently force localities to spend their own matching money on low-priority projects for fear of "losing" available Federal aid.

To emphasize the importance of the special revenue sharing funds, the change from the present tightly restrictive categorical grants to special revenue sharing in the six broad areas will be accompanied by an *increase* of $709 million in the amounts budgeted for 1972 for Federal aid to States and localities. But even more important is the fact that these governments would have far greater freedom of action in deciding how money is to be spent within each of the six areas. For example, although the Federal Government would designate the total amount of special revenue sharing for education, the State or local area would decide how much is to be spent on new textbooks, new schools, equipment, or other matters of priority to it in the field of education.

In this way, both general and special revenue sharing will redirect the control of State and local decisions on $16.1 billion to the States and localities affected most by those decisions. This is about half of Federal Government aid, excluding public assistance grants, to States and communities—a historic and massive reversal of the flow of power in America.

Budget authority proposed for revenue sharing plan, first full year

Description	*Billions*
General revenue sharing	$5.0
Special revenue sharing:	
Urban community development	2.0
Rural community development	1.0
Education	3.0
Manpower training	2.0
Law enforcement	0.5
Transportation	2.6
Total	16.1

We must make provision at the outset of this freedom of action plan for both growing State and local needs and growing State and local capacity to manage their affairs.

The new funds for general revenue sharing will grow in years to come because they will be tied to the Federal personal income tax base. As that tax base expands, more unrestricted money will flow to States and localities.

To help State and local governments develop greater capacity to plan and manage their own affairs. I will send to the Congress a planning-management assistance plan, which will provide $100 million to help these governments make their own long-range plans and enhance their capability for the efficient use of their growing revenues.

In essence, this is what revenue sharing will do:

—*for the individual taxpayer,* it will provide a stronger voice in how his tax money is spent locally, new confidence in government that comes from more "citizen control," and the hope that, in some States and localities, taxes may be reduced, or that the rising cost of government can be met without raising taxes;

—*for State and local governments,* it will not only help meet the current financial crisis, but will also wipe out rigidities and delays in Federal aid and permit them to build their capacity to respond to local needs;

—*for our federal system,* it will provide new strength by assigning services to the level of government best equipped to perform them; and

—*for all our people,* it will provide a means of encouraging local diversity and experimentation within the framework of our great national purposes.

Of course, these revenue sharing proposals will not be the vehicle for any retreat from the Federal Government's responsibility to ensure equal treatment and opportunity for all. The proposals I send to the Congress will include the safeguards against discrimination that now accompany all other Federal funds allocated to the States.

This massive revenue sharing proposal is central to my philosophy of giving people the opportunity to become more involved in the decisions that affect their lives. The magnitude of the problem calls for this kind of bold move; by acting decisively and without delay, we will strengthen our federal system and respond better to the needs of our people.

Welfare reform.—One of the first steps in our review of the federal system was to sort out those activities that are appropriate for the Federal Government from those that are best performed at the State and local level or in the private sector. We decided early on one primary Federal responsibility—providing, with a combination of work incentives and work requirements, an income floor for every American family.

We knew beforehand that the existing welfare system was in desperate need of reform. We also knew that the existing system imposes a crushing and growing financial burden on States.

My welfare reform proposals, described later in this message, are an integral part of our effort to give people the ability to make their own decisions, to build the capacity of State and local government, and to encourage more orderly national growth.

By building a floor under the income of every family everywhere in America with Federal funds, we provide each dependent family a new dignity, we help State and local governments finance what is now their fastest growing expenditure, and we remove one magnet that has already drawn too many persons to our congested cities.

In government operations, form should follow function. Just as revenue sharing decentralizes power to meet one need, welfare reform sets a basic national standard to meet a different need. The decision to centralize or decentralize should be based on which method best serves the larger purposes of 206 million Americans.

Revenue sharing and welfare reform are of a piece: the level of government best equipped to respond should respond in a way that raises standards and con-

tributes to the sum of personal freedom and human dignity.

RESTORING CONFIDENCE IN GOVERNMENT

In seeking ways to reform the federal system, I have paid particular attention to the ability of the executive branch of the Federal Government to produce the results intended by the Congress and the President.

In 1971, the Federal Government will employ almost 2,900,000 civilians, operate thousands of separate programs, and spend $212.8 billion. Through its tax laws, credit activities, grant programs, and in other ways, the Government affects millions of people and influences the disposition of many more billions of dollars than it controls directly.

Toward the end of the sixties, there was mounting evidence that our Government was so complex, clumsy, and unresponsive, that it was becoming unable to meet the needs and priorities of the people or to use efficiently the funds entrusted to it.

This must not be permitted in America.

We have already taken actions to improve the organization and management of the Federal Government and, thereby, make it more efficient and responsive.

But we must do more. The Federal Government is not organized properly to deal with the Nation's most significant problems in the domestic area. Programs that should be joined together to achieve common goals are fragmented among different departments and agencies, impairing the capacity of government to respond effectively to urgent national needs. Modernization of that structure will restore vigor to our federal system, permitting a constructive partnership among Federal, State, and local governments.

In the next few months, I shall propose sweeping legislation to help achieve these goals by merging seven existing departments and several independent agencies into four departments:

—a Department of Natural Resources,
—a Department of Human Resources,
—a Department of Community Development, and
—a Department of Economic Development.

These new departments will match the domestic programs of the Federal Government with the objectives each is intended to fulfill:

—the balanced and constructive use and conservation of the land and other natural resources of the Nation;
—the development and well-being of individuals and families;
—the quality of urban and rural communities as places for people to work and live; and
—the maintenance and strengthening of the American economy.

To continue the modernization of the Federal Government, I will also ask an extension of the President's reorganization authority. We must seek to expand current efforts to shift operating responsibility for Federal programs out of Washington and closer to the people these programs are designed to serve.

To fulfill its responsibilities, the Federal Government must attract, develop, and retain capable career executives. We must have a more effective manpower planning and utilization system. I shall propose legislation to establish a Federal Executive Service which will permit:

—more effective career executive search;
—flexibility in the allocation and assignment of available talent; and
—strengthened executive development programs and policies.

By improving the organization and management of government, we will make it more responsive to the needs of the people and the new priorities of the Nation.

REFORMING THE BUDGET PROCESS

Reform of the budget process is long overdue. Fifty years have passed since the Federal budget system currently in use was adopted. The system was a major step forward in 1921. Because of congressional inaction, it has become a travesty a half-century later.

Enactment of appropriations 6 months or more after the start of the fiscal year they are supposed to cover is evidence of a major weakness. I have sent two budgets to the Congress. In each, I have had to formulate budget proposals for the year ahead without knowing what the Congress would provide in its action on the prior year's budget, which was transmitted 11 months earlier. Even now, as this message is being written, action on last year's appropriations request for one department has not been completed.

I have, therefore, had to act on parts of the budget without knowing the totals that would result. This is an intolerable situation, but one that the Congress seems to accept as the normal way of doing business. It completes action on appropriation bills over a 10- to 12-month period without any goal or determination of the total expenditures that will result after the last bill is passed.

Excess in the number and detail of appropriations often diverts attention to minutiae. It also impairs the ability of agency heads to manage their agencies responsibly and economically.

The budget is our principal instrument for coordinated management of Federal programs and finances. Close cooperation between the executive and legislative branches is needed now to make the budget an efficient and effective instrument for this purpose. Therefore, we must seek a more rational, orderly budget process. The people deserve one, and our Government, the largest fiscal unit in the free world, requires it.

Furthermore, Federal credit programs which the Congress has placed outside the budget—guaranteed and insured loans, or loans by federally sponsored enterprises—escape regular review by either the executive or the legislative branch. The evaluation of these extra-budgetary programs has not been fully consistent with budget items. Their effects on fiscal policy have not been rigorously included in the overall budget process. And their effects on overall debt management are not coordinated well with the overall public debt policy. For these reasons, I will propose legislation to enable these credit programs to be reviewed and coordinated along with other Federal programs.

TOWARD A FULL GENERATION OF PEACE

Our goal is a full generation of peace in which all nations can focus their energies on improving the lives of their citizens.

To achieve this, we must continue to work in close cooperation with our allies, move from confrontation to negotiation with these with whom we differ, and—together with our allies—maintain enough military strength to deter aggression. Sufficient and effective programs of military and economic assistance to help our friends help themselves are an integral part of our program.

National security.—This Nation's strategy for peace will—as it must—be based upon a position of miltary strength. The purpose of this strength is to prevent war; and, to this end, we will negotiate with those whose vital interests and policies conflict with our own.

We are pursuing negotiations on strategic arms limitations, on Vietnam, on Berlin, and on the Middle East. These negotiations are difficult and often slow, but we have the stamina and commitment necessary to proceed with patience and purpose.

As we carry on negotiations, we couple them with other efforts to achieve the same goal. The Vietnamization program is an example, and we are making good progress. By this spring, our authorized troop strength will have been cut approximately in half since the time I took office, and we will continue to bring American troops home.

Supporting these efforts, the military forces of this Nation and its allies will provide the armed might necessary to deter aggression or to deal with it effectively where necessary. We expect our allies to do more in their own behalf, and, in the spirit of the Nixon doctrine, many are taking steps in that direction. But we must also do our share. The kind of partnership we seek to forge works both ways. We have a vital interest in peace and stability abroad and we plan to maintain the capabilities necessary to protect that interest.

Our withdrawals from Vietnam and the change in our general purpose force planning and strategy permit a smaller force structure than in the past. At the same time, the preoccupation with Vietnam has limited our ability to meet some of our military needs elsewhere, particularly in NATO. We must be certain that our military forces are combat-ready and properly equipped to fulfill their role in our strategy for peace. In addition, we face formidable Soviet nuclear and conventional forces, including increased naval forces, and a further rise in the costs of our military equipment and personnel.

For these reasons, I am recommending an increase of $6 billion in budget authority for military and military assistance programs. This Nation has the will and the resources to meet its vital national security needs. At a time when we are urging our allies to do more and when our potential adversaries may seek

military advantage, I cannot in good conscience recommend less.

We often think of military strength primarily in terms of equipment and massive organizations. While these are important, attracting and holding able citizens in the Armed Forces is the key to an effective and efficient military force. The service of Americans in uniform is worthy of respect, and I am dedicated to the goal of making all such service voluntary. This budget, and subsequent legislation which I will recommend to the Congress, will make significant progress toward ending reliance on the draft.

Foreign assistance.—Our present foreign assistance programs were established for a world that has long since changed. I will propose legislation to adapt them to the conditions of the 1970's.

We must clearly distinguish the varied purposes of foreign aid—the security of the United States and friendly nations, the long-term development of lower income countries, and humanitarian needs—and make possible a realistic assessment of our progress toward each. In 1972, our assistance programs will:

—promote a strong partnership among nations and a vigorous leadership role for multilateral development institutions;

—recognize that other nations have a growing ability and responsibility to determine their own development priorities;

—continue security assistance at a higher level than in recent years in order to help friendly nations meet the responsibility for their own defense; and

—improve coordination of our humanitarian assistance efforts.

These changes will carry out a major theme of U.S. foreign policy—less direct U.S. involvement in the affairs of other nations, less potential for friction and resentment, and a stable world order more conducive to lasting peace.

MEETING HUMAN NEEDS

The proposals that I submit today are a major step forward in the reform of our Nation's efforts to meet the needs of its 206 million citizens. They will introduce a new fairness into American life by providing:

—a basic income floor under every family with children in this Nation;

—health care to help make needed services possible for all of our people when and where such services are required;

—better systems of support for education and manpower training; and

—continued progress in assuring the civil rights of all citizens, and in controlling crime.

Income strategy.—Last year was one of great promise for the long-term income security of American families. Some of that promise reached fruition in the reform of unemployment insurance and food stamp programs:

- Unemployment insurance was extended to 4.8 million additional Americans, including farmworkers and hospital workers, and special extended benefits were established to be triggered automatically by adverse economic conditions.
- Food stamp benefits were improved by establishing national eligibility standards, requiring family allotments large enough to purchase an adequate diet, providing free food stamps to the poorest recipients, and automatically raising benefits with increases in the cost of living.

However, much of that promise was left unrealized. As I have pointed out, in 1972 I will redouble my efforts to make essential and fundamental reforms in income maintenance programs. First, and foremost, I will seek:

- *Basic welfare reform.*—Last year I proposed that our archaic and demeaning welfare system be reformed. A landmark plan that would have accomplished this was approved by the House but did not come to a vote in the Senate.

  The urgency of the need for welfare reform grows with every passing day. I have already stressed the need for early enactment of the Welfare Reform Act of 1971 by the 92d Congress.

  This plan would remove the principal evils of the existing system by:
  —setting national eligibility standards;
  —balancing strong training and work requirements with equally strong training and work incentives;
  —giving financial relief to the States; and
  —establishing a Federal floor under benefit payments for *all* needy families with children, including those with working fathers, for the first time.
- *Social security improvements.*—I will propose a significant reform of the social security system, providing *automatic* adjustments for increases in the cost of living. Such an adjustment now calls for a 6% benefit, effective retroactively to January 1, 1971, to cover the cost of living increase since January 1, 1970. I will also propose increases in widows' pensions.

Beyond these basic reforms, I will seek to harmonize related income maintenance programs with the principles of our income strategy. This will include:

—reform of services provided to welfare recipients to encourage greater accountability and effectiveness in the use of funds, and to establish national standards for foster care, with new incentives for the adoption of handicapped children; and

—proposals to put railroad retirement funds on a financially sound basis.

Improving health care.—During the current session, I will send a message to the Congress that will set out a national health strategy for the seventies and propose significant changes in the Federal role in the Nation's system of health care.

This strategy will seek to expand preventive care, to train more doctors and other health personnel, and to achieve greater equity and efficiency in the delivery of health services. It will include a new health insurance program for all low-income families with children.

The budget reflects in a preliminary way the emphasis that this administration will place on health in 1971, with:

—an increase of $100 million to accelerate greatly the search for a means of preventing and curing cancer;

—a vigorous effort to find a cure for sickle cell anemia;

—a $95 million increase in Federal support for schools that train our Nation's health manpower; and

—a rational policy of using Federal resources to help bring the rapid increase in medical care costs under control.

The budget also provides for:

—a substantial improvement in the quality of medical care provided to veterans with service-connected injuries;

—expansion of services for mothers and children, Indians and Alaska natives, and women who cannot afford family planning services;

—expanded programs to combat drug abuse and alcoholism;

—emphasis on assuring purity of foods and drugs; and

—encouraging greater use of less costly services and facilities in delivering medical care.

Community safety and crime prevention.—My commitment to the reform and revitalization of our system of criminal justice is supported by this budget. The budget proposes a 32% increase in outlays to improve law enforcement, to make our judicial system fairer and more efficient, and to raise the effectiveness of correction and rehabilitation. In this way, we will:

—step up the war on organized crime and the gambling operations that finance it;

—destroy major criminal systems that import and distribute narcotics and dangerous drugs;

—strengthen local law enforcement through the special revenue sharing fund for this purpose;

—continue the antihijacking campaign to protect the Nation's air travelers;

—expand our correctional improvement programs to develop more innovative correctional institutions, and improve probation, parole, and other community-based services; and

—develop, in cooperation with State and local governments, ways to provide more accurate information on law enforcement activities.

Guaranteeing civil rights.—The ideals of our Nation require that the civil rights of *all* citizens be respected, regardless of race, sex, religion, or national origin.

My budget for 1972 proposes to strengthen our efforts to eliminate discrimination in private as well as Federal employment, in activities supported by Federal assistance to State and local governments and other recipients, in education, in housing, and in other aspects of society.

We will take these specific steps to improve the lives of all our people:

—increase by more than 50% our efforts to prevent employment discrimination by Federal contractors and other private employers;
—increase nearly threefold the Federal assistance to school districts that are desegregating;
—reorganize the field operations of the Equal Employment Opportunity Commission to make more effective efforts to halt discrimination in private employment;
—focus the activities of the Civil Service Commission to assure equal Federal employment opportunities for all our citizens, with special emphasis on opportunity for Spanish-surnamed Americans;
—serve 46 localities with conciliation assistance through the Community Relations Service;
—expand administration of the fair housing and equal opportunity laws to increase residential housing choices for all Americans; and
—increase by 15% funds to agencies to assure nondiscrimination by recipients in their use of Federal assistance.

Education and manpower training.—The education and manpower training programs proposed in this budget reflect my determination to find better ways to carry out Federal programs. Special revenue sharing is proposed for both of these vital areas. I will also submit major reform proposals to:
—reform Federal aid programs for higher education to increase their effectiveness;
—direct more funds to students from lower income working families;
—establish a National Institute of Education for research and development; and
—provide additional training opportunities and strong incentives under the Welfare Reform Act of 1971 for employable welfare recipients to undertake suitable employment or job training.

Research and development on social problems.—The Office of Economic Opportunity will emphasize its leadership role in research, development, and evaluation in social programs.

IMPROVING OUR ENVIRONMENT

The improvement and prudent use of our physical resources is vital to our Nation's prosperity and to the goal of helping all Americans enjoy a clean environment, adequate housing, and a better standard of living. In 1972, outlays to achieve these objectives will increase by $2.4 billion to $26.1 billion. The actions that I am proposing will:
—expand my administration's vigorous efforts to protect and enhance the quality of our environment and recreation resources;
—revitalize housing and community development programs; and
—increase Federal research and development efforts.

Environmental quality.—The primary responsibility for protecting and enhancing the environment lies with State and local governments, industry, and the public, but the Federal Government must—and will—provide vigorous leadership.

During the past year, this administration moved forcefully to exercise that leadership:
- Major Federal pollution control and abatement activities were consolidated in a new Environmental Protection Agency;
- The Council on Environmental Quality was given a major role within the Executive Office of the President to advise on environmental problems and on national policies to deal with them;
- New legislation to strengthen national efforts for reducing pollution was proposed to the Congress; and
- Funds for major environmental quality programs were increased significantly.

Pollution control and abatement programs will get even greater attention in the 1972 budget. Outlays will be increased by $764 million. Budget authority will rise even more, by $1.3 billion. The higher amounts will provide for:
—doubling grants for municipal waste treatment facilities;
—curbing pollution from Federal facilities;
—expanding EPA pollution control operations, including implementation of new air quality and solid waste legislation; and
—developing new pollution abatement techniques.

Legislation is again proposed to create the Environmental Financing Authority, which will assist communities that have difficulty in borrowing at reasonable rates to meet their share of the cost of water pollution control facilities.

I shall shortly propose, in a special message to the Congress, a series of further measures to control pollution and improve the quality of our environment.

Recreation.—Greater opportunity for leisure is valued highly in America and, as a result, the demand for recreation facilities is growing. The 1972 budget proposes a substantial increase in grants to help State and local governments provide some of these facilities.

I am recommending that the Land and Water Conservation Fund be fully funded to provide:
—grants of $280 million to help States and localities meet local recreation needs; and
—appropriations of $100 million for Federal acquisition to preserve nationally significant natural and historic areas.

I propose that the urban open space program be more than doubled, to $200 million, to provide more recreational areas in and near our cities.

Cultural activities.—I have again recommended that we double the appropriation for the National Foundation on the Arts and the Humanities, so that we can bring the benefits of these great cultural efforts to an increasing number of people throughout the country.

Housing.—The housing industry has already begun to lead our economic expansion. Fiscal and monetary actions taken in the past year have resulted in a significant easing of mortgage interest rates. Federal policy must help this industry meet the pent-up demand for housing.

The effectiveness of our housing programs will not be improved by merely continuing to increase Federal subsidies. The programs must be simplified and fitted into a rational framework. Inconsistencies must be removed, along with the obsolete rigidities in statutes that at times prevent programs from operating at all.

The administration will again propose legislation to carry out these badly needed reforms, which I urge the Congress to enact.

Community development.—I will also propose reform of the community development programs of the Department of Housing and Urban Development, and of certain economic development programs of the Departments of Agriculture and Commerce. Narrowly defined categorical grant programs in this field have frequently conflicted with local priorities and unnecessarily generated red tape.

With special urban and rural revenue sharing programs, we will permit localities to plan and carry out community development in accordance with their own needs.

Initial funding of the new urban program will begin at a level of $1 billion for the second half of 1972, upon enactment of the necessary legislation. An additional $2 billion appropriation is anticipated for 1973 when the program will be in effect for a full year. Rural development revenue sharing will be $1 billion in the first full year.

Science and technology.—Science and technology can make major contributions to the public by developing creative solutions to a wide range of national problems that will help us all enjoy a better life. I am proposing in this budget a substantial expansion in outlays for federally supported research and development.

While a large portion of this increase is needed to strengthen our defense capabilities I am also recommending substantial increases in civilian areas to:
—make greater use of our scientific and engineering capabilities and resources to cope with major national problems such as pollution, crime, health, transportation, and other environmental and social problems;
—strengthen research essential to the advancement of our technology and economic productivity; and
—increase our investment in fundamental science which leads to the long-term progress of our society.

As an example of the concern of this administration for the use of science and technology in the public service, I am recommending that the budget for the National Science Foundation be increased from $506 million in 1971 to $622 million in 1972. A significant portion of these added funds will be directed to research on pressing national problems.

THE LONGER VIEW

Federal budget decisions must be made with an awareness of their influence on the economy and on resource allocation in the future as well as the present.

Too often in the past, consideration of objectives and priorities focused only on Federal spending. Only immediate issues, rather than longer term goals, were con-

sidered. And this fact was ignored: when we increase the priority of some programs, the relative priority assigned to others must be reduced. In short, the sum of the resources allocated to the various functions—such as health, education, defense—cannot exceed the total resources that we command.

Looking to the future, we find that resources likely to be available to the Nation grow more rapidly than the expenditures required by existing commitments. But our freedom to use these resources will shrink as we approach each future year and make financial or program commitments in the interim. Thus, the allocation of each year's resources is largely a reflection of our past priorities.

As we make choices this year, we will be determining the use of our available resources and expenditures in future years.

The resource allocation questions that the Nation will answer—either explicitly or by default—are:

- Shall we increase the available margin by ending some existing commitments?
- Who should use the margin—the Federal Government, State and local governments, or private citizens?
- To what objectives should the available margin be applied?

In answering these questions, the Nation will be setting its priorities for the future.

My preferences are clear. *One great objective of my administration is to increase the role of private citizens and State and local governments in allocating our national resources in accordance with individual and local needs. Another great objective is to set minimum standards to make certain that every American family in every locality is treated with a fairness that reflects the national conscience.*

Ours is not a regimented economy, nor will it be. Yet, we cannot ignore the influence of the budget on the economy and on the use of our national resources in the present and in the future. To do so is to take the chance that government spending will preempt resources that should be left to be used by private citizens or State and local governments.

In the last few decades, the Federal Government, disturbingly, has taken over the determination of how too many of the Nation's resources will be allocated. In spite of the Federal Government's domination, resources have not been appropriately allocated to overall national needs. Instead, they have been allocated by a process in which small additions were usually made in existing programs, and a few new categorical grant programs were created each year. These new grants were generally aimed at alleviating some narrow problem—without reference to the Nation's real need in that general problem area.

I have in this budget proposed the outlines of a new process for allocating funds according to national priorities.

Instead of continuing "more of the same" to more than a hundred narrow categorical grant programs, I have proposed replacing them with six *special* revenue sharing programs designed to deal with major national problems. These are problems that have different characteristics in different parts of the country. With these special revenue sharing funds, State and local governments can set their priorities within the national objective, design a solution fitted to their particular needs, and solve their problems locally.

The *general* revenue sharing program provides unrestricted funds to State and local governments to achieve our Nation's top domestic priority—the creation of a system of government that is effective and responsive to the needs of all of the American people. General revenue sharing will allow State and local governments to overcome their immediate fiscal crises and to come to grips with those problems that concern their citizens most.

The revenue sharing programs which I have proposed result from shared goals, provide federally shared revenues, and involve shared Federal-State-local responsibility for solving America's most important problems. Our system of government must be one of shared goals—shared revenues—shared responsibilities.

CONCLUSION

The 1972 budget befits a strong, free, compassionate, and enlightened Nation.

- It reverses the trend of the past decade toward Federal domination of the Nation's decisions, and begins to make government more responsive to the will of the people.
- It recognizes that a strong defense is vital to all our objectives, most of all to the attainment of peace.
- It provides the resources needed to meet the Nation's commitments at home, with a new standard of fairness to the poor and sick.
- It accepts the principle that budget policy, together with monetary policy and the active cooperation of the private sector, must be used to help achieve full employment in peacetime with relative price stability.

This budget expresses our fiscal program for the New American Revolution—a peaceful revolution in which power will be turned back to the people—in which government at all levels will be refreshed, renewed, and made truly responsive. This can be a revolution as profound, as far-reaching, as exciting, as that first revolution almost 200 years ago.

RICHARD NIXON.

JANUARY 29, 1971.

THE PRESIDENT'S BUDGET

The SPEAKER. Under previous order of the House, the gentleman from Texas (Mr. MAHON) is recognized for 20 minutes.

Mr. MAHON. Mr. Speaker, now comes the revolution. Something new has been cast into the fiscal arena. I almost said that something shocking has been cast into the fiscal picture.

There is a new imagery and sloganeering. A new face has been put on some of the harsh realities.

FULL EMPLOYMENT BUDGET

The concept of a full employment budget is not new to economists, but it is new as a declared foundation for a Federal budget.

Would full-employment budgets and revenue sharing lead us out of the fiscal and economic woods, or deeper into the woods? The answer is by no means clear. And the dangers of such fiscal policies—embodied in today's budget—are potentially great.

SPENDING IN EXCESS OF REVENUES

This Nation has been overspending for years—either we have been overspending or else we have been undercollecting revenues to pay the bill. Witness the increase in the debt. In the decade of the 1960's the Federal debt rose about $114 billion. State and local debt, according to the message today, rose over 600 percent between 1948 and 1969. During the last 12 months the Federal debt has gone up by $20 billion.

During the current fiscal year 1971, the Federal debt subject to the debt limit, is estimated to increase by nearly $25 billion, according to today's budget.

In fiscal 1972, according to the plans projected and recommended in today's budget, the Federal debt is estimated to rise by some $23.6 billion.

Counting this 1972 budget—and no matter what concept is used—33 of the last 42 budgets were in deficit.

CROSSING THE $100 BILLION MARK

Do you remember that it was in the bleak December of 1964 when President Johnson was agonizing over the submission of his fiscal 1966 budget, and one day the press would report him as in effect saying, "I think I can hold it under $100 billion," and the next day he was reported in doubt as to his ability to do it, and so this teetering on the brink of a $100 billion budget continued for many days. Finally the President, in January of 1965, submitted his 1966 budget, and he kept it under $100 billion. It totaled $99.7 billion. That was the initial spending projection, and I should add, that was on the so-called administrative budget basis, not the unified budget plan now used.

Well, that $99.7 billion sounds very puny in the context of today's budget. Today's spending budget for 1972 is $229 billion—not $100 billion, but $229 billion. That is the so-called unified budget plan which includes all the trust funds such as social security. The new spending authority requested or proposed in this budget for 1972 is $249 billion—a cool one-quarter of a trillion dollars. That is the dollar magnitude of the budget before us today.

DEFICITS, FISCAL YEARS 1970–72

I direct your attention to the totals relating to fiscal years 1970, 1971, and 1972. For the 3 years, including the figures in today's message, the deficit in the unified budget is estimated to be $33 billion, and the deficit in the Federal funds portion of the budget is estimated to be $61 billion. The books are closed on fiscal 1970. They will close this June 30 as to fiscal 1971. And fiscal 1972 has not begun. But those are the tentative totals in today's budget.

THE BUDGET SURPLUS AND DEFICIT SITUATION

[In millions of dollars]

	Trust funds	Federal funds	Total of the 2	Less intra-governmental transactions that wash out	Net totals
Fiscal 1972:					
Budget receipts (estimated)	$75,490	$153,720	$229,210	−$11,617	$217,593
Budget outlays (estimated)	63,992	176,857	240,849	−11,617	229,232
Surplus (+) or deficit (−) (estimated)	+11,498	−23,137	−11,639		−11,639
Fiscal 1971:					
Budget receipts (estimated)	66,165	139,137	205,302	−11,109	194,193
Budget outlays (estimated)	59,200	164,665	223,864	−11,109	212,755
Surplus (+) or deficit (−) (estimated)	+6,965	−25,528	−18,562		−18,562
Fiscal 1970:					
Budget receipts (actual)	59,362	143,158	202,520	−8,778	193,743
Budget outlays (actual)	49,065	156,301	205,365	−8,778	196,588
Surplus (+) or deficit (−) (actual)	+10,297	−13,143	−2,845		−2,845
Surplus (+) or deficit (−) all 3 years (estimated)	+28,760	−61,808	−33,046		−33,046

These facts are certainly very sobering as we begin consideration of the President's budget.

We cannot confine ourselves just to needs for spending; we must also look at the financial resources which are available to pay for the spending. We must also look to the revenue side of the budget. The President must do that. The Congress must do that. The committees must do that. And the country must do that.

I do not stand here to lambaste the President or George Shultz of the Office of Management and Budget. They have an incredibly difficult job to perform, and our job is likewise incredibly difficult. The laws which mandate monumental spending are on the books, and they are the product both of the legislative and the executive branches of the Government.

We all recognize, I think, that as a practical matter it was impossible for the President at this time to submit a balanced budget. We know that is not in the cards in the light of the overwhelming deficit with which we are confronted for the current fiscal year. But we must be on guard and recognize that at best we are a nation of spenders. We do not want to add undue and unnecessary fuel to the spending flame, lest spending get completely out of hand.

VARIATIONS FROM ORIGINAL BUDGET PROJECTIONS

Now, a budget is a plan for the times. Budgets embody hopes and expectations. They rest on many contingencies and uncertainties. They rest on a lot of assumptions. They are characteristically rosy and optimistic. This is generally always the case with budgets of all administrations. The present budget is no exception. For a variety of reasons, original budget projections must be taken with huge grains of salt. That is, for a variety of reasons, the final results when the budget year is over are usually billions wide of the original marks—often for the worse.

For example, the budget for the current fiscal year of 1971, when it was submitted to us just a year ago, was tentatively projected to be in the black by $1.3 billion. And now, according to the message presented to us today, it is not in the black by $1.3 billion, but it is in the red—it is in the red by $18.6 billion on the so-called unified budget basis, and it is in the red from the standpoint of Federal funds in excess of $25 billion. The situation in a period of a few months went from a tentatively projected surplus of $1.3 billion to a deficit of $18.6 billion now reestimated in the unified budget.

There were many reasons for this turnabout. The President amended and supplemented his original budget. The executive branch miscalculated and underestimated certain so-called uncontrollables such as interest on the debt. There was a shortfall of several billions on projected revenues because of the sluggishness in the economy. Congress failed to adopt certain revenue proposals. Congress made reductions in appropriation bills, but more than offset that by increases in mandated spending and backdoor provisions in nonappropriation bills. All of these factors contributed.

So this is one of the things that we must be alert to. Will the garment in which this budget is now dressed be the same garment when the year is over? I impugn the motives of no one. I recognize the problems of the budget for every President. But how do we know that the projections will be fulfilled? How do we know whether, instead of having a deficit of Federal funds as projected in the budget which was submitted today of $23 billion for the forthcoming fiscal year, it might not be vastly more? The answer is, We do not know. But we do know that the final results will undoubtedly be vastly different—and could be vastly more serious, judging by recent experience.

Who knows whether or not this would make the inflation of former months look rather unimpressive?

It is a potentially dangerous fiscal situation which confronts this Congress, confronts the executive, and confronts the country.

I include an informative tabulation of variations between original budget projections and final budget results going back over a number of years:

VARIATIONS IN ORIGINAL BUDGET PROJECTIONS

[In billions of dollars]

Fiscal year	Budget receipts			Budget expenditures			Surplus or deficit		
	Original	Actual	Swing	Original	Actual	Swing	Original	Actual	Swing
Administrative budget:									
1955	62.5	60.2	−2.3	65.4	64.4	−1.0	−2.9	−4.2	−1.3
1956	59.7	67.8	+8.1	62.1	66.2	+4.1	−2.4	+1.6	+4.0
1957	65.0	70.6	+5.6	64.6	69.0	+4.4	+.4	+1.6	+1.2
1958	73.1	68.6	−4.5	71.2	71.4	+.2	+1.8	−2.8	−4.6
1959	74.0	67.9	−6.1	73.6	80.3	+6.7	+.5	−12.4	−12.9
1960	76.4	77.8	+1.4	76.3	76.5	+.2	+.1	+1.2	+1.1
1961	83.3	77.7	−5.6	79.1	81.5	+2.4	+4.2	−3.9	−8.1
1962	82.3	81.4	−0.9	80.9	87.8	+6.9	+1.5	−6.4	−7.9
1963	93.0	86.4	−6.6	92.5	92.6	+0.1	+0.5	−6.3	−6.8
1964	86.9	89.5	+2.6	98.8	97.7	−1.1	−11.9	−8.2	+3.7
1965	93.0	93.1	+0.1	97.9	96.5	−1.4	−4.9	−3.4	+1.5
1966	94.4	104.7	+10.3	99.7	107.0	+7.3	−5.3	−2.3	+3.0
1967	111.0	115.8	+4.8	112.8	125.7	+12.9	−1.8	−9.9	−8.1
1968	126.9	[1] 114.7	−12.2	135.0	[1] 143.1	+8.1	−8.1	−28.4	−20.3
Unified budget:									
1969	178.1	187.8	+9.7	186.1	184.6	−1.5	−8.0	+3.2	+11.2
1970	198.7	193.7	−5.0	195.3	196.6	+1.3	+3.4	−2.8	−6.3
1971	202.1	[2] 194.2	−7.9	200.8	[2] 212.8	+12.0	+1.3	[2] −18.6	−19.9
1972	217.6			229.2			−11.6		

[1] Represents "Federal Funds" portion of new unified budget concept totals.
[2] Estimate in 1972 budget.

THE FULL EMPLOYMENT BUDGET CONCEPT

The embracing of a deficit budget, a full employment budget concept, is a potentially dangerous approach to our fiscal situation. At best we are a nation of spenders, "from California to the New York Islands, from the redwood forests to the Gulf Stream waters." We are a nation of spenders, and we do not need any undue encouragement in that direction and I am fearful this budget policy may give encouragement to overspending and thus add to inflationary pressures. To us, restraint is as bitter as quinine. We want to talk about the programs we want to see financed; we do not want to talk about raising the money to finance them. That is too often the approach.

It is potentially dangerous to encourage the Congress to embrace a budget concept that tends to make deficit spending virtuous. How will we ever throw on the brakes when our needs will continue to be so great in so many fields?

If we do not throw on the brakes, what disaster may befall the Nation and wreck all of the programs in which we may be interested? In prior years we have looked with a jaundiced eye on deficit spend-

ing, but it is now proposed that we suddenly and affectionately embrace deficits of tremendous proportions with the assurance that this is just what the country needs. Are we making a virtue of spending money which is neither in hand nor in sight? I am afraid that is what this budget may tend to do.

Is the era of vetoed spending bills over? Our capacity for restraint will undoubtedly be severely tested as this Congress proceeds. Today is a day when we need to sound some warning in regard to the problems which confront us.

THE NEED FOR RESTRAINT

Congress watchers will be looking at the Appropriations Committee. We may be described by some as that tight-fisted, seniority-dominated Committee on Appropriations. However, we have been spending all of the money we have had plus additional billions of borrowed funds.

If we could be provided with more funds to meet all the needs of our cities and our environment and all of these other programs, that would be one matter, but we are not offered the additional revenue which might be required for these programs. Under these circumstances, we must be as cautious as possible. We must try to hold the line. Of course, we must try to say no to some programs which would merit funding under more favorable circumstances.

We have held the line rather well in the appropriation bills in recent Congresses. Our problem has been that we have not had the revenues to appropriate to meet all of the requests made. Congress watchers will be looking at spending which may be mandated by nonappropriation bills. In recent Congresses we have reduced the President's budget through appropriation bills, but we have increased the President's proposed spending through nonappropriation bills. We have to watch both avenues of spending if we are to watch our step as this session proceeds.

The Joint Committee on Reduction of Federal Spending will provide periodic scorekeeping reports. They will be authentic in the future as they have been in the past. They will give a clear picture of the spending situation. So here we go again.

The demands upon us will be very great. I must say I feel that any President, and certainly this President, is entitled to have his projected program thoroughly scrutinized and examined. We must give the budget the consideration which it deserves, and it deserves the most profound consideration.

REVENUE SHARING

The question of revenue sharing is something we have had around for quite some time. Is it logical and is it wise for one legislative body to raise the money and then turn it over to another legislative body, the States or the cities, for their expenditure? Is that a practical approach to the problems which confront us? Would it not be better to undertake to find a better solution to the problem? How can we expect the Congress to take the responsibility and the criticism for lending itself to extracting this additional money when tax burdens are heavy and then turning this money over to other levels of government for expenditure? The Congress will look a long time at this proposal. I think it should.

There is no revenue to share. There is a deficit to share for this year and next year. If the pending proposal were adopted, we would be sharing not revenues, but borrowed funds.

THE NEED FOR RESTRAINT

So, I would say, Mr. Speaker, that we have our work cut out for us. Speaking for the Appropriations Committee, I would hope that in the appropriation bills we can do a reasonably workmanlike job of holding the line within the overall figures projected in the budget. I am not familiar with all the figures in the budget, because it was presented only today, but I do know that since we are going in the red and since we are confronted with inflation and so many other problems—I do know it is prudent for us to try to hold the line as best we can.

Of course, big spending in a government such as ours is inevitable, but we must preserve the economy and seek a dollar in value for each dollar expended. It is important that we consider the budget item by item and it is important that we look at the total budget in an effort to better establish priorities.

THE PRESIDENT'S BUDGET FOR FISCAL YEAR 1972

The SPEAKER. Under a previous order of the House, the gentleman from Ohio (Mr. Bow) is recognized for 15 minutes.

Mr. BOW. Mr. Speaker, it is appropriate that I, as the senior Republican on the House Appropriations Committee, provide comment on the fiscal year 1972 Budget we have just received from our President. Certainly none of us has had sufficient time to study this document in depth. But I do believe this budget request is the most realistic alternative to effectively deal with the problems this Nation now faces, and which must be dealt with in the next fiscal year.

THE TRANSITION TO A PEACETIME ECONOMY

In the past 2 years, the Nixon administration has made remarkable progress in scaling down the conflict in Southeast Asia and curbing the rate of inflation. But this transition to a peacetime economy has not been without its price. It has involved substantial reductions in defense spending and the return of increasing numbers of personnel to the civilian labor force. Both results have had an obvious and expected impact on employment. Because of this the time has now come to carefully stimulate our economy in a way that will accelerate opportunities for the labor force of the 1970's without returning to the inflationary spiral of past administrations. I believe this can be accomplished by prompt consideration of this budget request and the legislative proposals our President outlined in his state of the Union message.

At the same time, I would not pretend to be completely satisfied with this request because, among other reasons, I am not a proponent of deficit financing—and neither is our President. But I do believe most of us would have proposed a very similar budget if faced with the same circumstances. These proposals are only orderly steps in the management of our Nation's economy at this point in time.

AN INSTRUMENT OF POLICY AND REFORM

But, this budget is also much more than just a means of dealing with some of our immediate problems, or continuing the operation of the departments and agencies of the Federal Government. It echos a theme of reform that our President has repeated since the day he took office. It uses the budget as an instrument of policy and realines the Nation's resources to deal with the Nation's problems.

This is particularly important at this point in time. For example, we must reaffirm to the rest of the world our resolve to spend what is necessary for our national security. The President, each of us, and every citizen we represent hope it will not be necessary to spend as much on defense as this budget requests. All of us would prefer to see these funds directed at some of our more pressing domestic problems. But no nation in history ever successfully negotiated strategic disarmament or anything else from a position of weakness. Our allies and others abroad must be assured that, if necessary, we are resolved to spend whatever is required to insure a strong defense in the interests of a strategy for peace. But even with the increase requested for defense, the portion of our total budget allocated for this purpose will drop from 36 percent in 1971 to 34 percent in 1972.

And we can earnestly hope that successful negotiations will even render some of these funds unnecessary before they have to be spent.

The domestic aspects of the budget deserve special attention. Preeminent is the proposed program of providing State and municipal governments with access to additional revenue. Although there may be disagreement about the mechanics of achieving this, there is no controversy over the extent of the problem. And certainly a county commissioner in Stark or Mahoning County in Ohio is more sensitive to the needs and problems of his county than a bureaucrat in Washington born in some other part of the Nation. I believe that only by building up a local revenue base can we ever look forward to reduced Federal taxes in the future.

Similarly, the reform of our welfare assistance programs and steps to improve our systems of health care are, if anything, overdue. A nation of healthy people with the opportunity and incentive to improve themselves is the greatest

long-term investment our country can make for its future.

OUTLAYS AND RECEIPTS

We can all expect to hear a substantial amount of politically generated criticism about outlays, receipts, and the Federal funds deficit in this budget. I would like to remind you that the Federal funds deficit for fiscal year 1968, before this administration took office, was $28.4 billion. The estimated Federal funds deficit in this budget is $25.5 billion for 1971 and $23.1 billion for 1972, both still lower than the high of 1968. Under the unified budget concept the deficits estimated for 1971 and 1972 are $18.6 billion and $11.6 billion compared with $25.2 billion in 1968. But the most important point to be remembered is that in 1968 Federal outlays were allowed to substantially exceed full-employment revenues by $25 billion. Under this administration there was a full-employment surplus in 1970 of $2.6 billion and this budget estimates a similar surplus of $1.4 billion for 1971 and $0.1 billion for 1972. So although there is a deficit in this budget, its make-up is significantly different. This is why the President believes this budget will bring about "that kind of prosperity that has rarely existed in the American economy—a prosperity without war and without runaway inflation."

CONGRESSIONAL COOPERATION REQUIRED

The development of the 1972 budget will require more cooperation from Congress than ever before. Over $170 billion of the $249 billion of budget authority requested will require new action on the part of the Congress. In many cases substantial action is required by the legislative committees before the Appropriations Committee can complete its business. The amounts of money that are involved follow:

Recommended 1972 amounts requiring additional authorizing legislation

NOTE.—These amounts are recommended in the 1972 budget, not proposed for separate transmittal following enactment of the authorizing legislation.

[In thousands of dollars]

FUNDS APPROPRIATED TO THE PRESIDENT	
Appalachian regional development programs	107,000
Foreign assistance:	
International security assistance:	
Military assistance	705,000
Foreign military credit sales	510,000
Supporting assistance	778,000
International development assistance:	
Multilateral assistance: International organizations and programs	168,000
Bilateral assistance:	
Grants and other programs	397,000
Development loans	655,000
Contingencies	100,000
Office of Economic Opportunity:	
Economic opportunity program	778,000
Peace Corps	71,200
Total, funds appropriated to the President	4,269,200
AGRICULTURE	
Food and Nutrition Services:	
Child nutrition programs	32,775
COMMERCE	
Economic Development Administration:	
Development facilities	160,000
Industrial development loans and guarantees	50,000
Planning, technical assistance, and research	20,855
Operations and administration	22,675
Regional Action Planning Commissions: Regional development programs	39,000
Maritime Administration:	
Ship construction	229,687
Operating-differential subsidies	63,129
Liquidation of contract authority	(176,016)
Research and development	25,000
Salaries and expenses	4,048
Maritime training	7,300
State marine schools	2,200
Total, Commerce	623,894
DEFENSE-MILITARY	
Procurement of equipment and missiles, Army	1,430,100
Procurement of aircraft and missiles, Navy	4,069,100
Shipbuilding and conversion, Navy	3,328,900
Other procurement, Navy	206,800
Procurement, Marine Corps	66,200
Aircraft procurement, Air Force	2,897,500
Missile procurement, Air Force	1,944,400
Research, development, test, and evaluation:	
Army	1,932,100
Navy	2,407,100
Air Force	3,001,900
Defense agencies	497,000
Emergency fund, Defense	50,000
Military construction:	
Army	603,158
Navy	353,494
Air Force	278,000
Defense Agencies	25,400
Army National Guard	29,000
Air National Guard	10,600
Army Reserve	33,500
Naval Reserve	10,900
Air Force Reserve	5,700
Family housing, Defense	826,400
Homeowners assistance fund, Defense	7,575
authority to spend debt receipts	4,525
Special foreign currency program	6,744
Total, Defense-Military	24,026,096
HEALTH, EDUCATION, AND WELFARE	
National Institutes of Health:	
Health manpower	463,457
Office of Education:	
Higher education	1,620,087
Education professions development	134,800
Libraries and educational communications	25,000
Social and Rehabilitation Service:	
Grants to States for public assistance	225
Youth development and delinquency	10,000
Total, Health, Education, and Welfare	2,253,569
HOUSING AND URBAN DEVELOPMENT	
Community development planning and management: Comprehensive planning grants	15,000
Community development: Open space land programs	90,577
Total, Housing and Urban Development	105,577
INTERIOR	
Office of Saline Water	27,025
TRANSPORTATION	
Coast Guard:	
Operating expenses	238,150
Acquisition, construction, and improvements	99,500
Reserve training	3,484
Research, development, test, and evaluation	1,201
Total, Transportation	342,335
ATOMIC ENERGY COMMISSION	
Operating expenses	1,848,380
Plant and capital equipment	276,726
Total, Atomic Energy Commission	2,125,106
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION	
Research and development	2,517,700
Construction of facilities	56,300
Research and program management	697,350
Total, National Aeronautics and Space Administration	3,271,350
OTHER INDEPENDENT AGENCIES	
Commission Civil Rights	400
Appalachian Regional Commission	1,075
Water Resources Council: Water resources planning	481
Total, other independent agencies	1,956
Grand total, budget authority	37,078,833
Liquidation of contract authority	(176,016)

Again this year the budget also includes a list of programs and activities that are inefficient, obsolete or low priority. In many cases these benefit only a narrow or select part of the population, and all too frequently not those most in need. The $2.9 billion savings that would accrue from terminating or restructuring these programs in 1972 is a significant factor in the economic strategy of this budget. Of this amount, $1.9 billion will require substantive legislation by the Congress. Our cooperation in this aspect of Federal reform is critical.

BUDGET HIGHLIGHTS

The most notable highlight of this budget is the continued trend toward a larger percent of our resources to nondefense needs—even in the face of increased defense spending. The following tables illustrate the priorities of this administration:

BUDGET OUTLAYS BY FUNCTION

[In billions of dollars]

Function	1945	1950	1955	1960	1965	1970	1972
National defense	81.6	13.1	40.2	45.9	49.6	80.3	77.5
Human resources	2.7	14.0	14.5	25.4	35.4	72.8	96.2
Education and manpower	.2	.2	.6	1.1	2.3	7.3	8.8
Health	.2	.3	.3	.8	1.7	13.0	16.0
Income security	1.2	4.7	9.1	18.2	25.7	43.8	60.7
Veterans benefits and services	1.1	8.8	4.5	5.4	5.7	8.7	10.6
Physical resources	5.9	5.9	5.7	10.1	14.5	21.1	25.5
Agriculture and rural development	1.6	2.8	4.0	3.3	4.8	6.2	5.8
Natural resources	.3	1.2	.5	1.0	2.0	2.5	4.2
Commerce and transportation	4.1	1.6	1.1	4.8	7.4	9.3	10.9
Community development and housing	−.2	.2	(1)	1.0	.3	3.0	4.5
Interest	3.5	5.7	6.0	8.3	10.4	18.3	19.7
Other	4.1	6.0	3.3	4.8	11.6	10.6	12.2
International affairs and finance	3.3	4.8	2.0	3.1	4.3	3.6	4.0
Space research and technology	(1)	.1	.1	.4	5.1	3.7	3.2
General government	.8	1.2	1.2	1.3	2.2	3.3	5.0
Allowances							6.0
Deductions and unallocable	−2.7	−1.7	−1.2	−2.3	−3.1	−6.4	−7.8
Total	95.2	43.1	68.5	92.2	118.4	196.6	229.2

[1] Less than $50,000,000.

PERCENT DISTRIBUTION OF BUDGET OUTLAYS BY FUNCTION

Function	1945	1950	1955	1960	1965	1970	1972
National defense	85.7	30.4	58.7	49.8	41.9	40.8	33.8
Human resources	2.9	32.5	21.1	27.6	29.9	36.9	42.0
Education and manpower	.2	.5	.8	1.1	1.9	3.7	3.8
Health	.2	.6	.4	.8	1.5	6.6	7.0
Income security	1.2	10.9	13.3	19.7	21.7	22.3	26.5
Veterans benefits and services	1.2	20.5	6.6	5.9	4.8	4.4	4.6
Physical resources	6.2	13.7	8.3	10.9	12.3	10.7	11.1
Agriculture and rural development	1.7	6.5	5.9	3.6	4.1	3.2	2.5
Natural resources	.3	2.9	.7	1.1	1.7	1.3	1.9
Commerce and transportation	4.4	3.9	1.6	5.2	6.2	4.7	4.8
Community development and housing	−0.2	0.6	(1)	1.1	0.2	1.5	2.0
Interest	3.7	13.3	8.8	9.0	8.7	9.3	8.6
Other	4.3	13.9	4.8	5.1	9.9	5.4	5.3
International affairs and finance	3.5	11.1	3.0	3.3	3.7	1.8	1.8
Space research and technology	(1)	.1	.1	.4	4.3	1.9	1.4
General government	.8	2.7	1.7	1.4	1.9	1.7	2.2
Allowances							2.6
Deductions and unallocable	−2.8	−3.9	−1.8	−2.5	−2.6	−3.2	−3.4
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0

[1] Less than 0.05 percent.

In addition to the commitments to defense, welfare reform, and revenue sharing, a quick review of budget detail shows that allocation of increased resources has been targeted at the most important areas of concern.

For example, the budget includes increased funding for the Environmental Protection Agency and particular emphasis on water quality control, sewage treatment facilities, and pollution abatement in the Great Lakes.

Additional moneys will provide increased numbers of physicians and an intensive research effort to eliminate cancer from the spectrum of disease.

There is a further commitment to Law Enforcement Assistance, veteran's medical care, and the National Science Foundation. Housing programs are to be carefully restructured in order to make them more flexible to local needs. The entire Federal Government is being reconstructed so that it can contribute to progress instead of impeding it.

This then, Mr. Speaker, is a brief initial comment on the 1972 budget.

During the coming months the appropriations committee will commence its detailed review and you may be assured each item will receive deserved consideration. Our prompt and responsible consideration of this budget is an important part of the Government process and a vital step in the management of our economy.

I would also like to make a few observations related to the comments of my distinguished chairman.

Mr. Speaker, when I was elected to this Congress 20 years ago the outlays to operate this Government were $43 billion—$43 billion—you will find that on page 83.

Now, Mr. Speaker, in 20 years we have gone from $43 billion to a request for outlays of $229 billion.

I agree with my distinguished chairman that this is a cause for real concern. But I wonder where all of the responsibility lies for this increase in Federal spending that we have experienced.

In these past 20 years I have been a Member of the majority for only 2 years. For the other 18 years I have been in the minority. During those 18 years I think many of my colleagues will remember that the firm 5-percent across-the-board limitation on spending that I proposed was voted down. My claim that we needed a balanced budget never got very far. All of this time I was in the minority with support on this side of the aisle for trying to keep budgets down. But these budgets were still increased from $43 billion up to this figure that the gentleman from Texas is so concerned about.

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

Mr. BOW. I shall be delighted to yield to my distinguished chairman.

Mr. MAHON. I had meant to make clear when I discussed that first $100 billion budget which was submitted in January of 1965, that at that time the budget totals were on the so-called administrative budget basis—roughly equivalent to what is now the Federal funds portion of the budget.

Mr. BOW. Right.

Mr. MAHON. And of course it is not correct to compare the $99.7 billion administrative budget which was submitted by President Johnson in January of 1965 with the current budget, because the current budget——

Mr. BOW. Is a unified budget.

Mr. MAHON. Yes. It is on the so-called unified basis, which includes the trust funds. The trust funds were not included in the $99.7 billion figure. I will make that clear in the revision of my earlier remarks.

Mr. BOW. I think the gentleman would want to do that, and at the same time remember that, under the administrative budget, the Johnson administration left this administration with a $28 billion deficit in 1968 which we tried to reduce, but without success.

So today I hear, from some Members on the other side, all this complaining about some reductions. It was brought up that estimates for certain activities were reduced. Then comes the chairman of the Appropriations Committee chiding us because of some increases. "Consistency—Thou art a jewel." Are we really trying to get the budget under control? I hope we are.

I shall join my distinguished chairman in trying to cut out every bit of unnecessary spending. But let us not use this budget as a political football with some people complaining that in some instances it is not large enough—that we have got to have more—while someone else comes up and says they are shocked because of its size. So I would hope that we can work together, not for the good of one party or the other, but for the good of the country and see if we cannot get some semblance of understanding as to what these large deficits mean for all of us.

Now I have pointed out the size of the deficit estimated for 1972 and that in 1968 the deficit was $28 billion. But there is a difference. In 1968 we had full employment. The war was going on and there were some 500,000 troops in Vietnam. We are now shifting our economy from war to peace. We have been winding down on the war in Vietnam.

We do have a situation of unemployment and we have to do something about it. So an effort is now being made to submit a full employment budget based on 4 percent unemployment. But that condition did not exist in 1968 when inflation was running away because of large

deficit spending. At that time we had full employment.

Now, Mr. Speaker, I again say I will join with my chairman and pledge my full support to reduce unnecessary spending. I hope the gentleman and his colleagues on his side of the aisle will help in every way they can.

OVERALL SPENDING CEILING

May I also say at this point—and it will be found in the RECORD—that I have today again introduced what I refer to as the fiscal responsibility bill. I would hope my distinguished chairman would give me support on this bill. You know we have put a ceiling on the executive department on how much they can spend, but there is no ceiling on the Congress as to how much we can appropriate to force excessive spending over the budget.

The bill I have introduced today would in addition to an executive department ceiling, put a limitation on the Congress on how much we can exceed the budget and force additional spending by legislation.

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

Mr. BOW. I yield to the gentleman.

Mr. MAHON. Mr. Speaker, I believe, along with the gentleman from Ohio, that we must again this year, as we did last year, establish an overall spending ceiling. I think it is important that we do establish it. It has a certain disciplinary value. It is, as the gentleman from Ohio pointed out, binding upon the executive, but it is not binding upon the legislative branch. It is impossible to bind the Congress on an expenditure ceiling because it involves the situation that what Congress may pass today can be modified or repealed tomorow. The only practical way you could have a mandatory ceiling, as I see it, on spending insofar as the Congress is concerned would be for it to be written into some sort of constitutional amendment otherwise it simply does not appear to be effectively possible. It is regrettable that we cannot get a better handle on this. We could enact a measure limiting spending for next year at $229 billion as fixed by the budget but I know of no way to prevent Congress, if it desired to do so, from raising that figure in a subsequent enactment.

Theoretically, I share the desire of the gentleman from Ohio, to fix a more meaningful ceiling but I see no way practical to achieve it. Yet a legislative ceiling tends to have a salutary effect.

Mr. BOW. Mr. Speaker, I suggest to the gentleman that he reconsider and study the bill I have again introduced today to put a ceiling on the Congress. I know the gentleman has been advised by some people that this is not right, but I also have been advised by constitutional lawyers that it is proper. I am sure that we can do it, and if the gentleman will join me in trying to do it, I think it would be a significant step toward establishing fiscal responsibility.

SALMON FALLS DIVISION, UPPER SNAKE PROJECT

(Mr. HANSEN of Idaho asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HANSEN of Idaho. Mr. Speaker, today I am introducing H.R. 2474 to authorize the Secretary of the Interior to construct, operate, and maintain the Salmon Falls division, Upper Snake River project, Idaho.

The purposes of this bill are two-fold. First, this project will provide a full supply of water for the irrigation of 64,110 acres of land on the south side of the Snake River in southern Idaho; and second, construction and operation of the division will have a significant beneficial effect on the quality of the human environment, which can be achieved through a fuller utilization of our underemployed natural resources.

For many years the people living on the south side of the Snake River in southern Idaho have attempted to cultivate this fertile but dry land. Though attempts have been made to provide adequate, private facilities for irrigation, these efforts have met with limited success because of an inadequate and undependable water supply.

The available surface and ground water supplies have been fully utilized, but are just inadequate to serve the 49,380 acres presently developed. The facilities which my bill authorizes, along with the present facilities, will provide a full supply of water for the irrigation of 64,110 acres of land on the south side of the river, including the lands now developed.

Though the flows of this intensively used stream are completely appropriated during normal and dry years, during the years of above-normal runoff from the existing storage facilities the excess waters will be available to supplement the existing works in the Salmon Falls area.

My bill provides for the development of an auxiliary well field in the North Side Canal Company's irrigated area north of the river to make the water required for the Salmon Falls division available in the Snake River. Ground water would be pumped into the existing distribution system serving that area, thereby permitting an equivalent amount of Snake River water to be used by the Salmon Falls division. Section 5 of my bill provides an absolute guarantee of protection to water users in the exchange pumping area that the proposed water exchange will not adversely affect their water rights or supply of water, nor will it increase their costs.

For years, Mr. Speaker, the landowners in the area have worked diligently to develop their lands. With a little assistance they will meet with success in their efforts to convert these parched lands into valuable productive farms which would generate income sufficient to repay more than one quarter of the cost of the project. The bulk of balance of the irrigation allocation would be returned from revenues of the Columbia River Federal Power System.

Even though resultant economic benefits are sufficient to compel early passage of this bill, this project is doubly beneficial because of prospects for a greater utilization of currently underemployed natural resources. Development of the Salmon Falls Division will create conditions that would increase upland game and water fowl populations. To this end, plans are being developed for improving the wildlife habitat in areas of low game bird population. This will be accomplished by reserving, for wildlife use, certain nonirrigable public lands within or adjacent to the service area. Some of these tracts will be planted in vegetation to produce both food and cover and be fenced to permit the vegetation to grow undisturbed by livestock.

And so, Mr. Speaker, we see that the development of the project will result in an environmental setting providing for a better use of both the natural and human resources of the area. The resultant water supply, which will be both adequate and dependable, will create a more stable economy with additional crop production and farming opportunities.

More goods and services to handle the needs of the farms will provide more jobs, thereby expanding the taxable base of the county, State, and Nation. To secure these benefits, I trust that the Congress will take early and favorable action on this bill.

As a part of my remarks, I include the text of H.R. 2474:

H.R. 2474

A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Salmon Falls division, Upper Snake project, Idaho, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the primary purposes of providing irrigation water supplies and the enhancement of fish and wildlife resources, and other purposes, the Secretary of the Interior, acting pursuant to the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto), is authorized to construct, operate, and maintain the Salmon Falls division, Upper Snake River project, Idaho. The principal works of the division shall consist of the Milner pumping plant, the Milner-Salmon Falls Canal, relift pumping stations, water distribution facilities, wells to provide supplemental water, drainage facilities, and related works.

SEC. 2. Irrigation repayment contracts shall provide, with respect to any contract unit, for repayment of the irrigation construction costs assigned to the irrigators for repayment over a period of not more than fifty years, exclusive of any development period authorized by law. Construction costs allocated to irrigation beyond the ability of irrigators to repay shall be charged to and returned to the reclamation fund in accordance with the provisions of section 2 of the Act of June 14, 1966 (80 Stat. 200), as amended by section 6 of the Act of September 7, 1966 (80 Stat. 707).

SEC. 3. The provision of lands, facilities, and project modifications which furnish fish and wildlife benefits in connection with the Salmon Falls division shall be in accordance with the Federal Water Project Recreation Act (79 Stat. 213).

SEC. 4. Power and energy required for irrigation water pumping for the Salmon Falls division shall be made available by the Secretary from the Federal Columbia River power system at charges determined by him.

SEC. 5. Any exchanges of water which may be required in connection with the operation of the division authorized by this Act shall be made in conformity with applicable State law and shall in no way jeopardize, diminish,

or otherwise alter contractual rights and obligations now in existence or water rights acquired under State law, and shall be without prejudice to, but in enjoyment of, the rights of the appropriator participating in the exchange as a user under his original appropriation. Existing water users shall bear no additional costs as a consequence of any exchange in their service area.

SEC. 6. There is hereby authorized to be appropriated for construction of the works herein authorized and for the acquisition of the necessary land and rights the sum of $47,252,000 (January 1969 prices) plus or minus such amounts, if any, as may be required by reason of changes in the cost of construction work of the types involved therein as shown by engineering cost indexes. There are also authorized to be appropriated such sums as may be required for the operation and maintenance of said division.

ADMINISTRATION'S BUDGET FAILS NATION'S SOCIAL SECURITY BENEFICIARIES

(Mr. VANIK asked and was given permission to extend his remarks at this point in the RECORD, on the President's proposal recommending only a 6-percent increase in social security benefits.)

Mr. VANIK. Mr. Speaker, in reviewing the President's budget proposals for fiscal 1972, I am shocked and dismayed to learn that President Nixon proposes only a 6-percent increase in social security benefits and apparently recommends that the retirement test be increased to only $2,000.

In view of the spiraling inflation which now has become the complete responsibility of this administration, it is cruel and inhumane for the Nixon administration to disregard the desperate plight of our elderly, so many of whom are endeavoring to sustain life below the poverty level. This Congress should immediately enact a bill which does no less than provide a 10-percent increase across the board, a minimum benefit of not less than $100 and an increase in eligible retirement income to at least $2,400.

SENATOR BENTSEN SPEAKS TO THE WOMEN'S NATIONAL DEMOCRATIC CLUB

(Mr. PICKLE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PICKLE. Mr. Speaker, in November Texans elected a distinguished American to represent them in the U.S. Senate.

Hon. LLOYD BENTSEN of Houston, a former Member of the House of Representatives, was sworn in as the new Democratic Senator from Texas a short time ago.

Senator BENTSEN formerly represented a district in south Texas in the Rio Grande Valley. He served with distinction from 1948 to 1954, when he retired to go into private business.

During his years in the House, Senator BENTSEN supported and introduced a number of progressive measures, including a repeal of the poll tax, major water conservation and reclamation legislation, minimum wage legislation, and Federal housing projects for low-income groups.

He also supported a strong defense posture and practical controls on Government spending.

On January 21, Senator BENTSEN delivered his maiden speech as a Senator before the Women's National Democratic Club.

In what the Washington Post called "a crackling declaration of independence" the new Senator from Texas, the Honorable LLOYD BENTSEN yesterday made his Washington debut in a speech before the Women's National Democratic Club.

In a strong speech tearing down the fiction of ideological labels, Senator BENTSEN served notice that he will be the voice of all Texans. I note with no small amount of pride that the Senator is willing to take on the administration or others, when he deems it to be in the national interest, to support his convictions that this Nation should restructure its priorities in the fields of education, health, environment, unemployment, and inflation, and yet, assuring us of a strong national defense posture.

Mr. Speaker, I know that my colleagues here may not agree with everything that Senator BENTSEN has espoused, but at the same time, I do know that each of us is vitally interested in the Senator's statement of policy. For that reason, I ask that Senator BENTSEN's remarks be reprinted in the RECORD. After reading his position, I think everyone will agree that here is a man to be reckoned with. The speech follows:

ADDRESS BY SENATOR LLOYD BENTSEN

I'm especially pleased to be with you today at the Women's National Democratic Club.

It took me a whole year to get here, because Texas is one of those states where we not only fight the Republicans, but we Democrats pair off and fight each other.

Believe me, it makes a person appreciate his public office after he's been through all of that.

Some of you may be surprised to see me here in view of President Nixon's comments about my election. You may remember that he called me a member of his "ideological majority" in the Senate and seemed to indicate that he was inordinately pleased with the outcome of the Texas Senate race.

If the Republicans were ready to claim me as a soul-brother, why did they send the whole first team down to Texas to campaign against me, and spend millions trying to beat me?

I will say that the Republican Administration did help me win the election.

They did it by campaigning so hard for my opponent.

Every time I looked up, another Republican official was coming into Texas to jump on the Democrats.

One thing they accomplished, I guess, was to make people aware of who was serving in Mr. Nixon's Cabinet. Up to that time a good many voters thought the only people in the Administration were Richard Nixon, Spiro Agnew and Martha Mitchell.

And then just about the time we discovered Wally Hickel, they dumped him out on his ear.

I understand that President Nixon has been so concerned about his anonymous Cabinet that he placed top priority on finding a way to remind people that he really *had* a Cabinet.

I've been kidding John Connally about it ever since.

A lot of reporters have questioned me about my Democratic Party credentials. I admit to a little irritation about this, because my Republican opponent went to great lengths during the campaign to point out that I helped President Truman when I served in the House during the late forties and early fifties.

Well, I did try to help President Truman. I'm proud to be associated with Harry Truman's ideals, because those ideals are fundamental to what the Democratic Party is all about.

I am grateful for the two-party system, but there has never been any question in my mind about my own identity.

I am not a maverick or a renegade—and I am not the arch-conservative that some have tried to picture me.

I suppose the worst that can be said of me is that I am an Establishment Man—because I am identified with four major Establishments.

I am a Democrat, a Texan, an American, and a United States Senator, and not necessarily in that order.

I take pride in each of these institutions—and I have taken various oaths to uphold and defend them. But I recognize that each of them can stand change and improvement. For example I have made a commitment in my first few days in office to co-sponsor a change in the filibuster rule. I will vote for changing Rule 22 on cloture to the three-fifths vote, rather than the two-thirds required now to cut off debate. This is a change in a great institution which I favor.

Each of these institutions has been changing since birth—and will inevitably and necessarily continue to change. This is true of the Democratic Party, the State of Texas, the United States and the U.S. Senate.

I am here today because I want to have a part in determining the direction of change—and Washington is the best base from which to work.

But I think we should move on to a more contemporary subject, such as the condition of this country in the year 1971 and what we're going to do about making it better.

At the outset of this Republican Administration, Martha Mitchell's distinguished husband urged the people to "judge us by our deeds, not our words."

I'm willing to do what the Attorney General suggested.

I judge the Administration by its deed in de-emphasizing the educational program, both by lower budget requests and the veto of Congressional appropriations. In the 1968 campaign Mr. Nixon said he was not going to shortchange education. His deeds speak louder than his words.

I judge the Administration by its deed in de-emphasizing public health and health research, and by its deed in putting a "now or never" label on cleaning up the environment and then urging the type of action we Texans call bob-tailed.

The President, in fact, requested almost three times as much money for the SST as he did for air pollution control.

In the economic field, the Administration claimed we could cool inflation without suffering from high unemployment.

Yet the unemployment rate was six per cent in December and inflation is still with us. Now the Administration seems to be seeing the error of its ways, if recent jawboning efforts and reductions in the interest rates can be viewed as a changing position.

I could go on with these examples of Administration deeds I feel are short of the mark, but I didn't accept your invitation just to criticize the party which temporarily occupies the White House.

I really came here to tell you something of

myself and my views, to talk about issues I think are important in the 92nd Congress, and to review some of my hopes for the future of the Democratic Party in Texas and throughout the country.

Everyone here is a Congress-watcher, so I think you're entitled to analyze what kind of Senator Lloyd Bentsen of Texas will be during these next six years, God willing.

I think you should start with the assumption that I am not an excessively partisan man.

I do not hate Republicans. I do not question their patriotism, their morals or their integrity. I just happen to think that Democrats generally do a better job of running the country.

We have a great many severe problems in America and I think it's going to take the best that all of us have in us, whether we are Democrats or Republicans, to find some workable solutions.

As I have said, I believe President Nixon has made same bad mistakes along the way. When he does something I think is wrong, I'm going to do my best to inform the people of my state on the issue. But at the same time I am going to work as an American to help the President where I can and I am not going to engage in partisan carping just to hear myself talk. I don't think that accomplishes one sensible thing. In fact, I think the President's State of the Union offers promise—but again, we won't accept just good rhetoric, we await the deeds, the programs.

I do intend to be quite partisan, however, in my efforts to strengthen the Democratic Party of Texas, not only for the 1972 elections but also for the long range.

As you know, Texas Democrats have the reputation of operating under a rule-or-ruin philosophy.

Conventional wisdom has it that Democratic factionalism is so deep that the faction losing the primary election will either sit out the general election or work covertly to elect Republicans.

It used to be that the so-called conservatives were especially accused of this. Recently, some of the more liberal elements have decided that party loyalty isn't as sacred as they once declared.

Yet in 1970, Texas Democrats proved they could units to elect their nominees despite a bitter primary and the most highly organized and expensive assault ever waged by the Republicans.

In my race, people who had been avoiding each other on the street for years came into my local campaign offices to work side by side in a common cause.

Regardless of anything else you may have heard, this type of unity is what elected Democrats and defeated Republicans.

It was a positive vote of confidence in our Party and its candidates, and a negative vote against Administration failures. Added together, the election meant simply that most Texans recognize that the Democratic Party embodies the highest aspirations of all of our people.

And that is a sound base upon which to build an even stronger and more unified Party.

I do not for a moment pretend that serious differences among Texas Democrats have faded away. Indeed, there are still serious divisions among Democrats throughout the nation.

But the great strength of our Party is that it can live with differences while the Republican Party apparently cannot.

This diversity within our Party is nothing new, and I reject out of hand any suggestion that the best interests of the country would be served by Democrats turning their backs on one another and abandoning their Party in times of stress and disagreement.

That goes for Texas and it goes for the nation.

Our efforts must be to encourage the participation of larger numbers of people in Party affairs and welcoming the expression of divergent points of view.

In my campaign, I am proud I had the support of the vast majority of those who supported Senator Yarborough in the primary. They supported me not just because I wore the Democratic label, but also because they became convinced that I intended to represent all of the Democrats in my state.

I say to them again that I intend to do exactly that.

I intend to build on the unity we established in 1970 and to strengthen our Party so that we can again carry Texas into the Democratic column in 1972.

In that process, I do not intend to read anyone out of the Party nor do I intend to represent any so-called "faction" of the Party.

That is not what I was sent here to do.

And I feel it would be a tragic mistake for the National Democratic Party to follow the lead of Republicans and purge recalcitrant Senators or Representatives who do not follow the views of the Party leadership.

In the first place, our Party leaders are less identifiable, and those who are identifiable have widely ranging views.

In the second place, Democrats, unlike Republicans, do not function successfully as an exclusive club. We respect the views of all members and attempt to resolve our differences without tearing the Party apart. Sometimes we don't succeed, but we most often do.

Occasionally we have suffered while following that practice, but on the whole we have greatly benefited from it and the country has benefited as well.

Let me add a word here about organization. I am particularly interested in improving our Party organization in Texas and throughout the Nation to assure a broader role for women and for young people. I know it is a popular thing to say that here, but I said the same thing most emphatically in a memo recently sent to all Texas Democratic County and Precinct Chairmen.

I have seen women at work in campaigns, and I know how effective they can be. A dedicated housewife is worth a dozen ward heelers. In all candor, the Republicans have been more successful in the past, at least in Texas, in organizing women for political action.

But we have seen the last of that in Texas, because we are going to assign a very high priority to bringing Democratic women into the political process and utilize the unlimited political skills which they can provide.

In addition, we are going to work hard to bring young people into the system, not simply because of the 18 year old vote, but because they are talented and energetic and because we need them. The 1970 election provided some good news for the Democrats, but one of the disappointing factors was our failure to convince large numbers of young people to work in our campaigns.

That situation has to be corrected. Young people need more than lip service; we must give them authority and responsibility. The last few years have made abundantly clear that the older generation has no monopoly on managerial skills or on knowledge about the vital issues confronting this nation. The young were in the forefront of our struggle to preserve the environment and have played a critical role in our drive to reorder national priorities.

Now it is incumbent on us to channel those energies into effective youth organizations controlled in large measure by the young themselves.

Now let me shift gears for a moment and talk about some of the issues that particularly concern me and that will be the focus of my concern during the 92nd Congress. I do not pretend to make an exhaustive list, nor do I intend to go into great detail describing my remedies. I simply want to give you some idea of the direction in which I will be moving.

I know that all of you were pleased to hear the President offer his National Health Plan last week.

I think everyone will agree that this great nation, despite all of its progress in medicine, must renew its commitment that all Americans are entitled to the best health care it is possible to achieve.

The Congress recognized this need and I am pleased that the Administration also is taking positive steps.

Over the last five years we have witnessed a rise of 82% in the cost of hospital care.

We have a shortage of 50,000 doctors and a steadily declining percentage of the population going into the medical profession.

This has resulted in our country ranking 16th in life expectancy, 15th in infant mortality, sixth in maternal mortality, and 21st in the control of heart disease.

For America, that is totally unacceptable.

At the present time, I am reviewing the various plans for National Health Insurance offered during the 91st Congress as well as the proposal made by the President last week. Though I am not wedded to any particular plan, I do have some prejudices.

In the first place, I am convinced that no plan can be successful unless it includes a major role for the creativity and the economic discipline of private enterprise. A health insurance program totally under government sponsorship and control is not only alien to our system, it would also deny us the obvious flexibility and the incentive for quality improvements that are inherent in the present system when it is utilized properly.

But most of our present problems do not lie in the *mechanism* of providing health insurance; they lie in our inability to keep down health costs or to improve our efficiency in health services.

I believe that we have to provide incentives in new legislation which would encourage reforms in the health profession.

In the first place, we have to gear ourselves to providing programs of preventive care so that we can keep down the incidence of hospitalization and encourage procedures which will discover potentially dangerous medical conditions before they become serious.

In the second place, I believe that we have to expand our aid to medical schools and to medical students to alleviate our critical shortages in health care personnel.

These points are essential, it seems to me, if we are to attack the problem of rising health costs while at the same time improving the delivery of health services.

I also attach a high priority to education and research. Had I been in the Senate, I would have voted to override the President's veto of the Office of Education appropriation bill in 1970 as well as his veto of the Labor-HEW money bill in 1969.

In both instances, the President claimed that the bills were inflationary, but it was never clear to me why education and health should bear the brunt of the battle against inflation.

In fact, by vetoing education money bills the President was disregarding the advice of his own Task Force on Education.

When you cut government spending, there are certain programs that must be protected—and education is near the top of the list.

Now let me share with you some of my particular interests in education.

As many of you know, for six years in the House of Representatives, I represented a district in South Texas which has a predominant population of Mexican-Americans, so I have seen the problems of bilingual education first-hand.

In 1967, President Johnson provided the impetus for the passage of the Bilingual Education Act, an imaginative piece of legislation that opened the door to expanded Federal aid to school districts for programs to meet the special needs of children who have a limited knowledge of the English language.

Yet the promise of the Bilingual Education Act has never been fulfilled, for the program has generally been funded at less than one-half of the authorized level.

We cannot do an adequate job of working with children and adults who have language difficulties when we talk about that kind of money. I would remind you that an estimated 2½ million children in the United States are currently in need of bilingual education programs and that presently we are spending less than $10 per child.

So we have to improve our funding in this area, and we have to strengthen the Bilingual Education Act so that we can train more teachers who are capable of teaching bilingual courses and develop the curricula to use in those courses.

Otherwise we perpetuate the same dreary cycle of frustration and failure which confronts many Mexican-American children who are incapable of coping with a school system which is unprepared to accept them.

On a related subject, I favor more adequate funding for Federal-State efforts in vocational education. It is nothing less than a national tragedy that 25% of the white and 35% of the black males between the ages of 16 and 19 who are out of school are unemployed, and that 27% of the white and 48% of the black girls in the same age bracket are in similar straits.

Yet our programs of vocational education are funded at less than 50% of their authorized levels.

We have to target more funds for vocational education programs and work to change the laws so that very poor school districts do not have to match Federal grants with local funds. Under the present system, the areas of highest unemployment are frequently unable to initiate meaningful programs of vocational training because their low tax base does not allow them to meet the 10%–50% Federal matching requirement.

I intend to support legislation which will allow the poorer districts to compete on an equal basis with more affluent districts and which will give vocational education the priority it deserves in the spectrum of our public concerns.

These are but a few of the educational issues that interest me.

I would also like to see more emphasis on programs of early childhood education. Several bills were introduced in the last Congress that would extend the benefits of Head Start type programs to a broader section of the American population.

The number of working mothers with children under the age of 5 is skyrocketing and by 1980 there will be approximately 5.3 million of these women in the work force. That will represent an increase of 43% in only ten years.

Many women want to work, yet they are tied to the responsibility of caring for very young children. Other women have to work; in nearly one-third of the families in which both parents work, the husband's income is less than $5,000.

Yet the working mother is virtually ignored in Federally-aided early childhood programs.

I don't believe that we should arbitrarily exclude children from these programs simply because their parents' income happens to be above the poverty level.

So I tend to support somewhat broader early childhood programs than the President proposed in his Family Assistance Plan, which provides day care services only for the children of working welfare mothers. And I will be studying the various proposals to determine which is the most realistic and responsive to our needs.

Now let me say a few words about Federally supported research, especially in the fields of education, science, and health.

This country attained a preeminent position in science during the late fifties and early sixties laregly because we were willing to invest substantial resources in basic scientific research. But over the last few years, these policies have been abandoned. Everywhere the mood seemed to be one of retrenchment—of cutting back on fundamental scientific research. I was pleased to note in Monday's *Washington Post* that the President has been reassessing the government's role in funding basic research and that the situation is due to improve this year; I certainly hope so.

Dr. Philip Abelson, director of the Carnegie Institute's geophysical laboratory in Washington, said recently that cutbacks in government research during the last five years have dealt a devastating blow to the nation's colleges and reduced our total scientific research effort by at least 30%.

In health, the situation is equally serious.

In education, we have cut back research budgets and are now spending only ½ of 1% of the education dollar on research efforts.

The total picture shows a decline of Federally supported research and development—from $17 billion in fiscal 1968 to $15.7 billion in fiscal 1971.

That's a decline from 3.5% of our gross national product of 2.7%.

I believe it would be both shortsighted and dangerous for us to continue a policy which will be harmful in the long run to our efforts in science, health, and education.

To reverse this situation, we have to reestablish priorities for basic research in the fields I've mentioned to insure that we have objective and innovative people with fresh ideas to revitalize the approaches we take to solving our problems.

I support President Nixon's announced plan to develop a National Institute of Education to provide a permanent staff of scientists, social scientists, and educators to engage in research on how to make our educational system more effective.

And I will vote to expand the funds for our vital programs of health research.

All of these steps are essential if we are to meet the challenges posed by the critical problems in all of these fields.

On another subject, I am keenly interested in legislation to provide tax incentives to encourage industry to locate in rural areas.

With an increasing number of people leaving the farms, we presently have a need to create some 550,000 rural non-farm jobs every year. If we fail to so, we will be faced with a continuing out-migration of young and talented people from the rural areas to the metropolitan areas, which are already growing at a rate of 15% every five years.

I do not have to tell you about the dilemmas we now face in our cities—the overcrowding, the loss of dignity, the expanding welfare roles, and the environmental decay. It has been estimated that over one-fifth of the growth of the central cities has been due to out-migration, almost entirely from the rural areas.

To reverse this trend, it seems imperative to me that we make our rural areas more attractive to young people by locating industry and jobs where there are accessible to those now living there. Tax location incentives are a logical method to offset this change and these incentives should be accompanied by others which would allow industry tax credits for training rural workers to participate in new occupations.

In this coming decade I hope to have a part in bringing stability to our national life and institutions.

By stability, I do not mean status quo. I do mean orderly change, without the violent rocking of the pendulum that creates a lot of noise and motion—but makes little real progress.

You know Saul Alinsky said the greatest social treason is to commit an act that provokes a more extreme reaction.

I believe this is true.

And I believe it is the responsibility of leaders to conduct themselves in such a way that the waste motion of extremism is avoided.

I have great respect for the institutions of government and the genius that gave us the framework that permitted this democracy to grow and develop for 200 years.

But the times have changed, and these institutions—which have been changing all the while—must continue to change.

And we must get on with the business at hand—

To restore full employment in the land;

To get the economy functioning in the way it should in a rich and diversified nation;

To reform our welfare system;

To attack the health crisis that is a national disgrace;

To shore up our failing educational institutions;

To clean up our environment and establish safeguards that will keep it clean; and

To make equality of opportunity a reality to all Americans.

Let me close now with a philosophical reflection.

A new Senator is always the object of a good deal of speculation from political writers and commentators, particularly those who are in the business of attaching labels describing his political philosophy.

I realize there is no way we can escape labels; they are a convenient shorthand method of slipping men into categories. Frankly, I believe they are going out of style, and I would caution you about attaching a label to me.

My approach to politics is to judge each issue on its merits and to avoid closing my mind to alternative solutions, provided they are reasonable and in the best interests of the people affected.

There is one label, however, that I accept proudly, and that is the label of my political party.

You and I both realize that the Democratic Party provides the kind of leadership and talent that this country needs to move safely through the seventies. And more of our countrymen are getting the message every day.

I hope that you—as members of the Women's National Democratic Club—and I—as a new United States Senator—can work together to strengthen and unify the Democratic party as it prepares once more to assume the leadership of this government in the years immediately ahead.

Thank you.

EQUIPMENT INTERCHANGE ACT

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

Mr. PICKLE. Mr. Speaker, today I would like to introduce in the 92d Congress a bill that I have introduced in the past, the Equipment Interchange Act. Although no hearings were ever held on this legislation or a related bill introduced by

the Department of Transportation, I feel that the goal of this bill is such that I must reintroduce it. At a time when various modes of our transportation industry are undergoing radical changes and problems, we must start looking for new ways for better transportation. Proper legislation can help the transportation industry innovate new streamlined, more efficient methods of serving the public.

There are many problems with regulations affecting freight shipments. The Equipment Interchange Act attempts to reach some of these difficulties. My bill would provide a way to expedite containerized shipments which utilize more than one mode of transportation. The bill would allow carriers of different classes—rail, motor, water, and air, to obtain authority for agreements with a carrier or groups of carriers in another class on the interchange of cargo containers, highway trailers, and related intermodal equipment. This would include establishment of procedures to determine per diem rates on such interchange equipment and the controlling regulations. To assure that the agreements would not be subject to antitrust violations, the Equipment Interchange Act would grant immunity when such agreements were approved by a joint board composed of members each from the ICC, FMC, and the CAB.

This approach would be a substantial step in simplifying our administrative proceedings on those transactions which cut across the lines of more than one regulatory agency.

In this session, I hope that the need for this legislation becomes apparent to all Members of the Congress, and we can see some action along these lines.

HOUMA, LA., HAS ACTED AGAINST SMUT

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

Mr. CAFFERY. Mr. Speaker, as the virulence of pornography invades the country, I would like to tell this body about one place where it has been stopped, and how it was stopped.

Houma, La., is one of the major communities in my congressional district, and it is a matter of great pride to me that I am here in the halls of Congress representing the citizens of that fine city. Houma is a place where people care about their town, their neighbors, their families, and, particularly, their children.

Recently a bookstore attempted to open in downtown Houma to sell smut. The citizens of Houma immediately sprang into action. The Houma people got together and said they were not going to let it happen to their town. They rolled up their sleeves and went to work. The churches joined in, the public officials acted—quickly and responsibly. The city's newspaper, the Houma Daily Courier, under the leadership of publisher Ray Dill put its full resources into the fight. A committee was formed to fight smut. As one would expect whenever a city supports its law enforcement officers, the bookstore was soon closed and closed for good.

The city of Houma is now secure in the knowledge that its citizens will not have such a center of smut and filth spreading in its midst.

I have just turned over to the Judiciary Committee petitions signed by over 6,000 people of Houma asking that something be done about the traffic in pornography. These expressions of intent from the people of this fine city should surely aid the committee in the drafting of stronger Federal legislation on this subject.

In the 91st Congress we enacted legislation, which become effective February 1, to provide a means whereby citizens can have their names removed from the mailing lists of those who distribute sex-oriented advertisements. I hope the Post Office Department will make this new law known to citizens throughout the country so that they may take advantage of its procedures.

Enactment of that law was an important step toward protecting the privacy of the home. But I believe that stronger laws are necessary and I believe that we should take firmer steps in the 92d Congress in response to the requests of our citizens.

Our constituents are speaking ever louder in their demands for action. The example of Houma, La., stands before each of us in this distinguished body and deserves our closest attention, our most careful consideration, and our most earnest efforts and well-directed action.

THE 53D ANNIVERSARY OF UKRAINE'S INDEPENDENCE AND 30 YEARS OF UCCA

The SPEAKER. Under previous order of the House, the gentleman from Pennsylvania (Mr. FLOOD) is recognized for 1 hour.

Mr. PATTEN. Mr. Speaker, the gentleman from Pennsylvania (Mr. FLOOD) is not present. He has asked me to take over the direction of his special order. I ask unanimous consent that I may be permitted to do so.

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

There was no objection.

Mr. PATTEN. Mr. Speaker, Mr. FLOOD would have said on this occasion of the 53d anniversary of the independence of Ukraine, it is of singular importance to bring to the attention of our fellow Americans the cultural repressions and the attempts on the part of Russian Moscow to perpetrate national genocide in Ukraine, the largest non-Russian nation both in the Soviet Union and in Eastern Europe.

As part of its imperial consolidation program since 1964, which is a component of its overall design for expanded influence and eventual control in the Mideast, Africa, Latin America, and elsewhere, Moscow has victimized and arrested scores of Ukrainian intellectuals, writers, and freedom activists because of their "bourgeois nationalist tendencies." On previous occasions, I have supplied a long list of these victims. I append to my remarks a most recent example provided in the report, "The Culture Decimators Are At Work."

THE 30 YEARS OF UCCA

Before dwelling on the highlights of Ukraine's drive for national independence and freedom, it is important to take note, too, of the work in this direction by the Ukrainian Congress Committee of America, led by Dr. Lev. E. Dobriansky of Georgetown University and representing the convictions of over 2 million Americans of Ukrainian ancestry.

Its work in behalf of our national security these past 30 years cannot but draw the admiration and praise of every alert American. Although the causal reasons are different, in the recent period UCCA was one of the first to speak out against the sentencing of Valentyn Moroz in Ukraine, Moscow's anti-Semitism and the harsh sentencing of the so-called Jewish hijackers, the scandalous extradition of the Lithuanian sailor, Simas Kudirka, and now the death sentences imposed on the would-be Lithuanian hijackers Vitautas Simokaitis and his pregnant wife. These cases are all interrelated in Moscow's consolidation program and the reality of captive nations in the U.S.S.R., but in these repressive acts the differentiating cause of non-Russian nationalism in that empire must be carefully distinguished. For some indication of this, I also append to my remarks the informative pamphlet "Three Decades of UCCA: 1940–1970."

Mr. Speaker, to do intellectual and political justice to these and certainly forthcoming events of like nature, it is imperative that in this 92d Congress we establish a Special House Committee on the Captive Nations. In thought and action we must prepare ourselves for similar inevitable events in the dismal world of the Red empire and the over 2 dozen captive nations. The measure I propose and append to my remarks here will be cosponsored by many of my colleagues in the 92d Congress. The work of such a committee can also have a most salutary and contributory effect on the preconceptions of the present administration as regards the nature and composition of the U.S.S.R. For instance, although I do not agree with several observations made by Dr. Dobriansky's review of the President's "U.S. Foreign Policy for the 1970's," I believe in this particular respect he advances a vital point worth considering in depth, and for the RECORD I append this review to my remarks:

UKRAINE'S STRUGGLE FOR FREEDOM

Just over 50 years ago a band of brave and patriotic Ukrainians unfurled the banner of revolt against their oppressors and proclaimed the Ukraine's independence. As the result of the revolution and the overthrow of the czarist regime in Russia, it was only natural that the largest non-Russian ethnic group in Russia's loosely-held polyglot empire should be the first to assert its freedom and proclaim its national independence. But wartime events over which Ukrainians had no control and unforeseen, sweeping post-war international convulsions which quickly succeeded one another proved disastrous and tragic to the newly-found Ukrainian independent state. Even before the end of

the war it was attacked by the Poles in the north, and at the end of the war it was too weak to withstand the deadly onslaught of Russia's communists. The sad result was that in the fall of 1920, a little over two years after achieving national independence, the Ukraine was forced to yield to the Red Army, thus bringing to a close a short but momentous chapter in its modern history.

Today the Ukraine is the second largest Soviet Socialist Republic in the Soviet Union, second only to the Russian Soviet Socialist Republic. The approximately 45,000,000 Ukrainians constitute about one-fifth of the Soviet Union's total population. The country has always been one of the most fertile grain-producing areas in Europe. As a matter of fact, the whole Soviet Union is dependent to a great extent for its grain supply and for a large variety of other foodstuffs on the Ukraine. Without the food produced by the hard-working Ukrainian peasants, the people of the Soviet Union would be living on the verge of famine.

It is tragic that so many millions of Ukrainians, constituting such an important and large segment of Eastern Europe, do not enjoy in their historic homeland many of the elemental amenities of a good life which are considered in free societies as the birthright of all human beings. If the Ukrainian people were living under normal conditions—if they were somehow able to realize their national aspirations—there is no doubt that they would once again seize the opportunity to establish a democratic government based upon those freedoms which are essential to full intellectual and spiritual development. Unfortunately, however, for nearly five decades conditions have not been normal in the Ukraine. The unhappy Ukrainians have lived under conditions not at all suitable for the wholesome development of political, social and economic life as we know it. They have been persistently denied the attainment of their supreme goal: to determine the form of their national political life.

The Ukraine's geographical location and modern international politics have largely determined the course of recent Ukrainian history. Situated between powerful political groups of Europe and Eurasia, the Ukrainian people have not been allowed to pursue an independent national existence. Though older than the state of modern Russia, the Ukraine became a part of that country in the middle of the 17th century through the workings of power politics. Thereafter, until the rise of the Russian Soviet regime, the Ukrainians made the best of a bad situation and managed to get along as best they could with the Russians. Since the advent of the communist regime, however, this has been especially hard. Today, oppressed by their communist overlords, they long to throw off the yoke.

It is hard to believe, and sad to think, that these 45,000,000 patriotic and sturdy Ukrainians would have put up with the most despotic of all contemporary forms of government for nearly fifty years. It is even harder to imagine that the free world would allow this to happen. Yet that is one of the sad commentaries on our age. We in the free world have become victimized by such terrible dangers that we dare not raise a finger in defense of those suffering under alien regimes and under inhuman tyrants. Still, I firmly believe that there is hope in the Ukrainian struggle against communist tyranny, and as long as the Ukrainians retain that hope, and abide by their spirit for independence, their righteous cause shall never die.

For over fifty years Communists have ruled Ukraine with an iron hand. They have turned that fair land into a large prison house. Since 1920 there has not been any semblance of freedom in the country. The tyrants in the Kremlin have seen to it that there will be no trace of any Western trappings in the country. In this darkness and depression there is one indestructible, ineradicable element of encouragement. That is the Ukrainian's innate and inborn desire for freedom and independence, his undying yearning for liberty. Fortunately neither the tyrants in the Kremlin, nor their minions in the Ukraine, can extinguish this spirit. As long as it is kept alive, as long as the ideal of national freedom is cherished by the Ukrainian people, no dictatorship can rob them of their right to freedom. And as long as they cling to that spirit, they will never give up their resistance to the Communist tyrants.

I am indeed glad to take part in the observance of the 53rd anniversary of Ukrainian Independence Day. I ardently hope that the oppressed Ukrainians will soon regain their freedom and live in peace in their beloved homeland.

Mr. Speaker, I herewith submit as part of my remarks today the material that was previously referred to in my statement:

[From America, Jan. 4, 1971]

THE CULTURE DECIMATORS ARE AT WORK

(By Edith Kermit Roosevelt)

WASHINGTON.—A singular document has been smuggled out of the Soviet Union. It is a protest by Valentyn Moroz, a teacher and historian in Ukraine, over the calculated destruction of priceless and irreplaceable Ukrainian works of art.

Last month, the Associated Press reported that Moroz, about 35, had been tried near Lviv, near the Polish border, and sentenced to nine years in a prison camp on charges of writing anti-Soviet "propaganda." The particular document that he authored, entitled "A Chronicle of Resistance in Ukraine," is one of his pamphlets used in evidence against him. Moroz already has served a six-year prison sentence on an identical charge.

DELIBERATE DESTRUCTION

Moroz's 14-page account, which is being distributed by the Ukrainian Information Service Smoloskyp (P.O. Box 6066, Patterson Station, Baltimore, Md., 21231), describes how the destruction of Ukrainian cultural and religious symbols is deliberately plotted and carried out for political reasons by the KGB or Communist secret police.

By the destruction of Ukrainian culture, Russian Communists seek to destroy forever the potential for building a Ukrainian nation. About 30 million Ukrainians reside in the territory of the Ukrainian Soviet Socialist Republic. Like other nationalities in the USSR, they are a breeding ground for dissent that the Kremlin must consider in pursuing its aggressive foreign policy. (In 1918, Ukraine enjoyed a brief period as an independent Republic incorporated again into the Russian empire).

In his account, Moroz tells how in 1969 the works of Michael Boychuk, a Ukrainian painter who died in a Russian concentration camp, were burned under the orders of Vasyl Lyubchyk, a Communist official who was in charge of cultural monuments and libraries in Lviv.

SCULPTURE AND GRAPHIC ART

Moroz charges that in the same year, works burned by Communist authorities from the Lviv Museum included those of Alexander Archipenko, a Ukranian-American sculptor known for abstract figures and Yury Narbut, a graphic artist. Narbut's works were banned in Soviet Ukraine during Stalin's time and later rehabilitated. Now, in this era of a supposed "thaw," we have witnessed their actual physical destruction.

Moroz's account of the destruction of Ukrainian art treasures reveal the thoroughness with which this is being undertaken. He writes:

"The Lviv Museum of Ukrainian Art organized a special section of 'ideologically harmful' art (virtually a death chamber) . . . composed of Ukrainian classics."

Moroz relates how Lyubchyk received orders to prepare lists of the art to be destroyed. A government commission reviewed these lists. Not only were the century-old Ukrainian graphics in the Lviv Museum ordered destroyed by fire last year but more recently, the libraries in Kiev, Kartu, Ashkhabad and Samarkand also were burned down by government decree.

FEMALE DECIMATOR

Lyubchyk, Moroz says, has a feminine counterpart known simply as "Lituyeva." As former curator of the Stanislaviv Regional Museum, "Lituyeva" carried out her role as "cultural decimator." Beginning in 1953, she destroyed such unique art objects as those by the famous Ukrainian potter, Alexander Bakhmetyuk, and the works of Yuri Shkrblyak and his sons, Vasyl and Mykola, engravers from the Carpathian region.

According to Moroz, former KGB officials, identified as Atamanyuk and his successor, Derevyanko, were given responsibilities in the Ivano-Frankivsk region in Ukraine for religious matters—meaning for the destruction of synogogs, churches and crosses. Last year, he relates, a wooden crucifix dating back to the 15th Century was thrown from a height of eight meters during an aeronautical construction project in Zhydachiv, in the Lviv region.

The KGB also is paying bands of young Communist "activists" 25 karbovantsi (about $25) to destroy the remaining crosses which can be found at crossroads in Western Ukraine. These are known as "crosses of freedom" because they were erected at the time when serfdom was abolished.

AGREEMENT IN UNESCO

Ironically, during the second session of the UNESCO's General Assembly, the Ukrainian Communist delegation supported the "basic agreement of mutual recognition of art valuables." Western delegates to UNESCO now have the opportunity to bring up the question of how the burning of libraries, art works and crosses in Ukraine violates that agreement.

THREE DECADES OF UCCA: 1940–70

FOUNDING OF UCCA

In this year of 1970 the Ukrainian Congress Committee of America (UCCA), a nationwide organization of over 2,000,000 Americans of Ukrainian descent, is completing three decades of a fruitful and dynamic existence.

The UCCA was founded on May 24, 1940 in Washington, D.C., when 805 delegates from 168 localities, representing 2,000 Ukrainian organizations, decided to form a permanent body of Americans of Ukrainian origin which would seek a unified effort on behalf of the captive Ukrainian nation.

In one of its Resolutions, the newly-founded UCCA stated:

"We again declare to America and to the whole world that Ukraine wants to be, can be, and must be an independent state; that recognition of its rights to self-determination and independence on an equal footing with other peoples is in the interest of its people and in the interest of peace in Europe . . ."

The UCCA supported fully the United States in its war efforts against the Axis Powers and pledged its unswerving dedication to the principles of the American way of life and the republican form of government.

BRIEF HISTORY OF UCCA

FIRST CONGRESS OF UCCA: Was held on May 24, 1940 in Washington, D.C., which gave birth to the UCCA. Nicholas Murashko, then president of the Ukrainian National Association, was elected first president of the UCCA.

SECOND CONGRESS OF UCCA: On January 22, 1944, 230 delegates gathered in Philadelphia, Pa. for the Second Congress. It approved a Ukrainian American war bond drive, authorized the establishment of the United Ukrainian American Relief Committee (UUARC), instituted The Ukrainian Quarterly, and decided to send a delegation to the conference of the United Nations in San Francisco, which was to be held immediately after the war. Stephen Shumeyko was elected president of the UCCA.

THIRD CONGRESS OF UCCA: On May 31, and June 1, 1946, the Third Congress was held in Washington, D.C. with 322 delegates attending. The Congress adopted the By-Laws of the UCCA and authorized its re-elected president, Stephen Shumeyko, to go to Paris and present a memorandum on the plight of Ukraine to the Peace Conference.

FOURTH CONGRESS OF UCCA: Was held on November 5 and 6, 1949 in Washington, D.C. at which 308 delegates took part, among them many newly-arrived Ukrainian refugees and displaced persons. One of the most important features of the Congress was the establishment of the *Ukrainian National Fund* (UNF) which became the financial basis of all UCCA activities and operations. *Dr. Lev E. Dobriansky*, professor of economics at Georgetown University, was elected president of the UCCA.

President Truman's message to the UCCA

On November 2, 1949, President *Harry S. Truman* sent a message to the Fourth Congress of the UCCA, which stated:

"The fourth national gathering of leaders of various groups from all American citizens of Ukrainian origin offers a suitable occasion to congratulate you and the men and women you represent upon your fine contributions to American life.

"You are to be commended for your interest in and participation in our democracy and also for your interest in and efforts to aid your kinsmen overseas who are not able to enjoy the benefits of a society which we in the United States are fortunate to enjoy . . ."

FIFTH CONGRESS OF UCCA: On July 4, 5 and 6, 1952 the Fifth Congress was held in New York City, in which 799 delegates, representing 599 organizations, took part. *The New York Times*, in its editorial on July 4, 1952 praised the UCCA, *"for those of Ukrainian origin in this country have played a proud and useful role among the many peoples whose blending has made our country great . . ."* A special consolidation platform was adopted in order to draw the remaining Ukrainian organizations into the fold of the UCCA. The Hon. *Oscar L. Chapman*, Secretary of the Interior, was the principal speaker at the banquet. *Dr. Lev E. Dobriansky* was reelected president of the UCCA.

SIXTH CONGRESS OF UCCA: Was held on May 28, 29 and 30, 1955 in New York City, with 430 delegates and 35 members of the UCCA Board of Directors attending. *Dr. Lev E. Dobriansky* and *Dmytro Halychyn* were elected chairman and president of the UCCA, respectively.

President Eisenhower's message to the UCCA

On the occasion of the 40th anniversary of Ukraine's independence, President *Dwight D. Eisenhower*, on January 19, 1958, sent a telegram to the UCCA, which read:

"To Members and Guests of the Ukrainian Congress Committee of America, I send greetings.

"The Ukrainians who have emigrated to this country have brought with them cultural and spiritual values which have contributed much to the American heritage. Holding in common the right of all peoples to determine freely their own form of government, we share a basic concern for the privileges and responsibilities of freedom . . ."

SEVENTH CONGRESS OF UCCA: Was held on February 21, 22 and 23, 1959 in Washington, D.C., with 331 delegates attending. Vice President *Richard M. Nixon*, Secretary of State *Christian Herter*, and former President *Harry S. Truman* sent messages. *Dr. Lev E. Dobriansky* and *Dmytro Halychyn* were re-elected chairman and president of the UCCA, respectively.

EIGHTH CONGRESS OF UCCA: Was held on October 12, 13 and 14, 1962 in New York City, with 339 delegates attending. At this Congress it was decided that individual contributors to the UNF would be entitled to send their delegates to the UCCA Congress, along with delegates from member-organizations. *Dr. Lev E. Dobriansky* was elected president of the UCCA.

President Kennedy's message to the UCCA

On October 12, 1962 President *John F. Kennedy*, in a telegram to the Eighth Congress of the UCCA, stated:

"It is both natural and desirable that, while entering wholeheartedly into their responsibilities as members of the American community, those of our citizens who share a proud common heritage should voluntarily join together in free association to honor that heritage and to advance shared interests. It would be surprising and also contrary to American traditions if our citizens of Ukrainian descent failed to retain interest in their former homelands or to show concern for the fate and future of Ukrainians there . . . In accord with such sentiments and expressing the will of the American people, the United States Government strongly supports the just aspirations and rights of all peoples to national independence, governments of their own choosing and the employment of fundamental rights and freedom . . ."

Ninth Congress of UCCA: Was held on October 7, 8 and 9, 1966 in New York City, with 517 delegates attending. For the first time delegates chosen from contributors to the UNF took part in the Congress. Five of 58 central organizations abstained from taking part in the Congress, but remained in the system of the UCCA. The gathering received greetings from His Eminence Joseph Cardinal Slipy, Archbishop-Mayor of the Ukrainian Catholic Church. Dr. Lev E. Dobriansky was re-elected president of the UCCA.

President Johnson greets Ukrainian American community

On May 22, 1965, President Lyndon B. Johnson, in a congratulatory telegram on the completion of the Shevchenko Monument in Washington, D.C., stated:

"May thousands who will look upon this monument to Taras Shevchenko be ever reminded of his dedication to the ideas of human rights and the equality of mankind. May they be reminded, too, that this is a cause which has not yet been fully won as long as there are still bonds of servitude which keep men from enjoying their rights and their liberties anywhere in the world . . ."

Tenth Congress of UCCA: Held on October 24, 25 and 26, 1969 in New York City, drew 510 delegates from 1,200 societies, clubs and organizations, and was dedicated to the late Prof. Roman Smal-Stocki, outstanding Ukrainian scholar and statesman. The work of the Congress itself was carried out by convention committees. At the banquet the principal speaker was the Hon. John H. Chafee, Secretary of the Navy, who read a message from President Richard M. Nixon. Dr. Lev E. Dobriansky was reelected president of the UCCA for the seventh consecutive term.

President Nixon's message to the UCCA

Dated October 16, 1969, the message of President Richard M. Nixon to the UCCA, read:

"My warm greetings to all who are taking part in the Tenth Triennial Congress of Americans of Ukrainian Ancestry.

"In a nation whose greatness is derived in large measure from its diversity, you have played a most constructive and meaningful role.

"Your rich culture, customs and patriotic spirit have been matched only by your industry and willingness to serve the public good.

"As President, I am deeply grateful for the support and encouragement I derive from within your ranks. And I welcome your assistance in the years ahead as we seek together to build the kind of society—and world—in which we have committed our hearts as well as our minds and hands . . ."

PRINCIPAL UCCA OFFICERS DURING THREE DECADES

Presidents: Nicholas Murashko (1940–44) (†); Stephen Shumeyko (1944–49) (†); Dr. Lev E. Dobriansky (1949–70).

Executive Vice Presidents: Dmytro Halychyn (†) and President (1955–1961), Joseph Lesawyer.

Vice Presidents: Anthony Batiuk, Stephania Bodnarchuk, V.R. Msgr. Myroslaw Charyna, Anna Cherniavsky, Philip Demian, Michael Dutkevich, Lev Futala, Dr. Walter Gallan, Helen F. Lototsky, Volodymyr Masur, Theodore Mynyk, John Panchuk, Esq., Stephania Pushkar, Dr. Volodymyr Pushkar, Eugene Rohach, Vasyl Shabatura, Olena Stogryn (†), and Prof. Michael Vetukhiv (†).

Secretaries: Anthony Curkovsky (†), Stephen Kurlak, Eva Piddubchyshyn, Theodore Mynyk, Ignatius M. Billinsky, Dr. Matthew Stachiw, Dr. Mykola Cenko, and Stephen Sprynsky.

Treasurers: Stepan Korpan, Michael Piznak, Esq., Joseph Lesawyer, Dr. Jaroslaw Padoch, and Peter Pucilo.

Executive Director: Stephen J. Jarema, Esq.

General Counsels: Michael Piznak, Esq. and John H. Roberts, Esq.

Editors: The Ukrainian Quarterly: Dr. Nicholas D. Chubaty (1944–1957); Dr. Walter Dushnyck (1957–).

The Ukrainian Bulletin: Dr. Walter Dushnyck (1948–1970); Roman Olesnicki, Esq. (interim: 1954–1955).

Auditing Committee (Chairmen): Vasyl Shabatura, Roman Slobodian, Dr. Roman Huhlewych, and John Wynnyk.

Office Managers: Julian Revay, Vasyl Mudry (†), and Ivan Bazarko.

Staff Members: Vera A. Dowhan, Secretary, Washington Bureau of UCCA, Volodymyr Hirniak (†), Dr. Volodymyr Kalyna (†), Theodore Kachaluba, Dr. Roman Klufas, Eleanor Kulchytsky, Roman Olesnicki, Esq., Andrew Lastowecky, Dr. Ivanna Mirchuk-Ratych, Victor Paclawsky (†), Victor Prychodko, Peter Sahaidachny, Dr. Vincent Shandor, George Tamarsky, and Maria Zuk.

PRESENT EXECUTIVE BOARD OF UCCA

President: Prof. Lev. E. Dobriansky, Georgetown Univ., Washington, D.C.

Executive Vice President: Joseph Lesawyer, Jersey City, N.J.

Vice President: Anthony Batiuk, Scranton, Pa.

Very Rev. Msgr. M. Charyna, Philadelphia, Pa.

Lev Futala, Yonkers, N.Y.

Stephania Pushkar, Philadelphia, Pa.

Secretaries: Ignatius M. Billinsky, Philadephia, Pa.

Stephen Sprynsky, Philadelphia, Pa.

Treasurer: Peter Pucilo, Jersey City, N.J.

Administrative Director: Ivan Bazarko, New, York, N.Y.
General Counsel: John H. Roberts, Esq., New York, N.Y.
Youth Coordinator: Mykola Semanyshyn, Irvington, N.J.
Editor: Dr. Walter Dushnyck, New York, N.Y.
Members: Prof. Bohdan T. Hnatiuk, Philadelphia, Pa.
Dr. Bohdan Kowal, New York, N.Y.
Dr. Walter Gallan, Philadelphia, Pa.
Theodore Mynyk, Scranton, Pa.
Volodymyr Masur, Pittsburgh, Pa.
Dr. Matthew Stachiw, Scranton, Pa.
William Dubetz, New York, N.Y.
Bohdan Shebunchak, M.D., Bloomfield, N.J.
Petro Samojliw, New York, N.Y.
Ewhen Lozynskj, New York, N.Y.
Prof. Petro J. Stercho, Narberth, Pa.
Leonid Pacholuk, New York, N.Y.
John Chomko, Passaic, N.J.
Dementij Melnyk, New York, N.Y.
Dr. Edward Zarsky, New York, N.Y.
Andrij Chornodolskyj, Baltimore, Md.
Omelan Pleszkewycz, Chicago, Ill.
Staff Administrator: Ivan Bazarko, New York, N.Y.

HIGHLIGHTS OF UCCA ACTIVITIES IN THREE DECADES

First Decade—1940–50:

The most outstanding activities of the UCCA in the first decade of its existence are summarized briefly below:

Reactivization of the UCCA during World War II (1944);

Founding of The Ukrainian Quarterly (1944);

Establishment of the United Ukranian American Relief Committee (UUARC) in 1944;

UCCA delegation to the U.N. Conference in San Francisco in 1945 (Stephen Shumeyko, Prof. Alexander A. Granovsky and Bohdan Katamay);

UCCA delegate at the Peace Conference in Paris in 1946 (Stephen Shumeyko);

UCCA helped in establishment of Pan-American Ukrainian Conference (PAUC) in 1947;

Founding of The Ukrainian Bulletin (1948);

Campaign for the enactment of the Displaced Persons Act (1948);

Campaign for the establishment of the Ukrainian Section of the "Voice of America";

Establishment of the Ukrainian National Fund (UNF) in 1949.

Second Decade—1950–60:

Establishment of UCCA Office and administrative staff in 1950, and network of UCCA branches throughout the United States;

UCCA efforts for ratification of the Genocide Convention by the U.S. Government (1951);

UCCA participation in U.S. psychological warfare program; UCCA Mission to Europe: Lev E. Dobriansky, Dmytro Halychyn, Walter Dushnyck and Stephen J. Jarema (1952–1953);

UCCA witnesses before the Kersten Committee on Communist Aggression, in Washington (1954);

UCCA participation in American political party conventions: Democratic Party (Stephen J. Jaremo, Walter Dushnyck and Joseph Lesawyer) and Republican Party (Lev E. Dobriansky, Dmytro Halychyn, Michael Piznak, John Duzhansky and Walter T. Darmopray in 1952, 1956 and 1960 (and also in 1964 and 1968);

UCCA arranged annual observances of Ukrainian Independence anniversaries in the U.S. Congress;

UCCA delegate (Walter Dushnyck) to the Preparatory Conference for the World Anti-Communist Congress in Mexico City, in March, 1958;

UCCA hearings in U.S. Congress (Dr. Lev E. Dobriansky, Prof. Roman Smal-Stocki), and several other leaders (The Crimes of Khrushchev, Part II, in 1959);

UCCA participants at Colgate University Foreign Policy Conferences (Dr. Lev E. Dobriansky, Dr. Vincent Skandor and Walter Dushnyck);

UCCA campaign for "Captive Nations Week Resolution" which, authored by UCCA President Lev E. Dobriansky, was enacted by the U.S. Congress on July 17, 1959 (Public Law 86–90);

UCCA directed nationwide protests against the visit of Nikita S. Khrushchev to the United Nations in New York in 1959.

Third Decade—1960–70:

Mass protests and demonstrations by UCCA against Khrushchev's second visit to the United States (1960);

UCCA secured recognition of Ukraine and the Ukranian language in the U.S. Population Census;

UCCA sponsored U.S. Congressional Resolution on Shevchenko Statue (Public Law 86–749), enacted on September 13, 1960;

Establishment of the "Shevchenko Memorial Committee of America" and the "Shevchenko Freedom Award"; in a decade 54 awards were presented to various Ukrainian and American leaders, including former Presidents Harry S. Truman and Dwight D. Eisenhower.

Ground-breaking ceremonies at the Shevchenko Monument site on September 21, 1963 in Washington, D.C.;

Unveiling of the Shevchenko Monument on June 27, 1964 in Washington, D.C., in which ceremony over 100,000 persons took part, and at which former President Dwight D. Eisenhower was principal speaker;

UCCA Resolution in support of the Ukrainian Catholic Patriarchate (1964):

Editor of UCCA publications, W. Dushnyck was accredited correspondent at Ecumenical Council in Rome (1963 and 1964);

The UCCA sponsored a "Festival of Ukrainian Dance and Music" at the New York's World Fair in 1964 and 1965; at the 1964 program there was also a fashion show of historical Ukrainian women's folk costumes;

Annual participation of UCCA President Lev E. Dobriansky in the Asian Peoples' Anti-Communist League conferences in Taipei, Manila, Seoul, Saigon, Tokyo and Bangkok;

Active UCCA participation in All-American Conference to Combat Communism, Conference of Americans of Central and Eastern European Decent (CACEED), and American Committee for the Liberation of the Non-Russian Peoples of the USSR;

His Eminence Joseph Cardinal Slipy, Archbishop-Major of the Ukrainian Catholic Church, Metropolitan John Theodorovich of the Ukrainian Orthodox Church in the U.S.A. and Metropolitan Ambrose Senyshym of the Ukrainian Catholic Church in the United States, greeted the IXth Congress of the UCCA, which met in the fall of 1966 in New York;

UCCA contribution to establishment of the World Congress of Free Ukrainians (WCFU) and its General Secretariat, in November, 1967 in New York; members of the Presidium for 1970–72 are Joseph Lesawyer—president; Ignatius M. Billinsky—secretary general; Dr. Bohdan Hnatiuk—treasurer; and Dr. Matthew Stachiw, Julian Revay and Archbishop Mstyslav Skrypnyk—members of the Secretariat;

UCCA-led protests against arrests and trials of Ukrainian intellectuals by the Communist regime in Ukraine; participation of UCC delegate Dr. Walter Dushnyck at the U.N. International Conference on Human Rights, held in April–May, 1968 in Teheran, Iran;

UCCA welcomed warmly His Eminence Joseph Cardinal Slipy during his triumphant visit in the United States in July and August, 1968;

UCCA protest against renewed persecution of Ukrainian Catholic Church as revealed by arrest and trial of Archbishop Vasyl Welychkovsky and many priests in Ukraine in 1969; protest sent to U.N. Secretary General U Thant:

UCCA delegation at audience with His Eminence Maximilian Cardinal de Furstenberg, Prefect of the Sacred Congregation for the Eastern Churches, during which a memorandum to the Holy Father was submitted in support of a Ukrainian Catholic Patriarchate;

UCC supported relief campaign for Ukrainian victims of earthquake in Banja Luka, Yugoslavia in 1969; visit to Yugoslavia by UCCA officers, J. Lesawyer, UCCA executive vice-president, and Dr. Walter Gallan, executive board member.

UCCA PUBLICATIONS

(a) Regular Publications:

In this era of mass communication media, UCCA publications play a vital and important part in making the Ukrainian problem known throughout the world.

The Ukrainian Quarterly, founded in 1944, has served as an important medium of UCCA enlightenment and educational policies and information. By December 1969, the 25th anniversary of The Ukrainian Quarterly, a total of 98 issues had appeared with an impressive number of 224,000 copies. It reaches hundreds of the most important libraries, government and newspaper offices, universities and scientific institutions in the United States and Canada, and 62 other countries, including several behind the Iron Curtain. The greatest compliment paid the UCCA journal came from the organ of the Czechoslovak Academy of Sciences (Slovansky Prehled, No. 3, 1966), which listed the UCCA and The Ukrainian Quarterly among 12 top American "Kremlinologist" centers.

The Ukrainian Bulletin, founded in 1948 (which was merged with The Ukrainian Quarterly at the beginning of 1970), had been appearing as an organ of the PAUC (1948-1951); from 1951 as the organ of the UCCA. All in all, some 1,615,000 copies have been distributed throughout the world, with unbiased information on Ukraine and the Ukrainian people.

In addition, the UCCA publishes the Congress News (Kongresovi Visti) and UCCA News (Visti UKKA), which have been appearing for the past 20 years as supplements of Svoboda, America, Narodna Volya and the Ukrainian National Word.

(b) Books and Pamphlets:

During its 30 years, the UCCA has published a great number of books, pamphlets and Congressional reprints, which were disseminated throughout the world. Most important among them are:

Ukrainian Resistance; Experience with Russia (Vasyl Hryshko); Ukraine in Foreign Descriptions and Commentaries (Volodymyr Sichynsky); In Quest of Freedom (Walter Dushnyck); Persecution and Destruction of the Ukrainian Church by the Russian Bolsheviks (Gregory Luznycky); The Origins of the Soviet Regime in Ukraine and Ukraine and Russia (Matthew Stachiw); Ukrainians and Jews; Father Agapius Honcharenko: First Ukrainian Priest in America (Theodore Luciw) and others.

Among Congressional reprints the most important are: Communist Takeover and Occupation of Ukraine; The Crime and Khrushchev, Part II; Europe's Freedom Fighter: Taras Shevchenko, 1814-1861; and several Ukrainian Independence Day and Captive Nations Week brochures.

UCCA EDUCATIONAL COUNCIL

The UCCA Educational Council, headed by *Dr. Edward Zarsky*, is one of the very vital sectors of UCCA activities. It has under its jurisdiction *75 Ukrainian schools*, with *495 classes* and *392* teachers.

Over 29,000 pupils receive instruction in the Ukrainian language, history, literature and geography in Ukrainian schools in the U.S.A. The UCCA Educational Council supervises 75 Ukrainian schools with over 5,000 pupils; the Ukrainian Orthodox Church in the U.S.A. operates 38 Ukrainian schools with 1,300 pupils and 43 Sunday schools with 2,000 pupils; the UCCA Educational Council cooperates with the Supreme School Council (*Holovna Shkilna Rada*) of the Ukrainian Orthodox Consistory;

It also cooperates with the Ukrainian Catholic diocesan school authorities which have 20,000 pupils in 30 full-day parochial and 257 Saturday schools and 22 kindergartens;

It publishes textbooks, embracing over 30 titles with a total of *150,000 copies*. These textbooks are used by Ukrainians in several countries.

It trains qualified teachers in a number of pedagogical institutes in New York, Detroit, Philadelphia, Cleveland and Chicago.

UCCA YOUTH DEPARTMENT

The UCCA Youth Department, headed by coordinator *Mykola Semanyshyn*, has the following objectives:

To coordinate common activities of youth organizations within the system of the UCCA;

To initiate its own general programs;

To provide forums for the exchange of views and seek solutions of common problems, and to make contact and maintain friendly relationship with other organizations;

To serve as a link between the UCCA Executive Board and youth organizations.

The UCCA Youth Coordinator operates through the Conference of Youth Organizations, consisting of the following members: Ukrainian Scouts Association (PLAST), Ukrainian Youth Association of America (SUMA), Federation of Ukrainian Student Associations of America (SUSTA), League of Ukrainian Orthodox Youth, League of Ukrainian Catholic Youth, Ukrainian Youth League of North America (UYL-NA), Association of Ukrainian Student Youth (TUSM), Academic Association (ZAREVO) and the Union of Ukrainian American Sports Associations (SUAST).

UKRAINIAN NATIONAL FUND

In 1970, the UCCA is also observing the 20th anniversary of the Ukrainian National Fund (UNF), established in 1949 at the Fourth UCCA Congress, but put in effect in 1950.

The UNF is the financial basis of all UCCA activities and operations. From January 1, 1950 to December 31, 1969 the UNF collected a total of $1,708,320.25, which makes an average of $86,000.00 a year, contributed by the Ukrainian community for the UCCA. The average yearly contribution was between $5.00 and $10.00 from a total of 12,000 contributors, which is hardly adequate, to say the least;

On the basis of conservative estimates, the UNF should have at least 100,000 contributors a year, who should donate a minimum of $1,000,000 per year. In comparison with other ethnic groups in the United States, the Ukrainian group is not on a par with them as far as financial contributions are concerned.

On the 30th Anniversary of the UCCA and the 20th Anniversary of the UNF, the UCCA is striving to increase the number of its contributors who would insure the financial basis of the UCCA so that it could operate more effectively and attain its objectives;

If there are over 2 million Americans of Ukrainian descent in the United States, there must be found at least 100,000 of them who understand and support the objectives of the UCCA.

UCCA BRANCHES

The UCCA is carrying out its objectives through close cooperation with its branches and member organizations. In 1955 there were a total of 134 UCCA Branches; at the 10th Congress of the UCCA in 1969, the UCCA had 59 national or central organizations, and 93 UCCA Branches.

The UCCA Branch is a pivotal unit of the UCCA. It implements all decisions of the UCCA, such as observances of "Ukrainian Independence Day," "Captive Nations Week," contacts U.S. legislators, local press, radio and TV media, and collects funds for the UNF.

UCCA Branches are operating in the following states: Arizona—1; California—2; Colorado—1; Connecticut—9; Delaware—1; District of Columbia—1; Illinois—1; Indiana—3; Kansas—1; Maryland—1; Massachusetts—2; Michigan—3; Minnesota—1; Missouri—1; Nebraska—2; New Hampshire—1; New Jersey—12; New York—19; North Dakota—1; Ohio—7; Oregon—1; Pennsylvania—17; Rhode Island—2; Texas—1; Utah—1; and Wisconsin—1.

Not all UCCA Branches are effective and responsive. Some of them, however, are known for specific activities.

The UCCA Branches in New Haven, Conn. (president *Dr. Michael Snihurovych*) and in North Dakota (president *Dr. Anthony Zukowsky*) maintain excellent contacts with American press, radio and TV media. UCCA Branches in New York (president *Dr. Roman Huhlewych*, and fund collectors *Stephen Chuma* and *E. Manatsky*), Philadelphia (president *Dr. Ivan Skalchuk* and fund collector *T. Teshchuk*), in Newark (president *Yaroslav Rak*, fund collector *M. Kornylo*) and in Detroit-East and Hamtramck (president *Walter Tustaniwsky* and fund collector *A. Kobylansky*) *are best known for their* effective fund-raising. UCCA Branches in Lorain, Ohio (president *Prof. A. Karmazyn* and fund collectors *B. Kraichyk* and *S. Shuya*) and in Willimantic, Conn. (president *M. Tymkiw* and fund collector *V. Holovach*) succeeded in embracing the entire Ukrainian community into the system of the UNF. The League of Americans of Ukrainian Descent in Chicago, a branch of the UCCA (president *Taras Shpikula*, fund collector *Volodymyr Nychay*) contributes to the best organized "Captive Nations Week" observance each year. The President of the UCCA Branch in Minneapolis, Minn., *Prof. Alexander A. Granovsky*, is one of the outstanding Ukrainian political and cultural leaders in the United States.

These are only a few examples, but there are many other UCCA branches which are very active and effective, but it is impossible to enumerate them all, for lack of space.

HOW CAN YON HELP THE UCCA?

Any American of Ukrainian background who shares the political and educational objectives of the UCCA, could become a UCCA member by:

Being a regular contributor to the UNF by donating *at least $15.00* each year;

Taking part in all UCCA activities, on the local and national levels;

Subscribing to its publications;

Responding to all its appeals and supporting its activities for the beenfit of the captive Ukrainian people and the preservation of the United States as a free and independent nation.

VOICE FROM BEHIND THE IRON CURTAIN

The UCCA and *The Ukrainian Quarterly* were listed among 12 top American universities and institutes engaged in serious studies on the Soviet Union, by the official journal of the Czechoslovak Academy of Sciences in Prague. The article, written by *Emil Sip*, titled "American 'Kremlinologists,' Their Activities and Institutes," appeared in the No. 3, 1966 issue of *Slovansky Prehled* (The Slavic Review), published by the Czechoslovak Academy of Sciences in Prague.

Other U.S. universities and institutes mentioned are the Russian Institutes at Columbia and Harvard, the Hoover Institution, the M.I.T., the RAND R & D Organization, and special research institutes at the Universities of Pennsylvania, George Washington, and Berkeley, the "Free Europe" Committee and the Council on Foreign Relations. The article stated:

"We are concerned with the serious publications, the result of scientific work at universities and scientific institutes, produced by groups and individuals . . . [This] serious scientific work is based on the collection and study of the greatest amount of available facts, which are credible and which endeavor to arrive at the most reliable and objective conclusions . . ."

In 1962 the Ukrainian Congress Committee of America and the Shevchenko Memorial Committee of America established the "Shevchenko Freedom Award" to be presented to those outstanding Americans, Americans of Ukrainian descent, and others in recognition of their distinguished service to the cause of Ukrainian freedom and that of the captive nations in general. The first recipients were presented the award during the VIIIth Congress of Americans of Ukrainian descent, held in the fall of 1962, and others during the ground-breaking ceremonies and the unveiling of the Shevchenko statue in Washington, D.C. In 1963 and 1964, respectively, and subsequently during observances of Ukraine's independence anniversaries on January 22, during the World Congress of Free Ukrainians in 1967, finally, during the IXth and Xth Congresses of Americans of Ukrainian Descent, held in 1966 and 1969.

Thus far 55 distinguished individuals, including two U.S. Presidents and a head of foreign state, received this historical award. They are, in alphabetical order, as follows:

The late Hon. Alvin M. Bentley; Prof. Anthony T. Bouscaren; Ignatius M. Billinsky; Rev. Dr. Bernard Braskamp; the Hon. William G. Bray; the Hon. John H. Buchanan; Generalissimo Chiank Kai-shek, President of the Republic of China; the Hon. John H. Dempsey; the Hon. Edward J. Derwinski; the Right Hon. John G. Deifenbaker, former Prime Minister of Canada; the late Hon. Everett M. Dirksen; Prof. Lev E. Dobriansky; the Hon. Thomas J. Dodd; the Hon. Peter N. Dominick; the Hon. Thaddeus J. Dulski; Dr. Walter Dushnyck; the late John Duzansky; the late Gen. Dwight D. Eisenhower, President of the United States; the Hon. Leonard Farbstein; Hon. Michael A. Feighan; the Hon. Daniel J. Flood; the Hon. Gerald R. Ford; Dr. Walter Gallan; Prof. Alexander A. Granovsky; the late Dmytro Halychyn; Rev. Dr. Frederick B. Harris; the Hon. Hubert H. Humphrey, former Vice President of the United States; the Hon. Jacob K. Javits; the Hon. Paul Jones; the Hon. Kenneth B. Keating; the Hon. Edna F. Kelly; the Hon. Charles J. Kersten; the Hon. John Lesinski; Joseph Lesawyer; Robert J. Lewis; Rev. Edward J. Latch; Helen F. Lototsky; the Hon. Ray J. Madden; Prof. Clarence A. Manning; the Hon. John W. McCormack; Dr. Edward M. O'Connor; the late Hon. Barratt O'Hara; Prof. Michael S. Pap; the Hon. William Proxmire; the late Dr. Volodymyr Radzykevych; Julian I. Revay; the Hon. Howland H. Sargeant; the Hon. Hugh Scott; the late Prof. Roman Smal-Stocki; Dr. Matthew Stachiw; Rev. Clarence W. Stangohr; the Hon. Samuel S. Stratton; Prof. Augustine Shtefan; the Hon. Harry S. Truman, former President of the United States, and the Hon. Milton R. Young.

The design of all individual award plaques as well as this tableau was prepared by Dr. Roman S. Holiat of New York.

SIGNIFICANCE OF UCCA

The UCCA, as a nationwide representative organization of Americans of Ukrainian descent, is a symbol of unity for Ukrainians in other countries and a beacon of hope and expectation for Ukrainians in the captive land.

It embraces over 1,000 Ukrainian organizations, such as fraternal benefit lodges, women's, students, youth, veteran associations, scientific and cultural associations, as well as sports, and other social groups and organizations.

Its uncompromising anti-Communist stance is a sharp thorn in the Soviet side, evoking charges that the UCCA is a "tool of Wall Street and American imperialists."

In the fall of 1969 a scathing pamphlet, titled "In the Backyards of History," published in Kiex, assailed the UCCA as a center of Ukrainian bourgeois nationalists in the United States" and condemned all UCCA activities as the "products and inspiration of U.S. intelligence sources."

For 30 years the UCCA has stood firmly in defense of the Ukrainian people and defended their rights to freedom and independence.

Its further success will depend largely on your support and generosity, and your unwavering belief that the UCCA will continue to play an important role in the preservation of freedom in America and in regaining freedom and independence for captive Ukraine.

H. RES. 102

Whereas on the all-important issue of colonialism the blatant hypocrisy of imperialist Moscow has not been adequately exposed by us in the United Nations and elsewhere; and

Whereas Presidential proclamation designating Captive Nations Week summon the American people "to study the plight of the Soviet-dominated nations and to recommit themselves to the support of the just aspirations of the people of those captive nations"; and

Whereas the nationwide observances in the nine anniversaries of Captive Nations Week have clearly demonstrated the enthusiastic response of major sections of our society to this Presidential call; and

Whereas following the passage of the Captive Nations Week resolution in 1959 by the Congress of the United States and again during the annual observances of Captive Nations Week, Moscow has consistently displayed to the world its profound fear of growing free world knowledge of an interest in all of the captive nations, and particularly the occupied non-Russian colonies within the Soviet Union; and

Whereas the indispensable advancement of such basic knowledge and interest alone can serve to explode current myths on Soviet unity, Soviet national economy and monolithic military prowess and openly to expose the depths of imperialist totalitarianism and economic colonialism throughout the Red Russian Empire, especially inside the so-called Union of Soviet Socialist Republics; and

Whereas, for example, it was not generally recognized, and thus not advantageously made use of, that in point of geography, history, and demography, the new famous U–2 plane flew mostly over captive non-Russian territories in the Soviet Union; and

Whereas in the fundamental conviction that the central issue of our times is imperialist totalitarian slavery versus democratic national freedom, we commence to win the psychopolitical cold war by assembling and forthrightly utilizing all the truths and facts pertaining to the enslaved condition of the peoples of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, Bulgaria, mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, North Vietnam, Cuba, and other subjugated nations; and

Whereas the enlightening forces generated by such knowledge and understanding of the fate of these occupied and captive non-Russian nations would also give encouragement to latent liberal elements in the Russian Soviet Federative Socialist Republic—which contains Russia itself—and would help bring to the oppressed Russian people their overdue independence from centuries-long authoritarian rule and tyranny; and

Whereas these weapons of truth, fact, and ideas would counter effectively and overwhelm and defeat Moscow's worldwide propaganda campaign in Asia, Africa, the Middle East, Latin America, and specifically among the newly independent and underdeveloped nations and states; and

Whereas it is incumbent upon us as free citizens to appreciatively recognize that the captive nations in the aggregate constitute not only a primary deterrent against a hot global war and further overt aggression by Moscow's totalitarian imperialism, but also a prime positive means for the advance of world freedom in a struggle which in totalistic form is psychopolitical; and

Whereas in pursuit of a diplomacy of truth we cannot for long avoid bring into question Moscow's legalistic pretensions of "noninterference in the internal affairs of states" and other contrivances which are acutely subject to examination under the light of morally founded legal principles and political, economic, and historical evidence; and

Whereas in the implementing spirit of our own congressional Captive Nations Week resolution and the eight Presidential proclamations it is in our own strategic interest and that of the nontotalitarian free world to undertake a continuous and unremitting study of all of the captive nations for the purpose of developing new approaches and fresh ideas for victory in the psychopolitical cold war: Now, therefore, be it

Resolved, That there is hereby established a nonpermanent committee which shall be knowns as the Special Committee on the Captive Nations. The committee shall be composed of ten Members of the House, of whom not more than six shall be members of the same political party, to be appointed by the Speaker of the House of Representatives.

SEC. 2. (a) Vacancies in the membership of the committee shall not affect the power of the remaining members to execute the functions of the committee, and shall be filled in the same manner as in the case of the original selection.

(b) The committee shall select a chairman and a vice chairman from among its members. In the absence of the chairman, the vice chairman shall act as chairman.

(c) A majority of the committee shall constitute a quorum except that a lesser number, to be fixed by the committee, shall constitute a quorum for the purpose of administering oaths and taking sworn testimony.

SEC. 3. (a) The committee shall conduct an inquiry into and a study of all the captive non-Russian nations, which includes those in the Soviet Union and Asia, and also of the Russian people, with particular reference to the moral and legal status of Red totalitarian control over them, facts concerning conditions existing in these nations, and means by which the United States can assist them by peaceful processes in their present plight and in their aspiration to regain their national and individual freedoms.

(b) The committee shall make such interim reports to the House of Representatives as it deems proper, and shall make its first comprehensive report of the results of its inquiry and study, together with its recommendations, not later than January 31, 1969.

SEC. 4. The committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times within or outside the United States to hold such hearings, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, and to take such testimony as it deems advisable.

SEC. 5. The committee may employ and fix the compensation of such experts, consultants, and other employees as it deems necessary in the performance of its duties.

SEC. 6. The committee shall enjoy a nonstanding status, performing its duties in the course of the Ninety-first Congress and subject to renewal only as determined by needs in the completion of its work and further purposes of the House of Representatives.

THE UKRAINIAN QUARTERLY, 1971

(U.S. Foreign Policy for the 1970's. A New Strategy for Peace. A Report to the Congress by Richard Nixon, President of the United States. The White House, 1970, pp. 160.)

This extensive report on U.S. foreign policy has been cast in book form and is must reading by all who are concerned with the security of our Nation. The report was originally submitted to the Congress in February 1970. It was the first of its kind by the President of our country. Now it circulates as a book. Although many questions remain after a careful reading of it, it cannot, however, be said that the chief directions and main principles of the Nixon Administration's foreign policy aren't clearly spelled out. Moreover, if some harbor any doubt about the most fundamental principles underlying our foreign policy, their enunciation in this couldn't be more unequivocally stated.

Since the publication of *Khrushchev Remembers* many observers and analysts have seized upon the theme of Moscow's influence on U.S. election results. Khrushchev boasted about the Kremlin's influencing the election of President Kennedy at the beginning of the 60's. Now much speculation and talk is centered on Moscow's attitude toward President Nixon. Analysts seem to agree that the Kremlin would enjoy a Nixon defeat in '72 so to be able to pursue more liberally its designs in the Middle East, Asia and Latin America. There can be little doubt that the Kremlin strategists have examined meticulously the passages of this work.

Quite a number of issues raised in the book are subject to controversy and debate. It may be that the preparation of this report in the White House, rather than the scotched one done in the Department of State, was attuned to the general character of the Congress, particularly on the Senate side. Too many compromising points are raised on subjects that deserve a more decisive and accurate statement. For example, in context, we are told, "Then, we were confronted by a monolithic Communist world. Today, the nature of that world has changed—the power of individual Communist nations has grown, but international Communist unity has been shattered. Once a unified bloc, its solidarity has been broken by the powerful forces of nationalism" (pp. 2–3). Now, in terms of historical accuracy, this is plainly a myth. In point of fact, there was never "a monolithic Communist world," even within the Soviet Union itself; the forces of nationalism were powerfully at work in the USSR since the 20's; and, objectively, there is no such thing as an individual Communist nation. A captive people under an imposed Red regime isn't suddenly transformed into a Communist nation. Furthermore, to immediately refer to the "Soviet Union and Communist China" after this

quoted statement would indicate that the USSR is concerned as one of the "individual Communist nations," which of course is patent nonsense.

It is points such as these that render this work vulnerable to detailed critical attack. The work can be said to rest on four paramount "N's"—New era, Nato, Nixon doctrine, and Negotiations. If we were to elaborate further on the criticism made above, demonstrating the primacy of imperial Soviet Russian power and the ultimate survival dependence of all the Red regimes, including Peiping, on this power, it would become evident that the so-called "New Era" just appears to be so. From a realistic viewpoint, the basic issues of conflict are the same, the fundamental sources of power are the same, and the dominant drives for world domination on the part of Moscow are the same. To content oneself with the monolith myth is to blind oneself to these basic identities of twenty years ago and now.

Another mythical notion that certainly is not supported by Russian military doctrine is the mutual co-destruction thesis of the nuclear age. In this work it is stated, "There can be no gain and certainly no victory for the power that provokes a thermonuclear exchange. Thus, both sides have recognized a vital mutual interest in halting the dangerous momentum of the nuclear arms race" (p. 3). Obviously, there is no empirical proof for this. Assuming requisites of missile accuracy and the like, damage on both sides might be great, but this in itself doesn't foreclose the prospect of victory as the war shifts from nuclear weapons to conventional and revolutionary ones. Also, a technologic breakthrough in nuclear missilry could produce swift victory either preemptively or by blackmail. In short, the mythical notion of no victory goes back to the Korean War and literally predates the missile race. It has overshadowed the nuclear arms phenomenon as well as Vietnam and our other involvements. It is not the result of arms nuclearity but rather of a progressive deterioration in national will and moral dedication and assertiveness.

In the light of established Russian Cold War tactics, issue can also be taken with bland statements of this order: "The insecurity of nations, out of which so much conflict arises, will be eased, and the habits of moderation and compromise will be nurtured" (p. 5). The notable fact is that in all the critical areas conflict is not the result of the insecurity of nations, but that the latter results from the former, which is essentially and critically fomented by Moscow and Peiping, either directly or via proxies, such as Havana, Hanoi and others.

Other important highlights of the work include Nato, the Nixon doctrine, the national security council system, and area applications of U.S. foreign policy. The President minces no words about the strategic importance of Western Europe when he states that for "the foreseeable future, Europe must be the cornerstone of the structure of a durable peace" (p. 27). The strengthening of NATO is emphasized, and the creation of the Committee on the Challenges of Modern Society is hailed as a new dimension. As for the much-discussed Nixon doctrine, its essence is defined in these terms: "Its central thesis is that the United States will participate in the defense and development of allies and friends, but that America cannot—and will not—conceive *all* the programs, execute *all* the decisions and undertake *all* the defense of the free nations of the world" (p. 6). This low-profile and economical pitch has the merit of inducing others to assume a fair share of the defense burden, but what if another Vietnam emergency arises on other continents, will we abstain to involve ourselves because of the errors of the besieged country? This would be a sure way of extending the already long list of captive nations.

In line with the doctrine it can easily be stated, "Our cooperation with Asian nations will be enhanced as they cooperate with one another and develop regional institutions" (p. 8). But the real question is, "By virtue of the fact that 'We are a Pacific power' (p. 54) and our power far surpasses all others in the aggregate, doesn't positive leadership based on this power call for a catalyst to Pacific solidarity?" As to leadership and the national security council system, the President is correct in saying that "Every view and every alternative must have a fair hearing. Presidential leadership is not the same as ratifying bureaucratic consensus" (p. 18). However, on the subject of the captive non-Russian nations in the USSR, it can be held that no fair hearing has as yet been extended for this vital issue.

Pertinent to the preceding observation, the sections on the USSR and Eastern Europe show the same faulty notions that have characterized our policy in the past. Just a few strictures here. The statement that the "Communist world in particular has had to learn that the spread of Communism may magnify international tensions rather than usher in a period of reconciliation as Marx taught" indicates a complete misreading of Marx, not to mention his total systemic irrelevancy to the current situation, and no appreciation of Soviet Russian imperio-colonialism. Moreover, to imply that the Soviet Union is a country like other countries (pp. 136–137) and that a monolithic national such as "the Soviets" (p. 138) exists, reveals further the groundless conceptions underlying the so-called "pursuit of negotiation and detente." Briefly, the constant reiterations of the desire to negotiate, to pursue peace, and to create a stable world order are politically necessary and discreet, but little is told here about the strategy and tactics of both Moscow and Peiping to undermine these objectives and at the same time to advance their imperialist goals. Quite simply, the people aren't being told the harsh facts of our international life.

The work virtually concludes on this basic note: "The pursuit of peace means building a structure of stability within which the rights of each nation are respected: the rights of national independence, of self-determination, the right to be secure within its own borders and to be free from intimidation" (p. 157). To support this positively requires detailed concern for its negation in the very area that counts in the final analysis, namely the captive non-Russian nations in the USSR itself. This necessary step has yet to be taken by our President. It is not accommodated in this work.

Mr. Speaker, I rise today on behalf of my friend and colleague, the Honorable DANIEL FLOOD, who has asked me, in his absence, to lead my colleagues in our commemoration of the 53d anniversary of Ukrainian independence. I know this is an occasion close to his heart, and I am honored that he has asked me to represent him.

Mr. Speaker, we are here again today to commemorate an anniversary of independence which should certainly be a joyous occasion. Yet, this 53d anniversary of Ukrainian independence will not even be officially recognized in the Ukraine, because that nation is under Soviet occupation and oppression. Therefore, it is up to the free world to see that this anniversary is not forgotten and to dedicate ourselves to the struggle of the Ukrainians to once more see their homeland free.

The Ukrainian Congress Committee of America—UCCA—represents over 2 million Americans of Ukrainian ancestry in this struggle to free the Ukraine. A resolution passed in 1940, when the UCCA was founded, states:

We again declare to America and to the whole world that Ukraine wants to be, can be, and must be an independent state; that recognition of its rights to self-determination and independence on an equal footing with other peoples is in the interest of its people and in the interest of peace in Europe.

These words to me reflect the struggle of our own nation almost 200 years ago. We know the joys of independence and freedom. In fact, we sometimes take them for granted, because they are so much a part of our daily lives. It is because we know and experience freedom, however, that we should be encouraged to lead the fight for those who would know freedom too.

I am very close to the people of Ukrainian descent in my own Congressional District in New Jersey. All of us present today have been lead in prayer by one of the most distinguished members of this group, my good friend, Bishop Mark. Through these friends I have come to know of the personal struggles which they have endured to enjoy freedom.

Americans of Ukrainian ancestry have contributed much to our own heritage. Yet they have not forgotten those who have remained behind in the Ukraine. This dual role of American citizen and fighter for Ukrainian freedom has been noted and commended by every President since Truman. Dr. Lev. E. Dobriansky of Georgetown University, president of UCCA since 1949, has supplied me with a pamphlet entitled: "Three Decades of UCCA: 1940–1970." I would like at this time to place in the RECORD quotes from that pamphlet from our last five Presidents so that my colleagues, and all American citizens, will be reminded of the high regard our leaders have had for our citizens of Ukrainian descent and for their cause.

President Truman's message to the UCCA:

On November 2, 1949, President Harry S. Truman sent a message to the Fourth Congress of the UCCA, which stated:

The fourth national gathering of leaders of various groups from all American citizens of Ukrainian origin offers a suitable occasion to congratulate you and the men and women you represent upon your fine contributions to American life.

You are to be commended for your interest in and participation in our democracy and also for your interest in and efforts to aid your kinsmen overseas who are not able to enjoy the benefits of a society which we in the United States are fortunate to enjoy . . .

President Kennedy's message to the UCCA:

On October 12, 1962, President John F. Kennedy, in a telegram to the Eighth Congress of the UCCA, stated:

. . . It is both natural and desirable that, while entering wholeheartedly into their re-

sponsibilities as members of the American community, those of our citizens who share a proud common heritage should voluntarily join together in free association to honor that heritage and to advance shared interests. It would be surprising and also contrary to American traditions if our citizens of Ukrainian descent failed to retain interest in their former homelands or to show concern for the fate and future of Ukranians there . . . In accord with such sentiments and expressing the will of the American people, the United States Government strongly supports the just aspirations and rights of all peoples to national independence, governments of their own choosing and the enjoyment of fundamental rights and freedom . . .

President Eisenhower's message to the UCCA:

On the occasion of the 40th anniversary of Ukraine's independence, President Dwight D. Eisenhower, on January 19, 1958, sent a telegram to the UCCA, which read:

To Members and Guests of the Ukrainian Congress Committee of America, I send greetings.

The Ukrainians who have emigrated to this country have brought with them cultural and spiritual values which have contributed much to the American heritage. Holding in common the right of all peoples to determine freely their own form of government, we share a basic concern for the privileges and responsibilities of freedom . . .

President Johnson Greets Ukrainian American Community:

On May 22, 1965, President Lyndon B. Johnson, in a congratulatory telegram on the completion of the Shevchenko Monument in Washington, D.C., stated:

May thousands who will look upon this monument to Taras Shevchenko be ever reminded of his dedication to the ideals of human rights and the equality of mankind. May they be reminded, too, that this is a cause which has not yet been fully won as long as there are still bonds of servitude which keep men from enjoying their rights and their liberties anywhere in the world . . .

President Nixon's message to the UCCA:

Dated October 16, 1969, the message of President Richard M. Nixon to the UCCA, read:

My warm greetings to all who are taking part in the Tenth Triennial Congress of Americans of Ukrainian Ancestry.

In a nation whose greatness is derived in large measure from its diversity, you have played a most constructive and meaningful role.

Your rich culture, customs and patriotic spirit have been matched only by your industry and willingness to serve the public good.

As President, I am deeply grateful for the support and encouragement I derive from within your ranks. And I welcome your assistance in the years ahead as we seek together to build the kind of society—and world—in which we have committed our hearts as well as our minds and hands . . .

Mr. Speaker and my colleagues, let us go forth today rededicated to the fight for Ukrainian independence and the fight for freedom everywhere. We must win this fight if our own freedom is to survive.

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

Mr. PATTEN. I am glad to yield to the gentleman from Maryland.

Mr. HOGAN. I should like to associate myself with the remarks of the gentleman in the well.

Mr. Speaker, I am pleased to add my voice to help commemorate the 53d anniversary of the Ukrainian Declaration of Independence.

I am scheduled to make a speech Sunday in my district before the Washington Metropolitan Chapter of the Ukrainian Congress Committee of America.

Whenever I attend a function of this nature, sponsored by the relatives and friends of the thousands of people living in the captive nations, I come away with a deep feeling of gratitude that they are so active and dedicated. If only their enthusiasm and spirit would communicate itself to those Americans who seem so unaware of the plight of the thousands and thousands of people who still live under Communist domination and oppression.

Because of this country's involvement in Southeast Asia, there has been a growing awareness in the last few years on the part of many Americans of the strategic importance of the captive nations with respect to U.S. national security and to the security of the free world. I am, however, still appalled at the many misconceptions which prevail among some Americans about the captive nations concept. Despite the worldwide publicity given to the U.S. Captive Nations Week resolution 10 years ago and the annual reaffirmations of it since, it still remains a mystery why so few in the free world comprehend the concept.

I said here on the House floor during Captive Nations Week last year that it seems very ironical that the free Asian people have come to understand the meaning and significance of the captive nations concept far more perceptively than many of our own people. This awareness on the part of the Asians was most evident to me during my 1969 tour of several Southeast Asian countries. I was impressed with their grasp on this problem while so many Americans, who should espouse freedom and self-determination more than any other people in the world, openly scoff at the sincere warnings of those Americans who have witnessed Communist tyranny firsthand.

The answer to this paradox, of course, lies in the fact that when your very life and existence is directly threatened, as it is in all of free Asia, you view the total struggle more acutely, more sharply, and with greater insight.

I was heartened to read that this difficult lesson was learned by a student group who had just returned to the United States last summer after a vacation-study trip to several East European counties. These young people came back to the United States with sincere gratitude that they were Americans and were able to leave the countries they had just visited without any governmental restrictions about their departure or return. These young people experienced for the first time, and firsthand, what it means to live under Communist rule. They quickly became disenchanted with their contemporaries who espouse the doctrines of Soviet regimes. They returned to our great country, proud to be Americans and to be able to enjoy the freedoms which the American Delaration of Independence accords them.

I fervently hope that the relatives of those living in captive nations will not give up hope for the eventual freedom of their loved ones.

Mr. Speaker, nearly 2 years ago, when I was first elected to the House of Representatives, I was asked to help in whatever way I could to secure the release of an elderly and ill Russian woman who had received a life prison sentence in 1962 for currency speculation. This lady's relatives in Philadelphia and Washington asked for my assistance because they were convinced that she was not guilty of the charges and felt that her case should be reviewed by the Soviet Presidium. Her husband was given a death sentence on the same charge and was executed. She had also, many years before, lost her two young daughters in the Nazi terror.

I became interested in the case and initiated action with the Soviet Embassy here in Washington, with the State Department, with the Lithuanian Presidium, and, indeed, even with Premier Kosygin of the Supreme Soviet. Our attempts in her behalf were, at first, barely heeded by the Soviet authorities, and later received only a cursory acknowledgment. But today I was informed that the Soviet Union had, at long last, released this poor woman from her prison cell in Russia. Let us hope and pray that this humanitarian attitude will accelerate.

When Bishop Mark Hundiak prayed at the opening of this session today:

On this day of the fifty-third anniversary of the proclamation of Independence of the Ukrainian National Republic, we offer to you, our Merciful Father, humble and fervent prayers for the Ukrainian people and all captive nations enslaved by the godless and cruel Red regime. Sustain them, Good God, in their aspirations and struggles for liberty and independence.

I, too, prayed that the Ukrainian-Americans in this country would not give up hope: that they would not lose faith but will continue their efforts to bring the plight of these poor people to the forefront of the public eye. I hope that the case I just mentioned will bolster their resolve and give them the needed inspiration not to give up the struggle.

Mr. GERALD R. FORD. Mr. Speaker, I am proud to join with my colleagues in observing the 53d anniversary of Ukrainian independence—the day when Ukrainians declared themselves a free people only to be subsequently taken over by Bolshevik invaders.

The burden of the totalitarian rule imposed on the freedom-loving Ukrainian people weighs heavily on the spirits of all of us who cherish liberty. Our hearts go out to those Ukrainians who vigorously protest that the government forced upon them by the Communists is simply an administrative arm of the Soviet Union and not their government.

The spirit of liberty and truth lives on in the Ukraine, and it is this which gives us hope that this people and the other captive peoples behind the Iron Curtain will some day again be free.

Americans must never forget the nations which live under the hand of the dictator. We must do everything within our power to see that the fires of liberty are never extinguished in these suffering lands.

I personally marvel at the determination of freedom-loving Ukrainians, their fervent resolve to stand up to the iron fist of dictatorship. For their dedication to truth and freedom, I salute them. I share with them the hope that one day they will cast off their bondage and regain the independence which is rightly theirs.

Mr. COLLIER. Mr. Speaker, I thank my distinguished colleague. Before beginning my remarks, I want to commend him and the able gentleman from Pennsylvania for arranging this observance of Ukraine's independence.

On January 22, 1918, while World War I still raged, Ukraine ended centuries of Russian domination by declaring its independence from its giant neighbor. Following the Russian Empire's negotiation of a separate peace with the German Empire, the Romanoff dynasty had been ousted and a provisional government set up. The new administration did not last long, being overthrown by the Bolsheviki.

Ukraine's freedom proved ephemeral. Whether Russia was ruled by the czars or the commissars made little difference to the Ukrainian people, who were taken over by the Soviet Union in 1920.

No fewer than 69 nations have gained independence since the end of World War II. Fifty-one of them are smaller geographically than Ukraine, which is 232,046 square miles in area.

Only three of the 69 countries—Pakistan, Indonesia, and Nigeria—have populations that exceed Ukraine's 47 million. Nauru, which achieved independence in 1968, has 8 square miles of territory and 6,500 inhabitants.

Like all lovers of freedom, liberty, and independence, I have rejoiced when the peoples of new nations severed the ties that had previously bound them to colonial empires such as those held by Belgium, France, Great Britain, Italy, Japan, the Netherlands, and Spain. I was pleased when the United States granted independence to the Philippines.

Mr. Speaker, how much longer must Ukraine and other Soviet colonies, such as Estonia, Latvia, and Lithuania, remain on the sidelines as the parade of newly independent nations marches by? Let us insist, the next time the Soviet Empire asks us to sign any sort of treaty, convention, or other agreement, that she demonstrate her good faith by granting independence to Ukraine and the other captive nations.

As part of my remarks, I include a table which lists the countries that have secured their freedom since World War II, together with the dates of independence, areas, and populations, as well as the nations which formerly controlled them:

Nation	Secured independence from—	Date of independence	Area in square miles	Population
Algeria	France	1962	919,591	13,349,000
Barbados	Great Britain	1966	166	260,000
Botswana	do	1966	275,000	629,000
Burma	do	1948	261,789	26,980,000
Burundi	Belgium	1962	10,747	3,475,000
Cambodia	France	1953	69,898	6,701,000
Cameroon	France-Great Britain	1960	183,581	5,680,000
Central African Republic	France	1960	236,293	1,518,000
Ceylon	Great Britain	1948	25,332	12,240,000
Chad	France	1960	495,753	4,000,000
Congo	Belgium	1960	905,563	17,100,000
Do	France	1960	132,046	880,000
Cyprus	Great Britain	1960	3,572	630,000
Dahomey	France	1960	43,483	2,640,000
East Germany	Germany	1949	41,659	17,096,000
Equatorial Guinea	Spain	1968	10,852	286,000
Fiji	Great Britain	1970	7,055	519,000
Gabon	France	1960	102,089	485,000
Gambia	Great Britain	1965	4,005	357,000
Ghana	do	1957	91,843	8,600,000
Guinea	France	1958	94,925	3,890,000
Guyana	Great Britain	1966	83,000	742,000
Indonesia	Netherlands	1949	735,865	116,000,000
Israel	Great Britain	1948	7,993	2,822,000
Ivory Coast	France	1960	127,520	4,195,000
Jamaica	Great Britain	1962	4,411	1,959,000
Jordan	do	1946	37,500	2,160,000
Kenya	do	1963	224,960	10,506,000
Kuwait	do	1961	6,178	570,000
Laos	France	1949	91,429	2,893,000
Lesotho	Great Britain	1966	11,716	930,000
Libya	Italy	1951	679,358	1,869,000
Malagasy Republic	France	1960	228,000	6,643,000
Malawi	Great Britain	1964	36,100	4,398,000
Malaysia	do	1963	128,430	19,583,000
Maldives	Great Britain	1965	112	108,000
Mali	France	1960	464,000	4,881,000
Malta	Great Britain	1964	122	318,000
Mauritania	France	1960	419,231	1,140,000
Mauritius	Great Britain	1968	720	800,000
Mongolia	China	1945	592,664	1,240,000
Morocco	France-Spain	1956	172,834	15,050,000
Nauru	Great Britain	1968	8	6,500
Niger	France	1960	489,189	3,750,000
Nigeria	Great Britain	1960	356,669	63,870,000
North Korea	Japan	1948	46,540	13,300,000
North Vietnam	France	1949	61,293	20,700,000
Pakistan	Great Britain	1947	365,529	132,000,000
Philippines	United States	1946	115,707	37,158,000
Rhodesia	Great Britain	1965	150,333	5,090,000
Rwanda	Belgium	1962	10,166	3,500,000
Senegal	France	1960	75,750	3,780,000
Sierra Leone	Great Britain	1961	27,699	2,512,000
Singapore	do	1965	225	2,033,500
Somalia	Great Britain-Italy	1960	246,201	2,730,000
South Korea	Japan	1948	38,004	31,130,000
South Vietnam	France	1955	65,948	17,867,000
Southern Yemen	Great Britain	1967	112,000	1,220,000
Sudan	Great Britain-Egypt	1956	967,500	15,186,000
Swaziland	Great Britain	1968	6,704	410,000
Tanzania	do	1961	363,708	12,926,000
Togo	France	1960	21,850	1,815,000
Tonga	Great Britain	1970	269	83,000
Trinidad and Tobago	do	1962	1,979	1,040,000
Tunisia	France	1956	63,378	5,027,000
Uganda	Great Britain	1962	93,981	9,500,000
Upper Volta	France	1960	105,869	5,278,000
Western Samoa	Great Britain (New Zealand)	1962	1,130	141,000
Zambia	Great Britain	1964	290,586	4,208,000

Note: Population estimates are all 1969 except Barbados, Mauritius, Nauru, Niger, and Philippines, all 1970, and North Vietnam, 1968.

Mr. BYRNE of Pennsylvania. Mr. Speaker, it is unfortunate that I must continue a tradition I began 18 years ago when I took a seat in this honorable body. I say, "unfortunate," because each year that I helped mark Ukrainian Independence Day, there was hope in my heart that next year it would not be necessary; that perhaps at long last, the freedom-loving people of the Ukraine would finally have achieved independence, liberty, and self-determination.

That phrase, "self-determination," has been much abused by the Soviet Union when it speaks of nations far from its shores. But what about the captive peoples it holds subjugated within its borders? Who speaks of them? Who thinks of them?

Who, Mr. Speaker? I do. We do. We, the Members of this body, as evidenced by our recognition this year—as we have in past years—of Ukrainian Independence Day, of which January 22 was the 53d anniversary.

It marks the short-lived but gloriously independent Ukrainian Republic. True, it stood less than 3 years and was overwhelmed by hordes of Soviet troops.

But time is only relative. The spark of independence, of patriotism, of love for the motherland was not lost in the 300 years of Russian domination that preceded January 22, 1918, nor in the 50 years of remembered subjugation which has followed.

And it will never be lost; not in the hearts of Ukrainian people in the Ukraine, nor in the hearts of millions of Ukrainians in this Nation who fled their native land to seek freedom here for their descendents.

Let us hope—let us indeed pray—that next year such statements will no longer be necessary.

Mr. ADDABBO. Mr. Speaker, today Members of the House are joining in the observance of the 53d anniversary of the independence of Ukraine. Each year we mark this observance by statements indicating our continuing concern for the 47 million people of the Ukraine and our support for their continued desire to realize freedom from oppression.

Some may question the usefulness of this annual observance but I believe that the hopes of these people must be rekindled by the knowledge that other people around the world understand their plight and pray for their freedom.

Recently, we witnessed the very real and practical impact which world opinion, when mobilized and expressed, can

have on the policies of a nation—even a dictatorship. The problem of Soviet Jewry has not lessened but the incivilized treatment of those accused of treason has been reduced solely because of world opinion. This then is ample reason why we cannot afford to turn away from oppressed people in any corner of the globe.

This then is the purpose of observing Ukranian Independence Day—to hold out a small ray of hope to people in all captive nations and to let them know that we have not forgotten them.

Mrs. GRIFFITHS. Mr. Speaker, today, I am proud to join my colleagues in commemorating the 53d anniversary of Ukrainian Independence. It is a day on which peoples of the free world can rejoice, for in that declaration by the Ukrainian patriots 53 years ago, there was manifest once again man's dedication to the principle of self-determination. At a time when many people in the world live under varying stages of tyranny, it is appropriate for all of us to recall the valiant struggle for freedom and independence which Ukrainians have waged for centuries.

At the end of World War I, when the czarist regime was overturned and the Russians were unable to hold the Ukrainians in check, then the people of the Ukraine proclaimed their independence and established their national government in the newly created Ukrainian Republic. On January 22, 1918, in the city of Kiev the Ukrainian state declared its independence in the tradition of our own American Revolution. But the tyranny of the czars was soon replaced by the tyranny of the Communists. Independence was short lived and the Bolsheviki quickly moved back in 1920 and took over where they left off before World War I. Independent Ukraine ceased to exist, and the country became part of the Soviet Union. They were deprived of their freedom, yet they still clung to their ideals of freedom and independence, only by keeping alive the spirit of freedom can captive citizens ever hope to be free. Today, the Ukrainians continue to cherish the memories of that short-lived period of freedom.

On this occasion it is fitting that we pay tribute to the Ukrainian people and to their never-ending quest for national sovereignty. As Americans, we must ever remember that as long as any nation remains subjugated to another, as long as any man is denied the inalienable rights of life, liberty, and the pursuit of happiness, our task is not done.

Mrs. HICKS of Massachusetts. Mr. Speaker, I urge every American today to join the 2 million Americans of Ukrainian descent in celebrating the 53d anniversary of the independence of Ukrainia. Their devotion to the cause of freedom and the dignity of mankind is a source of inspiration to all nations that strive for liberty.

Ukrainians have been acknowledged leaders in the cause against the spread of communism. Their unique knowledge of this enslaving philosophy has kept this country constantly aware of the threat it poses to our security. The people of this country are truly grateful for their vital concern for democracy.

Ukrainians are a proud and cultured people. Their history is illustrious and dotted with the glorious deeds of heroes and events. They have brought with them to this country this same pride and cultural values which have played such a vital role in molding the American heritage.

Mankind's need for freedom has never been greater and with this in mind, I salute the achievements of the Ukrainian Americans, who have been the greatest leaders in this cause.

Mr. ST GERMAIN. Mr. Speaker, for more than 50 years the Ukrainian people have been suffering under Communist totalitarianism imposed upon them by the Kremlin. It is one of the ironies and tragedies of contemporary history that these gallant and gifted people, totaling close to 50,000,000 have been fated to suffer under alien tyrants in their homeland for so long. As a matter of fact, the modern history of the Ukrainian people is the story of their ceaseless struggle for their inalienable birthright, freedom and independence.

These hardworking and rugged folk of the fertile steppe land in Eastern Europe tilled their bountiful farmlands for centuries and enjoyed the fruits of their labor in full freedom. This was true from the late Middle Ages down to the middle of the 17th century. Then in the year 1654 an unfortunate event brought about a change in their status, a fateful change whose consequences have been tragic to the people of Ukraine.

In that year a treaty of alliance was signed between the Russian czar and the Ukrainian leaders. At the time the leaders of the Ukraine construed this as a mutual aid treaty, but soon the wily Russian czar gave it a different twist, declaring that by that treaty Ukrainians had placed their country and their fate under his care. Unfortunately, the Russians being more powerful, their view prevailed, Ukrainian independence was jeopardized, and soon the Ukraine became part of Russia and its people subjects of the czar's autocratic regime.

Most of modern Ukraine's misfortune and the misery of its people stem from that fateful treaty, the unilateral interpretation given to the terms of that treaty by the treacherous Russian czar. Thenceforth, the Ukrainians were forced to abandon their national traditions and be attached to the great Russian family. In other words, the czar's government set out to Russianize, by compulsion if necessary, all Ukrainians. Imperial decrees banned the use of Ukrainian as the official language. In schools the teaching of Ukrainian was not permitted, and the whole country was treated as a colonial possession of the imperial Russian Government. And that Government ruled over it with an iron hand, through its callous and ruthless agents, for some 250 years.

Fortunately, however, the Russians were not able during that long period to denationalize and Russianize the Ukrainians. The more oppressive the hand of the alien regime, the more the Ukrainians resented and resisted its rule, and rebelled against their overlords. At the same time their fervent yearning for the return of their glorious days was manifest by their desire to keep alive their national spirit as a potent and living force in the country. The ideals of freedom and independence were kept alive by their dedicated and patriotic leaders, and the people nursed these ideals in their hearts. Finally, after enduring the czarist autocracy for some two and a half centuries, they witnessed the birth of the independent Ukrainian National Republic early in 1918. January 22 of that year, the birthday of the Republic, became a memorable landmark in Ukraine's checkered history.

The precarious existence of the Ukrainian National Republic did not last long. After valiantly struggling for its life for about 2 years, the newly created state was robbed of its freedom by its implacable foes. The Red Army attacked and invaded the country in November 1920, and by the end of that month independent Ukraine ceased to exist. Forthwith it was made part of the Soviet Union, and so it remains to this day.

Today, the Ukrainian people, living in one of the most fertile parts in Eastern Europe and constituting there one of the largest ethnic groups in all Europe, are denied their most cherished birthright, the freedom to live according to their wishes and to work for their own salvation in their historic homeland. But even under abominable, almost unbearable, conditions the dauntless people of the Ukraine have not given up their hope for freedom. On the observance of the 53d anniversary of Ukrainian Independence Day we pray for their deliverance from Communist tyranny and for the attainment of their national goal, their freedom.

Mr. HELSTOSKI. Mr. Speaker, January 22, 1971, marked the 53d anniversary of Ukrainian Independence, a proclamation which has great significance for all freedom-loving people. The Ukrainian nation had finally attained the freedom it was so cruelly denied during centuries of czarist domination.

Tragically, Ukrainian freedom was to be short lived, for although its independence was recognized by many countries, including Soviet Russia, the Russian Government soon invaded the Ukrainian state. Heroically, the Ukrainians, devoid of foreign assistance, resisted the incursion of Soviet Russia for almost 3½ years in a struggle against a numerically superior force.

The Ukrainian nation was unjustly stripped of its sovereignty, but the spirit of its citizens survived political subjugation. Durng the Second World War, the Ukrainian people organized an active resistance movement, the Ukrainian Partisan Army, which fought against both Hitler's and Stalin's regimes. Ukrainians were punished harshly for such acts of patriotism, and this persecution continues today with the repression of Ukrainian youth and intellectuals. The strength of the Ukrainian spirit has rendered these measures ineffective, and Ukrainian culture remains alive because the Ukrainian nation is steadfast in its resistance to totalitarian Soviet force.

In recent weeks, Soviet oppression has

again been evidenced in the harsh sentences announced for the alleged hijackers in Leningrad and Soviet insensitivity to the outcries of Polish workers against economic hardships. These injustices further demonstrate Soviet Russia's ongoing policy of ruthlessly denying basic human freedoms to those under the yoke of Moscow.

Americans of Ukrainian ancestry can take comfort in the example set by the Ukrainian people in their resistance to Soviet domination. Although a captive nation, Ukraine can rightfully be proud of the dauntless spirit and courage of its people in the face of vicious overlords. May the unswerving resolve of Ukrainians be an inspiration to us all. I share in their hope that they may regain the freedom and independence they so manifestly deserve.

Mr. YATRON. Mr. Speaker, I am grateful for this opportunity to observe the 53d anniversary of Ukrainian independence.

On January 22, 1918, a national council at Kiev declared the Ukraine a free and sovereign republic. Although this great dream was soon transformed into a nightmare of Russian domination, no amount of military force or political repression could destroy their vision of independence.

Many Ukrainians fled their homeland to escape tyranny, but each carried with him a strong sense of nationalism and an unswerving commitment to freedom. Despite five decades of Soviet oppression, the idea of self-determination has endured and flourished.

It is a privilege to be able to join my colleagues, my countrymen and freedom-loving people throughout the world in commemorating the 53d anniversary of Ukrainian independence. Let us never forget the sacrifices these patriots have made for the cause of freedom. And let us always remember the ancient precept that so long as some men are enslaved, none of us are truly free.

Mr. GIAIMO. Mr. Speaker, 53 years ago, the Ukrainian people declared their freedom and independence. Today, we commemorate the anniversary of this proclamation with a mixture of sadness and hope.

It is a time for sadness, Mr. Speaker. The flame of independence has not burned in the Ukraine for half a century. A brave nation has been thrust into darkness, and only a few of her people have ever seen the light of freedom. To historians, 50 years is but a fleeting moment; to those without freedom, it is an eternity.

Yet, Mr. Speaker, we must not doubt for a moment that the desire for freedom still burns in Ukrainian hearts. We need look no further for our inspiration than the deeply meaningful words of Ukrainian poet Taras Shevchenko in "My Legacy":

When I shall die, pray let my bones
  High on a mound remain
Amid the Steppeland's vast expanse
  In my belov'd Ukraine;
That I may gaze on mighty fields,
  On Dnieper and his shore,
And echoed by his craggy banks
  May hear the Great One roar.
When from Ukraine that stream shall bear
  Over the sea's blue sills
Our foemen's blood, at last shall I
  Forsake the fields and hills
And soar up to commune with God
  In His eternal hall,
But till that Day of Liberty—
  I know no God at all.

Thus, this solemn occasion must also be a time of hope and renewed dedication. Those of us who have our freedom must continue to hold the torch for those who do not. The brief moment of Ukrainian independence 53 years ago must serve as a beacon for the future, not a reminder of the cruel past.

As the brave Ukrainian people continue their quest for freedom, we must remain always at their side. That is the purpose of today's observance—to let them know that we are with them. In the name of freedom, in the name of humanity, we can do no less.

Mr. DINGELL. Mr. Speaker, the Ukraine is the largest Slavic country in Eastern Europe, and it has the second largest Slavic ethnic group in the huge land mass extending from Eastern Europe to the Pacific Ocean. The Ukrainians number close to 50,000,000 today, but these dauntless fighters for freedom have not been successful in staving off fatal threats to their national existence. That is why, since the middle of the 17th century, they have been compelled to endure the oppressive yoke of czarist Russia, and then the even more oppressive yoke of Communist Russia. But there was a short and happy interlude of about 2 years, in 1918–20, when they seemed masters of their own fate and captains of their national soul.

As the result of the Russian Revolution and the defeat of imperial Austria in the First World War, the autocratic forces which had been holding down the Ukrainians were overthrown, and so the Ukrainians had the golden opportunity of asserting their freedom. On January 22, 1918, they proclaimed their independence. Then the democratic government instituted in the new Ukrainian National Republic did its utmost to cope with the new state's multiple problems, but it had neither the manpower nor the resources to cope with these effectively. In the meantime the Ukraine's inveterate foes, now in Communist garb, were preparing for the kill. Before the Ukrainian National Republic could master sufficient force with which to stave off impending threats to its existence, the country was attacked by the Red Army in the fall of 1920 and overrun. In late November of that year it became part of the Soviet Union. Thus ended the brief 2-year period of independent existence for the Ukrainian people.

Since those fateful days of 1920 the whole world has been radically transformed in many respects, but unfortunately the Communist yoke imposed upon the Ukrainian people by the men in the Kremlin has not changed. The Communist Russians are more masters of the Ukraine today, and more firmly entrenched there, than they were in the 1920's. On the 53d anniversary of Ukrainian Independence Day we pray for the elimination of Communist tyranny in Ukraine, and for the eventual freedom of the Ukrainian people.

Mr. PEYSER. Mr. Speaker, January 22, 1971, marks the 53d anniversary of Ukrainian independence, a day on which we honor the valiant Ukrainian people. They are a people who have struggled to maintain their national integrity for hundreds of years, and even now, under conditions which call for the utmost courage and faith, they persist in their fight.

This persistence is inspired by the ever-fresh memory of an independent Ukrainian state. That independence goes back to the Middle Ages, before the Ukrainians were subjected to the domination first of the Poles, and then of the Russians. Over the long centuries of subjugation, Ukrainians never lost that dream of independence, and never bowed to the yoke of oppression. Their fondest hopes were realized when, on January 22, 1918, an independent National Ukrainian Republic was proclaimed.

These hopes were soon to be dashed. The new Soviet Union, which at first recognized the Ukraine, turned on the fledgling state as soon as it felt strong enough to do so, and reconquered it. A Communist tyranny more grinding than even that of the czars, settled over this unhappy land. Many Ukrainians made their escape to more hospitable climes, but they never abandoned their love for their homeland, and their burning desire to see it free. Even today within the Ukraine itself, there are patriots who work for that freedom, and who know the significance of January 22, although they cannot celebrate it openly.

For us, in this free country, there is a particular signifiance on this anniversary. It reminds us forcefully that there are people in this world who cherish freedom, just as we do, and who do not cease to struggle for it under the most adverse conditions. It reminds us that the United States has always been the champion of freedom and self-determination. The Soviet Union, on the other hand, professes to believe in wars of national liberation, but refuses to liberate its own subject nationalities. I would hope there is an object lesson in this which is not lost on the newly independent countries of the world. I would further hope that our country can draw increased devotion to the spirit of freedom from the eloquent example furnished by the Ukrainian people, which is symbolized in their independence day.

Mr. DELANEY. Mr. Speaker, I am glad to join my colleagues today in paying tribute to the great Ukrainian people.

On January 22, 1918—53 years ago—these valiant and proud people declared the independence of their native land, and freed themselves from the bondage of their Russian masters.

Tragically, their period of independence was short-lived. After 3½ years of fighting, their ferocious and heroic efforts were overwhelmed by the massive and brutal onslaught of their Communist attackers. Tragically, the noble people of the Ukraine were brought under the domination and tyranny of the Soviet Socialist Republic.

Persecution, oppression, and banish-

ment followed. But despite their suffering and tragedy, the great Ukrainian people have not lost sight of their driving dream of freedom.

It is my hope that the freedom and liberty we enjoy in the United States will become a way of life for the Ukrainian people, and all others who exist in lands now controlled by Communist oppressors.

Mr. ZABLOCKI. Mr. Speaker, it is a pleasure and an honor to join my esteemed colleagues, the Honorable DANIEL J. FLOOD and the Honorable EDWARD J. DERWINSKI, in commemorating the 53d anniversary observance of the independence of the Ukraine.

Although this freedom was short, its memory lingered in the hearts of the Ukrainians; and, as we celebrate this historic date, so too, it is celebrated in the hearts of the Ukrainian people everywhere. Obviously, when the principle of individual freedom is tasted, it is a craving not easily forgotten because of involuntary abstinence.

The Soviet policy of imperial colonialism has been repeatedly in evidence in Eastern Europe and around the globe. This denial of the rights to self-determination and personal liberty is not merely historical data. Just recently the scandalous extradition of the Lithuanian sailor, Simas Kudirka, the sentencing of the Jewish hijackers, Russian anti-Semitism, the plight of the rioting Polish workers and the systematic Russian penetration in the Mideast and Latin America have again demonstrated to us what the people of the Ukraine have been suffering for 53 years.

Yet, there is no doubt in my mind that increased contact with the countries behind the Iron Curtain has been largely responsible for the growing assertion of dissatisfaction with their Communist oppressors and liberalization movements in such countries as Poland, Czechoslovakia, Yugoslavia, and the Ukraine. The desire for freedom remains strong and vibrant in these captive peoples.

Ukrainians still hold firm to the vision of their homeland as an independent nation, at will to chart its own national course. It is encouraged, I believe, by the American ideal which underlies the foundation of this country: the idea of the dignity and worth of the individual man. It is this alternative—that of free voices raised with truth to combat, in some measure, the injustice and totalitarianism of Soviet Russia—to which the people of the Ukraine turn. It is, therefore, Mr. Speaker, our duty to communicate this idea to people everywhere.

To accomplish this, the channels of dialog already open must be expanded and new ones must be found and nurtured. The ultimate result would be greater freedom for the people of the Ukraine and other captive nationalities in Eastern Europe. It is to this goal that we must sincerely rededicate ourselves upon this anniversary of Ukrainian independence.

Mr. RODINO. Mr. Speaker, today marks the 53d anniversary of Ukrainian Independence Day. On this occasion I wish to reaffirm my support for a permanent and just solution to the plight of the Ukrainian people who have been denied the basic human rights of freedom and self-determination.

Those who are the custodians of democratic institutions have a sombre responsibility to those who have been repressed—to restore human dignity and spirit through the expansion of free thought and the continued search for social and human justice for all men.

I join in commemorating the just, but shortlived, freedom of the Ukrainian people.

Mr. LINK. Mr. Speaker, today is the day set aside by the House for the observance of the 53d anniversary since the Proclamation of Independence of the Ukrainian National Republic and the 52d anniversary of the Act of Union, whereby all Ukrainian territory was united into one independent and sovereign state of Ukraine. The Independence of Ukraine was proclaimed in Kiev, the capital of Ukraine, on January 22, 1918, and the Act of Union took place 1 year later.

The Ukrainian National Republic was recognized by foreign governments including Soviet Russia. Shortly after this recognition Russia began a large scale invasion of Ukraine. For 3½ years the Ukrainian people waged a gallant struggle in defense of their country but it was subdued to a puppet regime of the Soviet Socialist Republic.

The freedom-loving people of Ukraine have not accepted the Soviet-Russian domination and have since been fighting to regain their independence by all means accessible to them. During the Second World War the Ukrainian people organized a powerful underground resistance movement known as the Ukrainian Partisan Army—UPA—which fought not only against the Soviets but the Nazi regime as well.

The present Kremlin leadership continues to persecute Ukranian intellectuals, professors, poets, writers, scientists, and commentators. The international press has been providing a vast amount of documentation on the suppression of the Ukrainian culture.

Available evidence from Western observers shows that the ever-increasing tempo of repression has failed to intimidate the Ukrainian people.

Both the U.S. Congress and the President have expressed their concern over captive non-Russian nations in the U.S.S.R. by enacting the "Captive Nations Week Resolution" in July 1959.

On behalf of the approximately 25,000 Americans of Ukrainian descent now living in North Dakota, I insert a proclamation of "Ukrainian Independence Day" issued by North Dakota Gov. William L. Guy in the RECORD at this point:

PROCLAMATION

Whereas, on January 22, 1971, Ukrainians in North Dakota and throughout the free world will solemnly observe the 53rd anniversary of the proclamation of a free Ukrainian state, and

Whereas, after a defensive war lasting 4 years, the Ukrainian state was destroyed in 1920 and a puppet regime of the Ukrainian Soviet Socialist Republic was installed, later becoming a member state of the Soviet Union, and

Whereas, the once free Ukraine is now no more than a colony of Communist Russia and its vast human and economic resources are being exploited for the purpose of spreading communism, and

Whereas, the United States Congress and the President of the United States of America have recognized the legitimate right of the Ukrainian people to freedom and national independence by respectively enacting and signing the Captive Nations Week Resolutions in July, 1959, which enumerated Ukraine as one of the captive nations enslaved and dominated by Communist Russia, and

Whereas, some 25,000 Americans of Ukrainian descent now living in North Dakota have made significant contributions to both state and nation.

Now, therefore, I, William L. Guy, Governor of the State of North Dakota, do hereby proclaim Friday, January 22, 1971, as "Ukrainian Independence Day" in North Dakota and urge all citizens to demonstrate their sympathy with an understanding of the aspirations of the Ukrainian nation to again achieve its rightful inheritance of freedom and independence.

In witness whereof, I have set my hand and caused the Seal of the Great State of North Dakota to be affixed this 13th day of January, 1971.

WILLIAM L. GUY,
Governor.

Attest:

BEN MIER,
Secretary of State.

Mr. DERWINSKI. Mr. Speaker, I am honored to join the distinguished gentleman from Pennsylvania (Mr. FLOOD) in commemorating today the 53d anniversary of the Ukrainian independence.

Today, while we are preoccupied with Communist aggression in Southeast Asia and the Middle East, we pause to remember the fate of another people—who also struggled, who lost, but who have not given up hope. January 22 was the 53d anniversary of Ukrainian independence, an independence proclaimed in 1918, only to be lost again in 1920.

The people of the Ukraine suffered as a divided nation under the role of Russian czars for over 300 years. When the czarist regime crumbled during 1917, the long-awaited opportunity for independence came. A group of Ukrainian patriots declared their intention to seek independence in December 1917, and declared it achieved on January 22, 1918. The newly independent Ukraine was a war-torn country and the preservation of independence was to prove impossible. The Red army invaded the Ukraine in the spring of 1920. In 1923, the Ukraine was forcibly made a constituent republic of the Soviet Union, making the Ukrainians among the first victims of a new imperialism, through which the Soviet Union has now become the world's greatest colonial power.

The Ukraine experienced no respite during World War II. Its land again became a battlefield for the contending forces of East and West. The Soviets withdrew only to be replaced by other cruel masters—the Nazis. Following World War II, Soviet authority was reasserted, and tightened. Cruelest of ironies, the Ukrainians, on Soviet insistence, were given a delegation to the United Nations. But this delegation is a sham. The facade of independence cannot disguise the ugly fact of subservience.

With a population of more than 45 million, the Ukraine has a territory which exceeds in area that of several Western European nations combined. Rich in human and material resources, the Ukraine's history and culture are more than a thousand years old. In an era which has seen the rise of many new nations, some of them throwing off colonial bonds after long periods of subjugation, is it not a singular injustice that the Ukrainians, along with their neighbors in Eastern Europe, continue to be subject to exploitation by the worst colonial system of modern times?

Today, Mr. Speaker, our attention is riveted to Soviet manipulations in the Middle East and continuing Communist military activity in Laos, Cambodia, and South Vietnam. Directing public attention to the people of the Ukraine and other victims of Communist aggression is an extremely proper reminder for us.

I am very pleased to note the interest of the Members of the House in today's commemorative events since it signifies the growing awareness of true conditions within the Soviet Union and further recognizes that the dictators in the Kremlin, for that matter, cannot be peaceful law-abiding statesmen due to the fundamental falsehood of the Communist philosophy.

GENERAL LEAVE

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject matter of this special order.

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

There was no objection.

THE PENN CENTRAL RAILROAD

The SPEAKER. Under a previous order of the House, the gentleman from Washington (Mr. ADAMS) is recognized for 1 hour.

GENERAL LEAVE

Mr. ADAMS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the subject matter of this special order.

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

There was no objection.

Mr. ADAMS. Mr. Speaker, last December it was necessary to bring to the floor of the House a bill designed to keep the Penn Central Transportation Co. operating so that railroad service would not collapse in the northeast section of the United States in January of 1971. In my remarks to the House at that time, I indicated that the bill being considered was an interim emergency program and the Congress would have to consider again in the 92d Congress the whole matter of the financial collapse of the United States largest railroad.

I have taken this time today to report to the membership of the House the present situation regarding the Penn Central Railroad and to remind the Members that the problems of the Penn Central have not been solved and that further action will undoubtedly be necessary this year in order to maintain railroad service in the georgaphic area of the triangle measured by Chicago, Boston, and Washington, D.C.

As you are aware, the Penn Central Transportation Co., which is the railroad operating portion of the Penn Central Co., is under a section 77 reorganization before the Federal court in Philadelphia. The trustees for the court testified to the Interstate and Foreign Commerce Committee in December that they would be unable to continue operating through the month of January unless they received some form of financial relief because the day-to-day operating cash of the company would be exhausted during January 1971.

The enactment of Public Law 91–663, the Emergency Rail Services Act of 1970, made available a Government guarantee for trustees' certificates concerning railroads that were undergoing reorganization. The predictions of the trustees regarding the financial crisis proved to be true, and pursuant to Public Law 91–663 the trustees requested the Secretary of Transportation to guarantee $100 million worth of trustees' certificates. I have discussed this matter with the Secretary of Transportation and with the trustees. The establishment of this guarantee has been completed and on January 26, 1971, the trustees drew down the first $15 million made available by these trustees' certificates in order to pay obligations due during the month of January.

The trustees have also indicated to me that on February 2 they will be required to draw down an additional amount for the payment of the retroactive wage award. By March 1 they will have drawn down $68 million to pay current operating costs and to complete payment of the retroactive pay award. They have further indicated to me that during the months of March and April they will be required to draw down the remaining amount of the $100 million trustees' certificate fund.

I have inquired as to the form of these certificates and I wish to report to the Members that these certificates are being sold through a syndicate by Merrill Lynch, Pierce, Fenner, and Smith and a number of other brokers and investment bankers and they will be sold to corporate investors and others in the form of trustee notes; $50 million of these notes are in the form of 5-year certificates bearing interest at 6.125 percent. The remaining half of the certificates are in the form of 15-year certificates bearing interest at the rate of 7.05 percent.

The trustees also report to me that they have attempted to sell assets of the corporation but this has proved to be very difficult because of the claims of creditors on the nonoperating assets of the company. These creditors have threatened litigation if any of the assets are sold and the values are uncertain.

For example, the trustees have attempted to sell the Great Southwest Co., a subsidiary of the Pennsylvania Co. As reported in the public press last week it was found that the assets in this company had been considerably overvalued and the prospective purchaser decided not to purchase the property.

There also exists the threat of the creditors of the Great Southwest Co. to stop any sale that threatens their security. The Buckeye Pipeline Co. and Arvida Corp. are other nonrailroad subsidiaries that could be sold. The creditors of these corporations say these assets should not be sold if that were to endanger the structure of the subsidiary company. These corporations are also subsidiaries of the Pennsylvania Co., which is in turn a subsidiary of the Penn Central Transportation Co. The creditors of the Pennsylvania Co. have threatened litigation if there is any attempt to sell off the stock of its subsidiaries such as Arvida or Buckeye Pipeline and any proceeds are used for any purpose other than protecting the creditors' rights and assets of the Pennsylvania Co.

A third difficulty is that the stock of the Pennsylvania Co. subsidiary is pledged for an amount in excess of $300 million and the creditors who have this stock as a pledge have threatened litigation if any funds from the sale of assets are taken from the Pennsylvania Co. into the Penn Central Transportation Co., which might jeopardize the value of the Pennsylvania Co. stock.

I mention these hurdles to demonstrate the difficulty in selling the assets of the Penn Central complex and realizing a substantial cash flow into the railroad operations in the immediate future. As the Members are aware, the problem of the Penn Central Transportation Co. during the next 6 months will be to maintain a sufficient operating cash flow to pay the wages of the men and the day-to-day operating expenses. This is why legislation guaranteeing trustees certificates was necessary in December and is the reason why the Congress will probably be faced with a collapse of service in the area served by the Penn Central during the middle of this year.

I have available in my office the most recent income statement of Penn Central Transportation Co. which was given to the trustees and filed by the trustees, which gives a comparison for the months of November 1969 and November 1970. I have not included this in the record because the Interstate Commerce Commission is completing an investigation of the accuracy of these figures and the propriety of certain accounting methods which have been used in the past by this company. I would be most happy to make these figures available to any Member who wishes to examine them, but I do not wish to place them in the record at this time because I am not certain that they provide an accurate picture of the cash position of this company. I can say, however, with some accuracy that a large day-to-day operating loss is continuing.

I am not recommending at this time any particular solution, but instead I am making this report to the membership of the House so they may suggest whatever solutions they may deem appropriate. In the debate on the certificate

guarantee bill—Public Law 91-663—in December, many Members criticized the bill and suggested that this was not the manner in which to approach the imminent collapse of the Penn Central. No one, however, had a specific solution to offer as to what should be done. I earnestly hope that the Members who are interested in developing a solution to this problem will do so immediately and make those of us on the Interstate and Foreign Commerce Committee who must deal with this matter aware of their suggestions.

I know that Chairman STAGGERS of the Interstate and Foreign Commerce Committee is aware of this problem. It will undoubtedly be necessary to hold further hearings on this matter later in the spring. We hope to have the Members' suggestions prior to that time.

I would simply like to sound a note of caution to those who believe that an easy solution is to simply nationalize this railroad and have it operated by the U.S. Government. The Supreme Court decided in the case involving the New Haven Railroad that a condemnation or other seizure by the Government of the operating properties of that railroad would require a payment of just compensation to all the owners and creditors of that railroad. Thus it was required that millions of dollars be paid for the New Haven Railroad properties even though the New Haven Railroad was in bankruptcy and had operated at a loss for many years.

Regardless of the accuracy of the balance sheet of the Penn Central Transportation Co., it can be assumed that the total book value of the assets and shareholders' equity of the Penn Central Transportation Co. is probably in excess of $4 billion. The most recent balance sheet for November 30, 1970, lists total liabilities and shareholders' equity at $4,653,652,191. There is great danger, therefore, if the Government were to simply condemn or nationalize the Penn Central Transportation Co. that the taxpayers would be required to pay several billion dollars for this property even though it is in reorganization and is sustaining a continuing operating loss. Any solution, in my opinion, should not require the taxpayers of the United States to pay this kind of money to insure the continued operation of the Penn Central Transportation Co.

I would point out that no single railroad entity or combination of railroads in the United States is capable of buying the Penn Central Railroad from the trustees. I know of no combination of financial interests in the private sector which has expressed any interest in buying out and thereafter operating the Penn Central Railroad. Its sheer size and complexity probably means that the Federal Government must be involved in some fashion in continuing railroad service unless some miracle occurs. I might suggest that it may be that a public corporation involving both the industry and the Federal Government will have to be considered as a means for operating this system while the assets that are not essential to maintaining railroad service are liquidated. This could take the form of a Comsat-type corporation or another type of semipublic corporation which would combine the operating experience of the Nation's railroads with the financial resources of the Federal Government. I do not in any way propose this as the solution to the problem, but offer it as a possible alternative to either outright nationalization or the chaos of collapse with operations being continued through a Federal department such as the Department of Defense or Department of Transportation for the movement of essential goods.

In conclusion, my sole interest in this matter is to maintain railroad service for the public in the Northeast and Midwestern sections of the United States. I think the solution will be a very difficult and complex legislative matter and I hope that all of my colleagues will be considering alternative solutions and will give to those of us on the committee the benefit of their thinking as to how we should proceed.

Mr. COUGHLIN. Mr. Speaker, in the near future, Congress will have to decide what must be done to help the Penn Central Transportation Co. out of its financial and spiritual morass.

Most important to me and my constituents is Penn Central's mass transit operations. The behavior of the Penn-Central in this regard has been, at least as long as I have been a commuter, inexcusable. For years, I, and thousands of other commuters like me, have been subjected to—among other things—the indignities of late trains, "annulled" trains, dirty trains, unsafe trains, heated trains in summer, unheated trains in winter, misleading information, wrong information, no information, unanswered phones, deteriorating facilities, and archaic ticketing systems. This is nothing new; these conditions are obvious to anyone using Penn Central commuter facilities. It is also clear that many of these inconveniences were deliberately allowed to occur by the Penn Central in order to convince the ICC that these services should be dropped.

Over the years, the human cost, in terms of missed appointments and frazzled nerves, has been heavy; the economic cost, in terms of business lost, is incalculable.

This deplorable situation cannot be allowed to continue, and it would be inconceivable to allow this passenger service to be discontinued or to deteriorate further.

I realize that the Penn Central cannot solve the mass transit problem along its rights-of-way by itself. It will take a heavy joint effort by the Penn Central and the Federal and State and local governments. It has been stated that more money is spent in 6 weeks on highways than on mass transit in the last 6 years. This represents a ratio of 37 to 1. In 1969, $5 billion was spent on highways and only $200 million on urban public transportation. The figures for 1970 are a slight improvement but they still indicate that Government, which historically has assumed responsibility for all basic intercommunity transportation, must devote a greater share of its resources to solving this problem.

Significant contributions must be made in the years ahead by labor and management, the Department of Transportation, the ICC, various State utility commissions, regional transportation authorities such as SEPTA, the Penn Central itself, and the general public.

I also believe that the ultimate solution to the problems of commuter railroads requires a permanent source of financing. One of the many possible methods is indirect financing such as is now in operation on the Philadelphia-suburban New Jersey Lindenwold Line, which is essentially underwritten by the Philadelphia Port Authority and its bridge tolls.

But whatever Congress decides to do to help the Penn Central, we must not fail to come away from our deliberations without some clear plan of action to expand and upgrade the quality of all our mass transit systems around the country, including those systems along the Penn Central right-of-way, and regardless whether or not it is decided that Penn Central should or should not run those mass transit systems for which it is currently responsible.

With the imminent establishment on May 1 of the National Railway Passenger Corporation—RAILPAX, designed to salvage our long-haul passenger service, we must now turn our full attention toward both saving and improving our national medium and short-haul passenger services.

Mr. PEYSER. Mr. Speaker, in an age of manned space travel, the conditions to which we subject our commuters who ride the Penn Central to work daily are unforgivable. The poor passenger service on the Penn Central has made the suburbs like Siberia.

While the Penn Central asks for the fare increases, stories of 1- and 2-hour delays in service are commonplace. How can fare increases be justified unless the railroad can demonstrate some improvement in service.

The men and women who ride the Penn Central to work every day have become fed up with the constant stream of excuses which they receive for a lack of civilized treatment. A passenger rebellion is now brewing. The paying passengers of the Penn Central are asking the railroad for an end to the slow torture that they are now confronted with. They have been patient for long enough. As one who has ridden the railroad for 20 years, I understand their plight.

As the fare has constantly risen the service has degenerated. Passengers are treated like cattle. There are late trains, stalled trains, jam-packed trains and no trains; broken rails, burning rails and loose rails.

Safety precautions are all but forgotten. The lack of fire extinguishers and first aid kits is appalling.

The situation has regressed to a point that many commuters can no longer make morning appointments in New York City because the arrival time for trains has become so undependable. Dinners grow cold at night and parents no longer see their children because of the constant late arrival of trains.

Mr. Speaker, the plight of Penn Central's commuter should be declared a dis-

aster. The New York State Public Service Commission should not grant the Penn Central further rate increases until such time as they can demonstrate a sufficient improvement in passenger service and safety to justify such increases.

To illustrate the plight of these abused commuters I would like to call the attention of my colleagues to the following newspaper articles:

[From the New York Times, July 4, 1970]

FIRE HALTS TRAINS UNDER PARK AVENUE—PENN CENTRAL COMMUTERS EVACUATED NEAR 72D STREET

(By Grace Lichtenstein)

Three city-bound Penn Central commuter trains had to be evacuated in the tunnel under Park Avenue near 72d Street last night after they were trapped because of a smoky third-rail fire. No one was injured.

A spokesman for the railroad said it could not determine how many passengers had been evacuated.

A spokesman for the Fire Department later charged that there had been a long delay in putting out the fire because no one could tell where the train or the fire were located inside the tunnel.

No Penn Central commuter trains are equipped with radios, according to a spokesman for the company, so that once a train enters the tunnel at 96th Street there is a communication blackout until it appears at Grand Central Terminal.

Thousands of commuters, both inbound and outbound, were delayed by the fire, the third involving the Penn Central in the last week.

Power on the line's two inbound tracks was shut off shortly after 7 P.M. It was restored on one track at 8:24 P.M. but remained out on the other. The line hoped to complete repairs on the damaged track in time for the morning rush hour, the railroad spokesman said.

RADIO EQUIPMENT URGED

"We feel each train should be radio-equipped in this day and age to eliminate any panic conditions," Deputy Fire Chief Christopher Matkovic declared.

A spokesman for the railroad conceded that the trains probably were without radios. "We don't have proper communications right now," he said. "We admit our communications lack something."

The railroad "contemplates" installing radios in all its trains when the Metropolitan Transportation Authority takes over operations, he added.

The railroad said it could not find out until morning which three trains had been evacuated or how many passengers had been involved. "Our dispatchers are too busy," explained the spokesman.

At 9 P.M., the railroad reported delays of 20 minutes on all divisions. However, commuters reported trains arriving in the city up to an hour and a half behind schedule.

One passenger who was on the 6:43 to Croton-on-Hudson when the fire occurred said flames had licked the side of his train as it moved past the blaze inside the tunnel. A few people screamed, he said, but a conductor came through and calmed them down. The passengers who were evacuted walked a short distance along the tracks to an exit at 72d Street.

CONFUSION ON FIRES START

There was some confusion as to how the fire started. The railroad said it assumed that the 5:15 train from Brewster, which came into Grand Central minus a third rail shoe, had started it.

However, some fire officials at the scene said the cause was a rubbish fire in the tunnel that spread to the third rail.

The fire alarm was received at 6:51 P.M., fire officials said, but firemen were unable to locate the blaze in the tunnel until 7:28 P.M.

The Penn Central has suffered four crippling mishaps in the last three weeks. A week ago Monday, 25,000 commuters were delayed during the morning rush hour by a fire in the Park Avenue tunnel, which also started on the third rail.

The next evening, a blaze broke out on a Harlem Division train near the Fordham station in the Bronx.

On July 13, a major fire on the Harlem River drawbridge snarled Penn Central commuter service for two hours during the morning rush hour.

[From the New York Times, Wednesday, Sept. 9, 1970]

6,000 COMMUTERS ARE DELAYED BY PENN CENTRAL FIRE

(By Nancy Moran)

The sixth major fire in two months delayed 6,000 Penn Central commuters from Westchester and Connecticut for up to 73 minutes during the morning rush hours yesterday.

Several hundred passengers ran coughing and gagging out of a burning train just north of the Melrose station, at 162d Street and Park Avenue in the Bronx. The fire was caused by a short-circuit in the undercarriage of the train's first car. North and south of the station, 28 trains stood still.

No one was injured, but dozens of passengers on the 8:30 A.M. train from Fleetwood said they had been badly frightened by thick smoke and shooting sparks. Witnesses said that many tried to escape by smashing windows.

"The passengers panicked and started hitting the windows—they broke about four—and tried to jump out, said Junior Cruz, who helped lead people from the burning trains. Mr. Cruz, works at Century Iron Works, ran across the street to the railroad tracks when he heard an explosion shortly before 9 A.M.

"There was a lot of noise and smoke. The ladies cried, 'Oh, my God,' and wept and the men ran out of the car as fast as they could. I told everyone to keep calm, that it was only a short-circuit, and then they quieted down," Mr. Cruz said.

Firemen arrived on the scene at 9:02 A.M. and ordered all power on the line to be shut off so they could extinguish the blaze. Power was shut off between 150th and 200th Streets in the Bronx, causing trains on the Harlem and New Haven division to slow down or stop moving. Service on the Hudson division was not affected.

A spokesman for the Penn Central said the short-circuit was caused by a metal object that popped up under the train, causing the metal third rail shoebeam to short-circuit.

The shoebeam encases the cables that carry power from the third rail to the car's motor. The short-circuit started a fire in the cables' insulation that spread instantly to the rest of the undercarriage.

The fire was extinguished by 9:30 A.M. and power restored before 10 A.M. Service was back to normal by noontime, according to the railroad.

Asked to comment on why there had been five fires in two months on the line, William McLaughlin, the spokesman said:

"Most of the fires have been short-circuits or trash fires. I attribute them to bad luck and a dry summer, not defective equipment."

More than 25,000 commuters were delayed up to three hours on July 13 and more were delayed on July 27 by fires on the tracks. Fires caused shorter delays on July 21, July 28 and Aug. 3.

Yesterday, while the power was off, hundreds of commuters on trains stalled north of the Melrose station swarmed over the tracks, searching for a way to the street 20 feet above them. A railroad foreman, who asked that his name not be used, said "people were running all over the tracks like chickens."

"The conductors didn't seem to know what was going on, so most of us got off the train walked into the station and hiked to the subway," said Thomas Klippstein, a welfare caseworker who was on the 8:30 A.M. train from North White Plains. His train was stalled directly behind the disabled train.

"The delay annoyed the hell out of me—I'm not a regular commuter—but other passengers seemed to take it in stride," he said. "I guess you get used to shoddy treatment."

[From the New York Times, Nov. 4, 1970]

COMMUTERS DELAYED IN 4-TRAIN TIE-UP OVER LOSS OF A SHOE

Four Penn Central commuter trains from Westchester County and Connecticut were stalled in the Park Avenue tunnel yesterday morning for three and a half hours after one of the trains lost a third-rail contact shoe.

Hundreds of riders from the halted trains were led out of the tunnel shortly after the mishap. However, 200 commuters who had been given the choice of leaving their trains or waiting in them until repairs were made chose the latter course. They arrived at Grand Central Terminal shortly before noon.

The trouble occurred at about 8:25 A.M., when the 7:57 from Fleetwood on the Harlem Division lost the contact shoe and tore up about 200 feet of third rail. The train halted at 72d Street. Three other trains on the same track, the 6:19 from New Haven, the 7:52 from New Rochelle and the 7:55 from Crestwood, had to stop behind the first train.

A third-rail flash fire, apparently not connected with the train delay, developed at about 8:30 A.M. near 96th Street and Park Avenue, just outside the tunnel. It was quickly put out by city firemen.

[From the New York Times, Nov. 26, 1971]

1,000 EVACUATED IN PENN CENTRAL FIRE

(By Robert Lindsey)

A fire in a locomotive on the Penn Central tracks under Park Avenue at 72d Street halted all service in and out of Grand Central Terminal for an hour last night.

The fire broke out in one of two locomotives pulling the Penn Central's 5:09 from Grand Central to Stamford, Conn., delaying the commuters and holiday travelers aboard the train for two hours.

About 1,000 passengers on the 5:09 and the 5:13 to Rye, N.Y., which was halted in the tunnel behind it, were evacuated through an emergency exit in the tunnel at Park Avenue and 59th Street.

Several thousand more passengers, according to police estimates, were left stranded in Grand Central by the fire. No passengers were injured, but half a dozen Penn Central employes were treated for smoke inhalation.

Power in the tunnel was shut off while firemen worked on the blaze. It was restored at about 7:40 P.M. on several tracks. A passenger on the 5:49 train on the Harlem Division said the train sat at the platform in Grand Central for 45 minutes, then moved slowly through the smoke-filled tunnel.

EVACUATION GOES SMOOTHLY

Passengers on the two trains halted in the tunnel by the blaze said the evacuation went smoothly. Brian Ford, an electrical engineer from Rye, who was on the second train, said that a little smoke drifted through the cars and that firemen then came through the train telling everyone to get off.

Passengers on both trains said one reason panic was averted was that they could hear all the plans for evacuation over a recently installed public address system.

Some passengers grumbled about the delay when they emerged from the tunnel at 59th Street, but most were in good humor. Some passengers on the second train said they had been told that another engine would pull their train out.

After power was restored, the two empty trains and another behind them that had not been evacuated were towed back to Grand Central. The police patrolled the tunnel after the evacuation to make certain that all passengers had been removed.

The evening delay was one of several that plagued rail commuters on both sides of the Hudson River yesterday as thousands of New Yorkers prepared for the Thanksgiving weekend.

The Penn Central said more than 26,000 New Jersey commuters had arrived up to an hour late at Pennsylvania Station because of a derailment and sabotage to the railroad's switching system by a man who broke into a railroad substation. The police said the intruder had contended that "Mr. Thompson" had pulled the switches "to get heat and light."

Meanwhile, many of the 69,000 commuters on the Penn Central's New Haven, Harlem and Hudson Divisions arrived in New York City up to 30 minutes late, and in a few cases even longer, because two trains broke down and blocked the tunnel leading to Grand Central Terminal.

THINGS BETTER ON L.I.R.

On the Long Island Railroad, things were comparatively better.

A spokesman for the line said it experienced no serious difficulties except for the cancellation of the 7:23 A.M. train from Long Beach to Penn Station because of mechanical problems. In New Jersey, problems began Tuesday night, when several cars of a Jersey Central freight derailed at Hazlett on the Long Branch line between Bayhead Junction and Woodbridge. The line is used both by the Jersey Central and the Penn Central.

Although one of the two tracks blocked by the derailed cars was cleared at 5:30 A.M., traffic moved slowly, and riders bound for New York and Newark were delayed for as long as an hour.

At 6:25 A.M., troubles hit the Penn Central's main line. The railroad said electric power to its switches and signals was suddenly lost on a 17-mile stretch between Metuchen, N.J., and a point north of Newark.

The railroad investigated and discovered that levers controlling the flow of power had been switched off in an unattended substation at North Elizabeth. Railroad guards said they went to the substation and arrested Edward M. Zemaitis, 23, of Newark, who they said had apparently gained access to the locked facility through a window. The railroad said it was reviewing security procedures to prevent recurrence of the breakdown.

POWER RESTORED AT 7:38

Although electricity was not shut off to the trains' propulsion systems, loss of power to the switches and signals caused the railroad to impose special safety procedures that sharply slowed up traffic. Power was restored at 7:38 A.M.

On the other side of the Hudson, the Penn Central said the 5:21 A.M. train from New Haven stalled en route to Grand Central because of a broken air hose.

Later, the 6 A.M. train from Stamford, and the 7:17 A.M. train from Tarrytown broke down within a few minutes of each other in the Park Avenue tunnel just north of Grand Central.

The Stamford train arrived 50 minutes late and the Tarrytown train 37 minutes late. Meanwhile other inbound trains had backed most of the rush hour. The problem also caused cancellation of some inbound trains.

[From the Washington Post, June 4, 1970]

PENNSYLVANIA PUBLIC UTILITY COMMISSION DECRIES "FILTH, DECAY": PENN CENTRAL ATTACKED FOR NEGLECT

PHILADELPHIA, June 3 (AP).—Penn Central, the world's biggest privately owned railroad company, was accused by a state official today of operating "filthy" trains that are frequently late and of maintaining "decaying" stations.

Commissioner James McGirr Kelly of the Pennsylvania Public Utility Commission, which is investigating Penn Central's commuter service, said in an interim report to the PUC, that passenger complaints "disclose a pattern of neglect bordering on contempt for the public."

Kelly said that last winter's performance, including wholesale cancellations of trains because of weather, can only be averted if Penn Central spends the summer months repairing equipment.

Kelly said the PUC should make periodic inspections to make sure proper maintenance procedures are followed.

Penn Central and the Reading Railroad receive subsidies from the Southeastern Pennsylvania Transportation Authority to provide increased commuter service at reduced fares. Penn Central has been fined more than $34,000 for service failures, while the Reading has a credit of nearly $8,900 for providing better than minimum service, the PUC said.

Penn Central has said its passenger train business is a losing proposition, that the only thing that can save it is government take over or heavier subsidies.

THE DANIEL AND PHILIP BERRIGAN MATTER

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

Mr. HOGAN. Mr. Speaker, late on the night of December 9, 1970, charges were raised here in this Chamber concerning the testimony of FBI Director J. Edgar Hoover before a Senate subcommittee in which he named Daniel and Philip Berrigan, convicted destroyers of U.S. Selective Service records, as leaders of a group which was plotting to blow up underground electrical conduits and steampipes in Washington and to kidnap a high Government official. Several of my colleagues and I pointed out at the time that it was not Mr. Hoover who made this information public; it was the Senate subcommittee. His testimony had been given in a closed session.

The gentleman from Tennessee (Mr. ANDERSON), who raised those charges, declared Mr. Hoover could "vindicate himself by an apology" if the charges against the Berrigans were false. He also declared that if the charges "are not false or careless, then we have a right to expect the Justice Department to institute Federal grand jury proceedings promptly."

Well, the Justice Department did just that, and a grand jury in Harrisburg, Pa., on January 12, 1971, indicted Philip Berrigan and five others on charges of conspiring to kidnap Presidential adviser Henry A. Kissinger and to blow up a part of Washington's heating system. Daniel Berrigan was named as a coconspirator but not a defendant.

One would think that would be the end of the charges about the case being tried in the press. In fact, Mr. ANDERSON was quoted just after the indictment was announced as declaring, "An open adjudication of the allegations against the Berrigan brothers has been my prime concern from the beginning."

But if one is to believe an Associated Press report from Louisville, Ky., published in the Washington Post of January 25, 1971, Mr. ANDERSON apparently is not satisfied to allow justice to take its course through the courts. This report says Mr. ANDERSON on January 24, 1971, told some 250 churchmen at the general board meeting of the National Council of Churches that the "issue of political repression is inherent" in the prosecution of the Berrigan brothers. He also is quoted as saying political repression was manifest in the brothers' "trial by headlines" when Mr. Hoover detailed the charges prior to the indictment.

I remind the gentleman Mr. Hoover's comments were made in the confines of a closed Senate subcommittee hearing, not at some public gathering like the general board meeting of the National Council of Churches.

If "trial by headlines" is sinister is not "defense by headlines" equally threatening to justice?

Mr. Speaker, I insert at this point the article from the Washington, D.C., Post on January 25, 1971, along with editorials from the Chattanooga News-Free Press of January 13, 1971, and the Phoenix Gazette of January 15, 1971.

[From the Washington Post, Jan. 25, 1971]

OPPRESSION SEEN IN CASE OF TWO PRIESTS

LOUISVILLE, KY.—Rep. William R. Anderson (D-Tenn.) told representatives of the nation's major Protestant Orthodox churches today that the "issue of political repression is inherent" in the prosecution on conspiracy charges of brothers Philip and Daniel Berrigan.

He said the case against the two Roman Catholic priests, "like Jesus and his apostle Paul before them, has caused an awakening of national conscience."

The 250 churchmen at the general board meeting of the National Council of Churches gave him a standing ovation.

The two priests, now in federal prison for destroying draft records, have been charged in a new grand jury indictment with plotting to kidnap presidential aide Henry Kissinger and blow up heating systems in some federal buildings.

Philip Berrigan was named among seven defendants and Daniel Berrigan among six coconspirators not cited as defendants.

Anderson said political repression was manifest in the brothers' "trial by headlines" when FBI director J. Edgar Hoover detailed the charges prior to the indictment.

Anderson is a former Navy hero and critic of the Vietnam war.

[From the Chattanooga (Tenn.) News-Free Press, Jan. 13, 1971]

BERRIGANS, HOOVER, REPRESENTATIVE ANDERSON

With terrorist political kidnapings and hijackings going on throughout the world today, many Americans have fearfully watched for signs that some elements within our country might seize a prominent American and hold him in an effort to gain surrender to their demands.

When he was appearing before a Senate subcommittee on Nov 27, 1970, FBI Director J. Edgar Hoover explained the increased challenges to his agency in these words:

"Willingness to employ any type of terrorist activities is becoming increasingly apparent among extremist elements. One example has recently come to light involving an incipient plot on the part of an anarchist group on the East Coast, the so-called 'East Coast Conspiracy to Save Lives.'

"This is a militant group self-described as being composed of Catholic priests and nuns,

teachers, students, and former students who have manifested opposition to the war in Vietnam by acts of violence against government agencies and private corporations engaged in work relating to U.S. participation in the Vietnam conflict.

"The principal leaders of this group are Philip and Daniel Berrigan, Catholic priests who are currently incarcerated in the Federal Correctional Institution at Danbury, Conn., for their participation in the destruction of Selective Service records in Baltimore, Md., in 1968.

"This group plans to blow up underground electrical conduits and steam pipes serving the Washington, D.C., area in order to disrupt Federal Government operations. The plotters are also concocting a scheme to kidnap a highly placed government official. The name of a White House staff member has been mentioned as a possible victim. If successful, the plotters would demand an end to United States bombing operations in Southeast Asia and the release of all political prisoners as ransom. Intensive investigation is being conducted concerning this matter."

Strangely this serious revelation prompted Rep. Bill Anderson, D-Tenn., to take the floor in the House of Representatives to make an attack on the FBI's Mr. Hoover and an impassioned defense of the jailed Berrigan brothers, who had jumped bail and were locked up only after a lengthy search. Rep. Anderson, who has been charting a peculiar and erratic course from admired naval hero to a leftwinger in his public career, reportedly had read some of the Berrigans' writings and had visited them in prison, becoming very much impressed with them. Therefore, he took their side against J. Edgar Hoover. A challenge was issued that if Mr. Hoover's grave allegation were supported by facts, there should be prosecution of the charges.

Yesterday, the news came out with the serving of papers that a Federal Grand Jury had indicted Philip Berrigan and five others on charges of conspiring to kidnap presidential adviser Henry A. Kissinger and plotting to blow up heating systems of five Washington buildings next Feb. 22. Daniel Berrigan and six others were named as co-conspirators but were not indicted.

Now the stage is set for the defendants to be brought into court on these very serious charges and for a full and fair trial to be given on the evidence.

Rep. Anderson responded to the indictment by asserting, "An open adjudication of the allegation against the Berrigan brothers has been my prime concern from the beginning." Tennesseans should be particularly interested in the partisanship of Rep. Anderson in this case as well as being concerned over possible threats to the safety of governmental officials.

[From the Phoenix Gazette, Jan. 15, 1971]

APOLOGIES TO HOOVER

There is a campaign by the Communist-loving New Left not only to force J. Edgar Hoover out of his job as director of the Federal Bureau of Investigation, but to smear his name so badly in the process that nobody would ever again pay any attention to anything he might say.

It is understandable that the actual American Reds and their conscious sympathizers would participate in the effort. Hoover is one of their most capable and dangerous enemies, and to get him out of their way would be a momentous victory. It is more difficult to find cause for the actions of some other Americans who seem to have joined the get-Hoover vendetta.

We have in mind the columnists, TV commentators and politicians who whooped up a storm of derision for Hoover after he testified under questioning at a U.S. Senate hearing Nov. 27 that a plot to kidnap a highly placed government official was under investigation, and that the inquiry involved the draft-protesting, bond-skipping priest, the Rev. Philip Berrigan and his brother, Daniel, also a priest. You'd have thought that Hoover had viciously, irresponsibly and untruthfully manufactured a fiction out of whole cloth for some devious purposes of his own. Hoover, they shrieked, should resign.

Well, sir, a federal grand jury in Harrisburg, Pa., has now indicted the Berrigan brothers and four others on charges that they conspired to kidnap presidential foreign policy adviser Henry Kissinger and blow up heating ducts in government buildings. We remind our readers that an indictment is not a conviction, and we are not commenting here on the truth of charges that are made. Guilt or innocence will be properly decided in a courtroom.

What we are pointing out is that Hoover said an investigation was under way, what it involved, who it involved, and that he was the country's top police officer making an official report to a committee of the U.S. Senate on a matter of grave national concern. He told it the way it was. His detractors owe him an apology.

FUNDS TO FIGHT LEAD-BASED PAINT POISONING

The SPEAKER pro tempore (Mr. SMITH of Iowa). Under a previous order of the House, the gentleman from New York (Mr. RYAN) is recognized for 60 minutes.

Mr. RYAN. Mr. Speaker, on January 14, 1971, the President signed into law the Lead-Based Paint Poisoning Prevention Act, Public Law 91–695. This brought to successful culmination efforts of hundreds of individuals and organizations across the country, who have been working for creation of a Federal anti-lead-based paint poisoning program. Almost 2 years ago, I introduced a package of three bills to create such a program. The enactment of the Lead-Based Paint Poisoning Prevention Act brought that effect to fruition.

Now, the need is for funds. Ten million dollars has been authorized for fiscal year 1971 for the new law, and $20 million for fiscal year 1972. It is essential that these funds be appropriated.

Lead-based paint poisoning is a disease afflicting some 250,000 children across the Nation. It causes illness, brain damage, and even death. Yet the disease is preventable. It need not take this terrible toll, a toll exacted from small children who eat the lead-tainted paint and plaster which falls from the walls and ceilings of their slum dwellings.

Some local anti-lead-based paint poisoning programs have begun. Some of them are quite successful. But in many localities, no program exists or, if it does, it is inadequate. The Lead-Based Paint Poisoning Prevention Act can help to create effective programs, and that is why it must be funded.

Title I of the new law authorizes the Secretary of Health, Education, and Welfare to make grants to units of general local government for the purpose of developing and carrying out local programs to detect and treat lead-based paint poisoning. For fiscal year 1971, $3,330,000 is authorized, and for fiscal year 1972, $6,660,000.

Title II authorizes the Secretary of Health, Education, and Welfare to make grants to units of general local government for programs to identify those areas that present a high risk to the health of residents because of the presence of lead-based paints and then to develop and carry out programs to eliminate lead-based paint poisoning. For fiscal year 1971, $5 million is authorized; for fiscal year 1972, $10 million.

The third title of the new law authorizes the Secretary of Housing and Urban Development to conduct a research and demonstration program to determine the nature and extent of the lead-based paint poisoning problem, and methods of removing lead-based paints from interior surfaces, porches, and exterior surfaces of residential housing. $1,670,000 is authorized for fiscal year 1971; $3,340,000 for fiscal year 1972.

The amount of money authorized is not large. If appropriated, it would be only a negligible portion of the Federal budget. But the good that can be accomplished is enormous. To secure these funds, I and my distinguished colleague from New York (Mr. HALPERN) have introduced legislation to provide for full funding of the Lead-Based Paint Poisoning Prevention Act. Forty-seven of our colleagues have joined us in cosponsoring this legislation—H.R. 1748, companion bills H.R. 1749, H.R. 1750, and H.R. —— and H.R. 1751, companion bills H.R. 1752, H.R. 1753, and H.R. ——. The 49 Members sponsoring this legislation are:

Mrs. ABZUG, Mr. BADILLO, Mr. BIAGGI, Mr. BRASCO, Mr. BURKE of Massachusetts, Mr. BURTON, Mr. CHAPPELL, Mr. CLAY, Mr. CLEVELAND, Mrs. CHISHOLM.

Mr. CONTE, Mr. CONYERS, Mr. DELANEY, Mr. DELLUMS, Mr. DIGGS, Mr. DOW, Mr. EDWARDS of California, Mr. EILBERG, Mr. FRASER, Mr. FULTON of Pennsylvania.

Mr. GIBBONS, Mr. HALPERN, Mr. HARRINGTON, Mr. HECHLER of West Virginia, Mr. HELSTOSKI, Mr. HORTON, Mr. KOCH, Mr. KYROS, Mr. LEGGETT, Mr. LENT.

Mr. MCKINNEY, Mr. MIKVA, Mrs. MINK, Mr. MITCHELL, Mr. MORSE, Mr. MOORHEAD, Mr. NIX, Mr. O'NEILL, Mr. PEPPER, Mr. PEYSER.

Mr. PODELL, Mr. RANGEL, Mr. ROSENTHAL, Mr. RYAN, Mr. SARBANES, Mr. SCHEUER, Mr. SYMINGTON, Mr. TIERNAN, and Mr. WOLFF.

We urge the quickest possible appropriation of funds for the Lead-Based Paint Poisoning Prevention Act. The children of America are waiting.

REVENUE SHARING TO IMPLEMENT PROGRAMS TO AID INDIVIDUAL COMMUNITIES

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

Mr. MCDONALD of Michigan. Mr. Speaker, revenue sharing is a means to restore to local government the power and authority to conceive and implement programs beneficial to each individual community.

It is not a temporary answer to the many problems facing local government; it is a permanent solution. I believe firmly in the concept, and because of that belief

I rise today to take issue with recent comments by several of my colleagues against revenue sharing.

The arguments presented against revenue sharing have been filled with ifs. As a consequence of this iffy rhetoric, the conclusions presented are far from valid.

The power and authority—or self-reliance—of local government has eroded to a dangerous point. Local elected officials—those closest to the electorate—are hard pressed to perform up to their capabilities for one major reason: Lack of adequate funds.

Over the past few decades, the Federal Government has tried to help local communities by offering categorical grants for specific areas of concern. That philosophy has helped many communities in providing partial funding for certain basic services.

I served as Redford township supervisor in Michigan before coming to Congress. During my 6 years as a local public official, I saw problems develop on my doorstep. Because of my close contact with the residents of that community, I was able to ascertain each problem as it surfaced, and establish a system of priorities.

Unfortunately, the Federal funds available for that community's use did not always fit the need. For instance, I would go to the Federal catalog to see what funds were available to fulfill community needs. We built a fire station, but what we really needed was firefighting equipment.

So the decisions as to how local funds were to be used were not always left up to the local officials held responsible for public spending.

Revenue sharing will reduce this gap between promise and performance.

It will put money into the hands of local authorities to spend where it is needed. In many instances, Federal funds which are available to solve a local problem cannot be used because the community does not have the matching funds necessary to qualify.

Most of our national domestic problems are due to lack of action at the local level. It is not that local authorities will not solve the problem. They cannot solve it.

In the past few days, I have heard much against this concept.

Mr. Speaker, I wonder what rationale was used by some of my colleagues in reaching the apparent conclusion that a Congressman has some special talent for determining what is good and what is bad for local government.

Just because I am a Member of Congress, I do not consider that I am any more qualified today to spend public funds than I was while serving as Redford township supervisor.

Our system of government is the best on the globe because it leaves local decisions to local authorities. It is people in individual communities who require basic services. They foot the bill, and in return expect certain standards of service from those they pay to serve.

Self-determination is the key word in our Republic. It is time that all Members of Congress remember that we are sent here to serve, not to rule. I trust it will not come as a shock to some Members that in this Nation the people govern.

The Federal Government is sharing billions of dollars with local governments in ar effort to combat the many serious problems facing all communities. But is our spending effective? In allocating these funds, I fear we have fallen short of our goal.

If a local community wants to build a swimming pool with their tax dollars, why should Congress stand in its way? I say if there is a need for sewers, or firefighting equipment, or more policemen, let the people determine spending priorities through locally elected officials.

There are two key provisions in the proposed revenue sharing plan which I should mention at this time. One is that no city or county will receive fewer Federal funds than they do at present.

The second provision is that revenue sharing funds cannot be used in a way which discriminates against some of the people.

In recent days I have heard and read statements listing the winners and losers under revenue sharing. These statements simply are not true. Far too often criticism comes before a close examination is made of the proposal.

According to a recent article in the Washington Post, a spokesman for an organization of State legislatures said 20 State legislatures either had passed, or were considering, a resolution petitioning Congress for a constitutional convention on revenue sharing.

This indicates to me a high degree of interest in State, county, city, and local governments for revenue sharing. It seems only fair that this idea be fully explored before any decision is made as to its benefits or drawbacks. It is an exercise in futility to condemn a concept without benefit of full and complete knowledge of it.

I plan to introduce the President's revenue sharing plan in this session of Congress as a cosponsor. I introduced a similar measure last year.

My colleagues have expressed several uncertainties about revenue sharing and raised many questions about the plan and its effect on our fiscal and economic posture.

I recognize the areas of doubt, and share with my colleagues the desire to bring into public view the benefits and the dangers of such a plan. But I also share with my colleagues and with the people of this country the knowledge that there are critical fiscal problems which are seriously affecting the quality of life. We cannot brush aside an idea that appears to offer relief.

Revenue sharing is a bold and innovative approach designed extricate State and local governments from the quagmire of financial crisis. To the wage earner, and to the homeowner, it offers an opportunity to escape from escalating property and sales taxes. To those of us in Congress, it offers an historic opportunity to invest some of the funds for which we are responsible into the heart of America.

I have faith in our form of government, and in the people who have made it strong. I am willing to reinvest that faith in the American ideal of self-determination. And I urge my colleagues to join me in reaching out to the Nation to form a partnership with local governments—a partnership based on trust. Our Government is of, by, and for the people—is it not?

THE SANTA CLARA PLAN CAN PRESERVE A PRECIOUS NATIONAL RESOURCE WHICH IS VITAL TO THE PROBLEMS OF THE 1970'S

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

Mr. GUBSER. Mr. Speaker, at the present time in my congressional district and in dozens of other districts like it, there are thousands of highly trained and technically competent scientists and engineers in the unemployment lines. These are men and women who were encouraged by this Government to become scientists and engineers following the shock wave which reverberated across the Nation when Russia launched its sputnik. These are the scientists and engineers who built the great weapons systems which today guarantee our national security.

Prolonged unemployment is a social problem of catastrophic proportions to the person who is unemployed, to his community, and his country. But in a broader sense, prolonged unemployment of scientists and engineers means breaking up a scientific base of expertise which can only be replaced at great expense. When individuals with the talent to solve our tremendous environmental problems continue to drive taxicabs and work for $2.50 an hour as department store clerks and Santa Clauses, we are wasting a great natural resource. I might add, Mr. Speaker, that these are the professionals who are systems oriented and can approach the great environmental problems of mass transit, solid waste disposal, air and water pollution, and produce the same degree of success as when they approached our defense requirements of the nuclear and space age.

As each day passes and the unemployment lines grow longer, we will be dissipating one of our greatest national assets.

I recognize, Mr. Speaker, that redirecting the talents of these unemployed scientists and engineers into environmental fields cannot be accomplished overnight. But the time has come to make a start and to try.

The so-called Santa Clara plan, which I will describe during the course of these remarks, is such a start. It is innovative, and is something far more than a WPA for scientists and engineers. It is geared to the private enterprise system and the needs of a nation which is suffering growing pains in the 1970's.

The plan has been developed by Mr. Harries-Clichy Peterson, distinguished businessman and scientist, who is listed in "Who's Who in America," above a long

list of accomplishments as a business consultant all over the world. He has developed this plan and has been ably assisted by Miss Vera Moldt, chairman of Professional Employment Search Cooperative and Experience Unlimited, self-help organizations of unemployed scientists and engineers in the San Francisco Bay area.

To this point, the Small Business Administration has shrugged off the proposal with the usual answer that funds are not available, and the law would not allow Government sponsorship of the Santa Clara plan. In addition, the Secretary of Labor and other departments have all paid the plan lipservice saying that it is interesting and intriguing, but after their expression of approval nothing has happened. Such is the way of bureaucratic big government. Everybody nods approval of a nice idea, but nobody seems to do anything about it.

Mr. Speaker, the Santa Clara plan is unusual. It deserves more than the usual bureaucratic brush-off and for this reason I am addressing the House today hoping that my remarks will be noticed by someone in this sprawling Government of ours who will do something constructive about an honest proposal which is in the national interest.

The most effective manner in which I can present the Santa Clara plan is to read a paper offered by Mr. Harries-Clichy Peterson entitled "Entrepreneurial Grubstakes for Idled Dynamos." In this paper Mr. Peterson clearly describes the problem and cogently offers his plan as a partial solution. Mr. Speaker, under my previous permission to revise and extend my remarks, I offer this paper by Mr. Peterson. The paper follows:

ENTREPRENEURIAL GRUBSTAKES FOR IDLED DYNAMOS

(By Harries-Clichy Peterson)

I.

A strange cleavage is splitting the professional middle class in America.

On one side stands the educated, successful, affluent American. Confident in self and community, this modern squire works a comfortable 40-hour week, returns home evenings happy with family, and relaxes graciously on weekends, a better man for the next week. Inflation curbs are beginning to improve his living standards. Politicians cater for his vote. Merchants kowtow for his money.

The splinter group lives in sharp contrast. Each work week confronts the head-of-household with depressing discouragement, evenings humble him before family, and weekends yield no spiritual recovery, leaving him a worse man for the next week. Inflation curbs have destroyed his livelihood. Politicians disregard his small vote. Merchants shun his uncertain credit.

The affluent group is employed; the other, not. That is the simple difference.

Expendable Elite. Professional unemployment in many parts of the USA has risen sharply and apprehensively. The resulting plight is both unprecedented and unexpected. Company after company has announced layoffs of professional workers. Very few hire. Resumes inundate employment offices. An occasional aerospace scientist is seen tending a bar, hacking a cab, or peddling something in home parties—and usually doing an awkward job of it. The real unemployment problem, however, is hidden by the proud, but desperate professional living off past savings and trying to eke out survival masquerading as a "consultant", while endlessly job-searching.

Immediate damage resulting from the evident demoralization and economic wasteage of such unemployment has created numerous family disasters, reaching national significance. Moreover, the Nation's investment in professional education and experience is a resource whose continued full utilization is essential to America's future progress.

What went wrong? Why have the ravages of up-and-down roller coaster employment so characteristic of blue collar work in heavy industry in Detroit and Pittsburgh now struck the big city headquarters office and the suburban research firm, laying off professionals whose employment traditionally has been secure?

The root cause is our fight against inflation, but de-militarization and "de-professionalization" add significant aggravation.

No Painless Deflation. We haven't yet found an easy way to halt inflation. We just blindly hoped that transitional hardships would be mild and short-lived. Yet, once credit is turned off, an inevitable cascade of trouble follows: housing starts decline, industry slashes capital expenditures, and finally demand slackens for all goods and services except the most basic consumer necessities. Under these condition., employment, too, drops. Worst of all today—with the unemployed caught helpless in the middle—one political party denies that any correction of its past administration was necesary, while the other disavows the existence of any real recession under its current administration.

There must be a better way to have full employment and steady prices, but we seem not to dare to innovate where social and economic controversy may result. It appears easier just to sit still and suffer, rather than upset old patterns.

De-Militarization. Despite de-escalation of the Vietnam War effort, overall U.S. military expenditure continues to rise, a billion dollars more this year than last. What most affects high-technology professional employment, however, are peculiar distortions within the military budget. It is sophisticated weaponry that bears the heaviest cuts.

Military operational expenditures have risen, mainly due to the recent years' surge of inflation, plus some attendant mismanagement. But the expenditures concerned with the constant betterment of our military machine versus that of Russia and China have been severely cut. This was easy to do when many people are sick of Vietnam and since the consequences—such as inferior air and sea craft—do not show up immediately. We taxpayers had wanted neither to quit Vietnam nor recognize it as a real war deserving a wartime economy with high taxes and rationing to drain off the inflationary effect of defense spending. As is so often the case, indecision gives the worst of all alternatives: Vietnam fired inflation and smothered long range military preparedness.

If Vietnam had not existed, it is quite likely that military expenditures would have continued strong in the high technologies and advanced research so well carried out by America's professionals. The obvious position of political self-interest for them is to stop the war and restore long range military preparedness versus Russia and China. However, Hanoi does not cooperate with the first and newly perceived, pressing domestic needs and our deficit economy hinder the second. Therefore, no major restoration of sophisticated weaponry programs seems likely.

Limitations of Defense Contractors. Criticism can also find its way to those who were in position to anticipate the aerospace slash. Some will argue that defense industries exist to serve the military customer and in no real sense at all to serve employees. Thus, when the government wants to turn it off, the defense machine should respond quickly and save taxpayer money. Similarly, those who took higher pay to enter this volatile industy, should have foreseen or been forewarned of associated risk and the need to reserve savings and maintain alternate employment possibilities.

Some critics have even taken the view that government has been far too liberal in pumping money into the educational system, doing so faster than civilian business could employ graduates, then funding the aerospace industry beyond real need just to create a "welfare" means to absorb the surplus professionals, and that it is time to halt this self-serving university-military-industrial alliance.

In any case, defense contractors are conspicuously inept to adjust to down-side need of the market place. When government wants military or space goods, they staff up lavishly, escalate costs, underprice to get startup orders, then reprice, renegotiate and by haggling and lobbying succeed to carry on a chaotic business of inconstant employment. This is not to deny that in their heyday our nation's defense contractors represented massive aggregates of power, able to deliver goods quickly, in huge volume, and often to incredibly high performance standards. It does say that the industry also produced a "negative product" of ephemeral employment that was not fully felt until recently.

By contrast, many non-defense firms regularly employ corporate development and new product managers to give perpetual vitality to their enterprises. The oil and minerals industry give themselves reserves for a decade or more. Forest industries plan up to fifty years ahead to assure business continuity. Many of America's most successful manufacturers maintain—out of their own pretax profits—scientific and market research facilities designed to create a reserve of new products. For example, Cincinnati Milacron, the nation's largest machine tool maker has found it more profitable to reserve funds during good times in order to retain its best men during slack times, than to fire, rehire, and retrain. These funds are not used for welfare or make-work tasks, but to push modernization and diversification. Has any major defense contractor ever seriously tried such an approach? Has any ever bothered to argue the case for special contract and tax treatment to facilitate a conversion reserve?

The point here is that defense contractors do not feel any real obligation for the continuity of their business, employment, or even market-need fulfillment. They respond mainly to requests for bids. They seldom initiate, even to meet commonly perceived needs. Fettered by high overhead, they dare not compete against civilian entrepreneurs. Probably this is natural and, in the long run, good. Who wants the clumsy, often harshly regimented bureaucracy of a Lockheed or General Dynamics in civilian business life?

De-professionalization. With technology the prime dynamic of our age, professional workers have become a significant business expense, one no longer sacred in times of cost cutting. But an even more powerful, although subtle, influence has also been at work. The bull pens of today's administrative offices corral many college graduates who are no longer professionals at all; they are merely "personnel" with somewhat above average pay.

They waded through college and got degrees as passports to jobs. After enduring oversize college classes, computerized testing, and personal worth according to Go or No-Go stereotypes, the graduate quickly

learned the "name of the game" and discarded his professional independence. He stepped into a squire's life immediately upon leaving college. Maintaining this good life then became his first daily imperative. Traditional, arduous professional building blocks were looked upon as no longer necessary. He catered to office politics and his boss's demands for "practical" expediencies. He became a good "team member," surrendering risky line responsibilities and initiative to those already in charge.

As college laxity de-emphasized personal responsibility, business too tended to slight the value of professional independence. "Staff" became synonomous with "yes men", comfortable, busy, yet superfluous and increasingly removed from sense of responsibility for business profit and destiny. Some firms tried to fight this by setting up separate profit centers and delegating profit responsibility downward. But the mass of bureaucracy remained resistant.

In many cases, if the professional had fought—and won—the battle to keep his integrity and cost-effectiveness, he would today be in a vastly stronger position. Consider the self-reliant, independent accountants, engineers, economists, lawyers, etc. They aren't an employment problem. Over the years they built up private practices, providing genuinely needed services. Now they can survive economic cycles better than their captive counterparts in industry.

Perhaps there is a lesson here: American industry may have over-captured professionals, to the detriment of industry and human. Management should accomplish more staff work via temporary, truly independent professionals that sometimes talk back; less via tame, permanent personnel.

In defense-oriented technical offices, a professional distortion has occurred just as undesirable, but opposite to that of administrative offices. Driven by ceaseless military demand for combat-winning performance, the defense professional has perfected his skills to historically unprecedented achievements in science and technology. Yet, through excessive specialization, he lost contact with the means to commercialize his skills. An especially unfortunate consequence is that today's high-technology professional, instead of being welcomed in old-line industries as a potential innovator breathing in new progress, is often feared as being too costly in working methods and product design. At director and top management level, there can be deep reluctance to gear up old methods to sophisticated, bold, new approaches that also carry unaccustomed risks. Sometimes personal resentment and jealousy can also hinder talent conversion.

II.

Who Gets Fired First? The businessman confronted with sagging sales, first tries to maintain earnings by cutting costs. He begins by borrowing from the future, trimming research, development, and advertising. Then, he prunes personnel down to the basic core of sales, production, and accounting. Out go staffers who solve general problems or create new opportunity. These functions can be carried on at reduced rate by those who remain, or be deferred until business recovers.

Management begins pruning with the less efficient, less necessary, and more cheaply replaced people. In practice this usually means fire old, hire young. Out goes the $2000 per month age–48 hard-tiger-become-soft bureaucrat. In comes a freshly schooled, young tiger, age–28, carrying a $1000 per month price tag. Youth has been asking for a better chance at promotion, for an end to rank by seniority. Now, competitive conditions are giving youth its due.

For professionals, seniority rules established by unions to protect family life do not apply. In fact, the opposite occurs and the top manager would be foolish not to take advantage of today's recession to rejuvenate his professional team.

Just as the housewife in a free market selects her purchases on value alone and never the factory working conditions under which they were made, the stockholder demands rising per share earnings and remains quite indifferent to any employee hardship or other "negative product" or "social pollution" the pursuit of profit entails. He expects management to isolate him from such concerns. Thus, companies, as now motivated, can have no real responsibilities—when the chips are down—for the social consequences of their personnel actions, no matter how nice were the platitudes uttered in good times.

Are today's unemployed professionals an across-the-board sampling of merit, or bottom-of-the-barrel dregs? In many instances whole work sections, regardless of individual merit, were laid-off due to defense project termination. In other instances, human nature may have retained some men because of important factors of office politics. But in other cases, one gets the distinct impression that much of today's firing was selective. Certainly, good management requires firing by inverse merit. So, some of today's professional unemployed probably were among the less effective people in their former jobs. For them, being laid-off, while harsh, is a means to force taking stock of one's own personal cost-effectiveness and going about the hard task of downgrading, or of improving personal worth to an employer, and doing so against competition that is now very aggressive.

In a sense, all this reconfirms America's enduring strength and fairness: Reward the best. No job is a sinecure. Title and position alone can not forever defend an incumbent against competitive assessment of his real worth to an employer.

The re-employment battle. The ease of professional job recapture varies inversely with age. Admittedly, there are laws against discrimination on account of age, but employers neatly side-step this. For example, specifying that only five years experience is required, translates to "we want a man under thirty." Even governments quite commonly limit entry age for uniformed forces, and strongly hint at preferred age limits elsewhere.

For the young professional, age 25 to 35, re-employment prospects can be reassuring. In normal times, this age "sells nicely", as the people brokers. Even in today's recession, the young professional has no cause for alarm. An aggressive résumé campaign, a little patience, and, at worst, perhaps taking a small pay cut or moving to a new locality will land him a job.

People in the 35 to 45 age bracket fall into a more difficult situation. First the 35–45 man must recognize that industry has suddenly tired of the senior staffer sure that the world owes him a living because of his "professional" status. Paper shuffling, representing his firm on expense account at conferences, and a few astute pontifications are not enough. In today's tough job market, re-employment will probably be as a staffer, not supervisor. Hence, the employer, confronted with recession pressures, will demand performance and innovation of clear value to him here and now. Once the professional understands that how many times he can pay his upkeep is the game now, he is on his way to re-employment.

For the man over 45, offering merely his general professional ability on a résumé, steady re-employment at anything approaching his former boom-time pay is virtually impossible. If he does not have money saved up to buy a job in a small business, or is unwilling to retire to humble work, only two alternatives remain: Take a job in sales or small unit management where compensation depends solely on measureable daily results, such as real estate or securities sales, store or motel management; or, create his own job, individually or in a group.

An example of professional job creation would be the offering of a novel system of inventory control, assuring immediate cash savings several times outweighing the professional's upkeep. When faced with pragmatic cash advantage, an employer may over look age. True, there is little grace and dignity in this hard, constantly competitive work. But when it succeeds, the economic rewards build self-confidence in the strongest and most enduring way. An extension of the job creating alternative would be to team up right from the start with an entrepreneurial group seeking to form a new business. If the chronologically older man has special skills and youthful attitudes and can-do drive, the pragmatic intimacies of such a group can often readily and quite wholesomely absorb him profitably.

Bankrupt Pallatives. Many unemployed professionals are joining hand-holding, self-help groups such as Forty Plus Clubs or Experience Unlimited Chapters. Organizing can contribute strength, but only if means to goals are realistic. The present organizations of professional unemployed usually focus on more intensified job search, retraining, or seeking consulting assignments.

These steps are not good enough for today's needs. What real gain can there be in better job search when the unemployed professionals greatly outnumber openings? In retraining, where is there an excess of jobs lacking qualified applicants? Is it socially acceptable to retrain down to displace others? In consulting, is it reasonable for an employer—under present concepts of professional utilization—to pay out extra cash for an outsider, when he has surplus insiders? The conclusion must be that these steps are pallatives at best.

Moving to another area sometimes helps, but where now are there jobs open? For every firm hiring, such as Litton in their DX naval ship program in Los Angeles, there are hundreds of well-qualified résumés per job opening. Also, in a down-market, many home-owners can not sell their homes quickly enough and at a good enough price to get out of their mortgage and pay for the cost of moving. They are trapped. Finally, there is the question of area loyalty. Some professionals, particularly those in the attractive environments so popular with aerospace employers, fiercely resist moving "backward".

III.

Clearly, America needs a modern, effective tool for redeployment of unemployed professionals under conditions that are politically, socially, and economically acceptable.

The need is quite distinct from bringing into the mainstream of American economic (and hence social) life disadvantaged minorities who first need to be brought up to employable standards. Today's professional unemployed has already developed his ability to contribute and his eagerness to work make him a "good buy" for an employer. Yet we have no working tool for professional redeployment and the pallatives of better job search, retraining, etc. are bankrupt. They just sound nice. If nothing bolder is undertaken, professional unemployment will aggravate a sharp and potentially explosive social cleavage. Moreover, we waste the fruit of years of professional education and experience, a national asset that underlies our military and economic strength and personal living standards.

Political Priorities. Today's unemployed professionals do not like being an expendable elite. They want jobs and challenges now, not after an "adjustment" has run its course. However, as a class seeking special consideration, they face substantial political handicaps: First taxpayer money spent in the

ghettos returns more votes. Second, many politicians feel a deep moral obligation to help disadvantaged minorities, before helping the middle class. Third, many voters resent the seemingly overpaid and underworked life that the professional has traditionally enjoyed, perhaps even at the ordinary guy's expense, and see no reason now to help a fallen elite.

What can the unemployed professional do to gain some political priority? He must forget appeals to sympathy and for help. Instead, he must find new means to be of service. And, he must organize to speak with a louder voice.

The argument the unemployed professional should sell is: that America has pressing needs, that established firms are slow to respond, that today's unemployed professionals have skills to meet those needs, and that new business creation is what the nation requires. This argument will get him a share of available resources.

An extraordinary opportunity to fulfill needs. America has newly perceived, but already very pressing, needs for new goods and services in housing, the city, transportation, law and order, education, ecology, health, and others. It has insatiable desire for greater material convenience in daily living. It wants wholesome leisure and recreation. Ever more mechanization and automation are needed to constantly boost productivity. We will also continue to need improved military systems and, in underdeveloped areas abroad, new tools for nation-building.

These needs have been critically publicized, but established organizations seem to be dragging their feet. Automobile manufacturers and oil refiners, for example, resisted public cries against pollution and even now seem responsible only to forceful legislation. The rigid structure of vested interests into which such old-line organizations have naturally hardened makes quick, major changes too risky to undertake.

Yet, an extraordinary opportunity to fulfill these needs is at hand. Never before has there been such an availability of professionals. They have been advancing science and technology in atomic energy, computers, electronics, medicine, space, etc. They have mastered systems approaches to heroic as well as mundane tasks. They stand ready to tackle America's new needs now.

Not only do we have defense industry engineers and scientists available, but in the central cities we have many generalist management professionals made surplus by the current retrenchment to a hard core of basic operations. For "me too" products the combination of these two complementary, but unfamiliar, people may be unrealistic to immediately stand up to competitive necessities. But for the unusual needs of developing pioneer products, where all is new and to be learned, such combination could be very practical and effective.

Today's unemployed professionals—particularly the high-technology elite—have an abundance of ideas to meet America's needs. Some of the new business ideas circulating in the San Francisco area, for example, concern pollution measurement, control, and abatement; solid-state electronics for home, car, office, and factory; instruments for medical diagnosis, crime fighting, traffic control, and civic information exchange and digestion; high-performance composite materials; modular housing; wheeled vehicle electric propulsion; etc. In services, several different groups have well thought-out ideas for local recreational projects and tourist attractions, educational systems, and cargo and passenger transportation management. Most are realistic in market assessment, even under today's general retrenchment.

Neither defense or commercial firms have succeeded in fully exploiting this available technology and human talent. The unworked alternative is the entrepreneurial, or new business creation, channel.

After all, the purpose of having an economy is to successfully match work and savings with human needs. Start-up endeavors represent imaginative ways to meet genuine needs. When a good project succeeds, it usually carriers the bad one, as far as net social and economic gain to the community are concerned.

Moreover, by according the entrepreneur a hero's role, we can awaken creative energies and provide fresh, disciplined inspiration to the unemployed and to disillusioned youth. This is because many Americans feel trapped in hopeless ruts of routine and complain that creativity for them is impossible. Attaching on this front, lead by a new breed of entrepreneur operating in a modernized system, could begin to effect the national liberation in quality of life on the job that many of America's internal critics advocate, but have not been able to engineer. Conversely, failure of government to supply the leadership to unite the now obvious ingredients for a great step forward would diminish its authority.

Stalled Entrepreneurial System. An entrepreneur is the person who creates new business. He does this by bringing together an idea, a balanced team of key men, a business plan, and the money to carry it out.

Ideas don't always come from the lead entrepreneur. They often arise in the minds of technical men or marketing men, who soon team up with men of strong will, broad business management skills, and some kowledge of how to get money. Today, our technology pool in the universities, the defense community, and industry is running over with exploitable opportunity.

Creative by nature and occupational experience, many professionals have very specific ideas for meeting today's needs. Often, in their former employ, these men could not have gotten such ideas accepted. Defense management responds to government requests for bids, seldom initiates, and its overhead and management philosophy hardly equip it to exploit new ideas at its own risk. Commercial management usually has its own backlog of new products fitting hierarchial momentum and is slow to accommodate inputs direct from individuals, even if in-house staff. In other cases, the ideas may have originated by team effort, but did not happen to meet immediate company plans and thus were shelved. Sometimes, simply too much bureaucratic "paralysis by analysis" killed development initiative. The alternative was to leave the company.

As little as two years ago, a man willing to leave corporate employ and possessing a good idea and team of people qualified to execute it, enjoyed a seller's market. Venture capital sources and often investment bankers would compete to provide financing. The founders might have retained as much as 75% ownership, even in a startup situation. 25% ownership, the entrepreneur must have dropped to a third. And, just to retain a 25% ownership, the entrepreneur must have a very exceptional project. Finally, very, very few of these exceptional projects get financed today. While much of our economy rolls on, although at reduced pace, the American entrepreneurial system is today inoperative concerning startups.

Seed money has dried up. Unless the would-be entrepreneur has his own or family's savings to start up independently, he must abandon his idea. Such conditions constitute the severest blow to American entrepreneurship sustained since the 1930 depression. The would-be entrepreneur needs initial capital, or seed-money, to carry out studies and other preparatory work essential to obtain conventional financing. Without it he is helpless to begin. It is exactly at this point that our entrepreneurial system has stalled.

The drying up of venture capital results from the general curtailment of credit, compounded by the inability of ventures started several years ago to get expansion money from conventional sources, thus forcing the venture capitalist to apply whatever funds he can get to protecting earlier investments, not starting up new ones. In addition, those who do have extra funds, find it more attractive to seize opportunities to buy existing businesses in financial trouble at distress prices, than to invest in startups.

Typically, investor interest in startups does not reach its peak until the height of a business boom, when the price of a going business becomes unreachable and it is cheaper to start a new one, or when he can sell an earlier investment at such profit that he can afford to pay for a new startup.

Unfortunately, this understandable cycle of interest in startups is exactly opposite to national need, and it accords no influence to the availability of ideas and needs and professional talent. It accentuates booms and busts.

The utilization of new business ideas is important for our national strength, not only materially and economically, but also for the spiritual needs of many people to be innovative, or to simply find refreshing change in work opportunities. College youth resents business because of its irresponsiveness to outside ideas and difficulty to enter except as conforming hirelings. Seasoned employees still feel frustration to business reluctance to change. For both, any morally successful business system must provide some real hope, even if very slim, that an able, strong willed individual can exert change. Once this hope dies, the system ceases to support human happiness on the job, although it may go on producing goods.

The present virtual cessation of new venture startups is proof that we need a new, revitalized entrepreneurial system in America. Education of investor attitudes, education of entrepreneurs in startup disciplines, and seed-money availability are the keys to a better system.

"Just an Idea". The first institution created especially to finance new ventures was American Research & Development Corporation, in Boston, in 1946. It pioneered new concepts with mediocre profit for twenty years until a fortuitous success in a computer firm boosted its assets ten-fold in several years. Some wealthy men, notably Rockefeller and Whitney, formed private venture capital firms which more quickly became successful.

In 1958, Congress enacted the Small Business Investment Act, which offered, two-to-one, government funds to match private venture capital in "Small Business Investment Companies". SBIC's. There was, and is, a grossly inadequate body of knowledge to guide these operations. At first, many investors used the SBIC's for government leverage in personal real estate deals, until nipped by a 1965 law limiting real estate investments to one-third of total. By many SBIC's did succeed in mobilizing completely new sources of venture capital.

In the natural struggle for competitive profit, the SBIC's gradually learned how best to exploit existing laws. They saw themselves, of course, less as instruments of social change, than engines of profit. Accordingly, they evolved patterns of operation which moved as close to conventional financing as possible without giving up government advantages. This generally means to back only going enterprises with actual sales and, preferably, earnings. They came to consider only on a very exceptional basis startup situations.

To become an exception, the startup entrepreneurs must have a proven "track record", already have substantial cash in their project, have a readily sellable "me too"

product with specific sales lined up, and a comprehensive business plan showing high profit probability. Lesser situations would be discussed, but generally to broaden the investor's education, not to provide financing.

At times, this boiled down to little more than raiding a successful firm, inducing a department head to leave with his entire staff, and set up a new shop on the other side of town. Typically, this was a far cheaper way to acquire participation in a successful industry than to buy existing shares. It was exciting and it provoked more intense competition for talent, but it did nothing to help create new businesses with pioneer products.

Compared to such opportunities, the sincere, but naive, innovator with a good idea and some solid technology and market sense behind it, would be sidetracked as "having nothing at all, just an idea". Yet, without ideas, collateral, track record, and all the other substance of a "real" business do not create progress. It is the intelligent, prudent, commercial management of the two assets—tangible and intangible—that advances us. The would-be entrepreneur is told "when you get your seed money from someone else and have some sales, come back and see us". That "someone else" is a sop, a polite fiction. It isn't available.

How does the exceptionally creative man break out of the confining walls of bureaucracy, peer jealousies, riskless department budgets? Is it sound for society to wait for the creative man to first fight his way up out of the jungle by political and administrative drive to make his track record and accumulate substantial cash before his ideas become credible? New means to competitively take from substantial men, even if without substantial cash, their best ideas and convert them into new business reality are needed today. Moreover, these men often know the much more difficult job of pioneering a new business, where search for new solutions can be more important than already knowing proven routine.

Another preconception, not always valid, is that technical men make poor lead-entrepreneurs. If they are prima donnas and blind to profit ingredients, this is true. Yet, in many new business situations, technology creates the first dynamic force and can become so important that the technologist should enjoy the motivation of playing the leading role, hiring salesmen, money men, and general business administrative managers as his subordinates. All that is needed is a balanced team of equals, without prejudice for the leader's background. If the would-be technologist-entrepreneur recognizes the need for a balanced team, he can be an outstandingly successful head of enterprise.

Educational Gap. Wildcatting oil wells has a low success ratio. So do entrepreneurial wildcats. Yet, the oil industry is constantly improving its skill in assessing a geological situation to determine whether it warrants investment. Is venture capital doing the same?

Venture capital firms, placing the bulk of their money in already established firms, rely mainly on conventional analysis of financial data. To this they add technology assessment, usually by an outside consulting expert, and a somewhat greater research into future projections than normal in conventional financial analysis. This works well, in the key sense that many venture capital firms are quite profitable.

But they haven't solved the analytical challenge of the start-up. They avoid it, or insist on track record and founder cash. These are just familiar, not real, confidence builders. What is important is the comprehensiveness of the pre-investment study and founder strength to fight unexpected obstacles in an uncharted environment.

The preinvestment study is *the* most powerful argument the enterpreneur can use to get money. Yet, there is no textbook or course taught on how to prepare it. No SBIC offers anything other than a brief chapter outline, or checklist. The pre-investment study deserves more attention from the educational community. In fact, the whole process of getting an idea, organizing for new business creation, financing a startup, and managing it is neglected by our colleges and educational firms. The art of entrepreneurial practice should be taught on an adult, extension basis. The difficulty of raising startup capital proves the weakness of present systems of project evaluation. Here is a critical focus to improve new venture average success ratio.

To help assure sound project development, some training and coaching in entrepreneurial practice by successful entrepreneurs is needed not only now, but, as the recession continues to discourage forward business planning, it will be even more needed as we face a shortage of new business projects.

Improving entrepreneurial techniques for unemployed professionals would have important benefits for programs to stimulate minority enterprise. The point here is: How can we hope to create black entreprenuers when we still haven't really got any system working to create entrepreneurs out of white people who are already well educated and professionally experienced?

Entrepreneurial grubstakes to make ideas bankable. A grubstake is funds furnished a mining prospector on promise of a share in his discoveries. It became famous as a wealth generator in California and Alaska. By analogy, this is the keystone need to modernize America's entrepreneurial system, to broaden its reach.

We have come to accept generally that substantial personal cash is indispensable to advance a new idea. This is just too simple and lazy. It is extravagant neglect of opportunity to revitalize the pace of progress.

The heavy-weight professional, with a well thought-out new business idea should have means to obtain seed-money at concept stage to prepare his idea for conventional financing. This early money is not for bricks and mortar, nor for invention, nor for fundamental research. It is for organizing for execution an already developed idea, for costing production, for verifying markets, for rounding out a balanced founder team, for calculating pro forma profitability, for documenting claims and logic. The purpose is to enable would-be entrepreneurs to do the work necessary to seek conventional venture capital.

A partial precedent is that charitable foundations and government research and scientific agencies give project research grants on a competitive basis. For new business situations there are compelling reasons to conduct the provisioning of seed-money on a profit-seeking basis. The prime reason is to assure commercial disciplines at all stages. The next reason is to provoke the dynamic motivation of self-interest. Another reason is to tap broader money sources.

What specifically is proposed are regionally located, investment promotion, or seed-money, corporations. Their mission: Raise freshly motivated venture capital for carefully selected new business ideas at concept stage. The seed-money corporations would couple the creativity of unemployed professionals coalescing into entrepreneurial project groups with sophisticated financial support. This could help restore confidence in American new business vitality, as well as pioneer in creating a redeployment tool useful at other times and places.

Reenforcing private capital with government money. The basic economic element needed for the regional seed-money corporation to succeed is, of course, private capital. No region is devoid of capital, even today. Money is just very short and very demanding. Some private capital sources have been sounded out. They expressed guarded, tentative interest in the concept. Before taking a firmer position they want to see a clearly organized plan, evidence of forthcoming government support, and documented examples of potentially viable new business ideas.

What can be done to induce the employed affluent as well as wealthy individuals and institutions—the usual source of venture capital—to invest venturesomely Pious appeals to civic spirit do not arouse as much as simple appeals to greed. The answer, therefore, is to sweeten the deal, to reduce risk and boost reward.

The role of government is seen as catalyzing private investment into action by temporarily multiplying its effectiveness via reduced risk and higher reward. Reenforcing private funds with government money should arouse the needed private interest. The exact ratio and conditions should be high enough to do the job, no more. They should change as conditions change. Government money would be as loans, enjoying favorable terms, but eventually repayable. Private money would be as equity.

As to government funds, they would have to come from either special emergency sources, or from existing programs whose charter could be interpreted to cover the seed-money program. Federal, state, county, and perhaps even city money would be sought, but the main emphasis would have to be "Washington", where the bulk of taxes are controlled and where perhaps a certain detachment from local limitations can permit bolder, more innovation, long range programs.

The Labor Department and the Commerce Department's Small Business Administration would appear logical focuses for action, but they are not. Labor is authorized only to help train and match people for jobs. It has no authority to help create jobs.

At present, the SBA is virtually without funds for new projects, but more critical is the fact that existing support generally provides incentives sufficient only to serve the capital needs of previously started up small businesses needing expansion money. SBA support to small business is not enough to stimulate the availability for seed-money. For this, new incentives and structures are needed. The proposed specifics follow:—

TWELVE SALIENT FEATURES OF PROPOSED SEED-MONEY CORPORATIONS

(1) Private investors would provide equity money.

(2) Government would provide reenforcing funds as loans: in amounts up to three times the private capital paid-in, bearing no interest for the first two years and then at prime rate, and not amortized for the first five years and then extended over ten years.

(3) The Corporation would provision only seed-money, or start-up money, and not invest in already operating businesses. Usual investment at concept stage would approximate $25,000 to $50,000 per venture, on a cash-for-shares basis.

(4) All applications for investment would be competitively decided strictly on criteria of probable commercial profitability. Applicants must comprise an already organized entrepreneurial team including, at the minimum, marketing, manufacturing, and financial talent with overall spokesman or President designated.

(5) The Corporation would not acquire over 49 percent ownership, or voting shares, in any single venture.

(6) To reenforce the Corporation's judgment, each of its investments would be accompanied by a cash investment from other sources at least equal to 10% of the Corporation's own investment.

(7) To test venture founders' sincerity and sacrifice, they would not receive salaries from the venture exceeding half their highest rate when last regularly employed, until venture is conventionally financed.

(8) To keep its funds recirculating, the Corporation would sell at least one-third of its original investment in a given venture at each subsequent round of conventional financing that the successful venture obtains.

(9) Investments failing to secure additional financing one year after seed-money funding, could be taken by the Corporation as losses and when this occurs government loan repayment obligation can be reduced by half the amount of such loss.

(10) The Corporation would conduct, and/or foster, training classes in organizing new business startups, such classes to be eligible for training grants. The Corporation would publish annual reports of operations, analyzing specific failures and successes. The Corporation would maintain open liason with local business schools, provide case material, etc. to encourage research to improve America's entrepreneurial system.

(11) To simplify new business initiation, the Corporation's investment should serve to excuse venture groups from further compliance with state and federal corporation and securities laws and regulations, until the venture receives its first conventional financing.

(12) The Corporation would cover regions within 100 miles of major trading areas, rich in educational facilities and professional population. Additional Corporations in the same region would be supported upon need.

The Strength of an Exciting New Frontier.

A skeptical man could ask: Why disburse taxpayer money at all, if national policy has been to "cool it", to stop business expansion? Such man would probably assert that professional unemployment is a needed adjustment, one that will level off, if given time.

The true situation is that today's level of professional unemployment is unhealthy, that entrepreneurial development under the conditions proposed could boost productivity and morale and not be inflationary. It would return its cost in reduced welfare, new personal and corporate taxes generated, and eventual loan repayment.

The proposal does aim at an immediate problem and, on this basis, it should be considered for emergency, experimental action right away. But, the proposal also offers a long range means to revitalize America's entrepreneurial system.

Remember, the proposal requires strict commercial criteria in assessing the merits of rival applications for seed-money. It requires personal sacrifice from founders. It does not put unemployed professionals back to their former jobs; it puts them to work making new, often pioneer goods and services overlooked or neglected by established firms.

The plan maintains individual self-respect by helping founders form their own natural groupings, propose their own projects, rely on their own talents, and then competitively fight for funds at each stage of financing. It is humanly far better for an unemployed professional to put his mind to work creatively, than to be handed a dole, or to turn in desperation to menial chores, or join destructive forces.

Properly managed, the proposal would realistically release great new creative energy in our age of technology and urban concentration, much as new land frontiers did in our earlier history.

Mr. Speaker, I recognize that this has been a long presentation, but it concerns a problem which has been directly created by the U.S. Government. It was Federal enticement that brought scientists and engineers into this field and a cutback of Federal procurement which caused their unemployment. Environmental deterioration is a national problem which persists as we watch teams of professional people, who could be working on a solution, dissipate and erode away. In the national interest we should preserve this great base of expertise.

The Santa Clara plan is one meaningful step which the Federal Government can take. It represents an investment in our future. I sincerely hope that my remarks will be read by the agencies of Government who have a concern in this field and that an honest effort will be made to find some means of cutting bureaucratic red tape and giving this innovative and imaginative plan a fair trial.

REPRESENTATIVE REID OF NEW YORK INTRODUCES BILL TO INCREASE SUBSTANTIALLY THE CIVIL PENALTY FOR POLLUTION OF THE WATER BY OIL

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

Mr. REID of New York. Mr. Speaker, I am today introducing a bill designed to increase substantially the civil penalty for pollution of the water by oil. Recent large oil spillings in San Francisco Bay and Long Island Sound underscore the urgent need to deter and prevent future such disasters to our environment.

Present law, the Water Quality Improvement Act of 1970, provides a maximum penalty of merely $10,000 for each unlawful discharge of oil into U.S. navigable waters, shoreline areas, and contiguous waters. It further limits in some cases the liability of an offender for the costs of cleaning up an oil spillage.

My bill would amend the present law so as to—

Increase the maximum criminal penalty for failure to report an oil spillage from $10,000 to $100,000;

Make any "willful or negligent" discharge of oil into the water a violation;

Require the Secretary of the department in which the Coast Guard is operating to appoint an Oil Pollution Hearing Board to investigate any violation and make findings of fact;

Require the Secretary to assess a civil penalty against any persons—including a corporation—whom the Board finds to be a violator, the amount of the penalty being fixed as $10 multiplied by the number of gallons of oil discharged into the water—as found by the Board;

Make a violator liable for the entire cost of cleanup, without limitation.

Mr. Speaker, the purpose of a penalty system is to deter potential violators by making a violation relatively costly. To a large corporation, the sum of $10,000 is trifling and therefore hardly a deterrent to negligent or willful conduct which might result in oil spills. A potential penalty of several million dollars is far more likely to encourage the care in the handling of oil necessary to avoid the disastrous spillages to which we are becoming altogether too accustomed.

Under my bill the recent San Francisco Bay spill would have cost the responsible party approximately $8.4 million in penalty, based upon the estimated number of gallons reported to have been spilled. Under present law the maximum penalty will be only $10,000.

By removing a ceiling on the penalty, my bill has the further advantage of establishing a correlation between the amount of damage done and the size of the penalty.

Whereas present law leaves the amount of the penalty in the discretion of the Secretary, my bill sets a fixed amount which depends only upon the number of gallons of oil spilled. This insures that the size of the penalty is not dictated by, and that the Secretary is protected from, political pressures.

In the belief that the American taxpayer should not be required to foot any expense of cleanup when oil is negligently or willfully spilled by a private corporation, my bill makes the offender fully liable for such costs.

Finally, my bill clarifies some ambiguous language in the present law by specifically making violators liable for negligent as well as willful discharges. This is intended to include simple, as well as gross, negligence.

Mr. Speaker, if we really want to improve the quality of our waters, we must put some real teeth into our antipollution laws. My bill would accomplish that, and I hope we can have hearings on it at the earliest possible opportunity.

BLACKBURN INTRODUCES FREEDOM OF CHOICE ACT

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

Mr. BLACKBURN. Mr. Speaker, today it is my pleasure to introduce legislation which will preserve the right of Federal employees to form, join, or assist a labor organization or to refrain from such activities. Thirty-seven Members have joined me in cosponsoring this legislation.

When a person decides to work for the Federal Government he has an obligation to his agency. It would be wrong if his first obligation were to a union over that to the Government for which he works. Furthermore, it is also wrong that any person be denied the right to serve this Government because he does not desire to join a Government employees union.

Both Presidents Kennedy and Nixon have reaffirmed this principle many times by issuing Executive orders proclaiming this right. This House during the debate on the Postal Reorganization Act added language which specifically guaranteed the right of Federal employees to refrain from joining a Government employees union. The language

of my bill is identical to that which was passed by this House.

I have been informed that the Government employees unions will ask the Congress to pass legislation giving them the same bargaining rights as those granted to postal workers. However, the Federal Government employees unions do not desire to have a freedom of choice provision found in this bill. I, therefore, would urge my colleagues to go on record as being in favor of the concept of freedom of choice for all Government employees.

HUMAN RIGHTS VIOLATIONS IN SOVIET-OCCUPIED UKRAINE

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

Mr. RARICK. Mr. Speaker, January 22, 1971, marked the 53d anniversary of the independence of Ukraine. The observance was postponed until January 28, because on January 22, President Nixon delivered his state of the Union message.

Tragically, the President made no mention of the sufferings of the Ukrainians nor of the enslaved peoples of other captive nations whose freedom as human beings is in the best interest of the security of the United States.

The Ukrainian Congress Committee of America, Inc., of 301 W. 13th Street, New York, N.Y. 10014, has for three decades worked on behalf of over 2 million Americans of Ukranian descent for the freedom of Ukrainian people and for a more realistic United States-U.S.S.R. relation.

In recent months, the committee has spoken out against the barbarous extradition of the Lithuanian sailor, Simas Kudirka, the death sentencing of the so-called Zionish hijackers and Russian anti-Semitism, the plight of Polish workers rioting over food prices, and systematic Russian aggressions in the Middle East and Latin America.

These recent events again prove, first, free voices raised with truth can curb in some measure the injustices and practices of Soviet Russian imperio-colonialism and totalitarianism; and, second, underlying each of the aforementioned events is the inescapable reality of the captive nations in toto.

These recent lessons justify more than ever before the formation in this 92d Congress of a Special House Committee on the Captive Nations so that a knowledgeable, concentrated focus on the captive peoples in and outside the U.S.S.R. would lessen or preclude these injustices through an aroused public opinion. The works of such an indispensable committee would also serve to dissolve the many myths engulfing U.S.-U.S.S.R. discussions, as, for example, referring to the Jewish renaissance in the U.S.S.R.

The indisputable evidence produced by Ukranians in exile of the many violations of human rights by the Soviet Union is so conclusive that I have reintroduced House Concurrent Resolution 64, expressing the sense of the Congress that the President, acting through the U.S. Ambassador to the United Nations Organization, take such steps as may be necessary to place the question of human rights violations in the Soviet-occupied Ukraine on the agenda of the United Nations Organization.

I urge all Members who believe in human rights to join me in this humanitarian endeavor. For our colleagues' perusal, I insert at this point the memorandum of evidence presented on behalf of the people of the Ukraine, an article written by Dr. Alexander Sas-Jaworsky, an outstanding American of Ukraine descent, of Abbeville, La., on the subject of human rights violations by the Soviets in occupied Ukraine and the text of House Concurrent Resolution 64:

MEMORANDUM

(Submitted by American Friends of Anti-Bolshevik Bloc of Nations, Washington Metropolitan Chapter, and Organization for the Defense of Four Freedoms for Ukraine, Washington, D.C.)

FEBRUARY 21, 1968.

To: The Court of World Public Opinion, Washington, D.C.

As members of the original delegation which presented the summons and indictment to the Soviet Embassy in Washington, D.C., on November 7th, 1967 but were denied the opportunity to present competent witnesses at the moot trial of International Communism we, the Organization for the Defense of Four Freedoms for Ukraine and the American Friends of Antibolshevik Bloc of Nations in Washington, D.C., submit to the court the following evidence of overt and conspiratorial crimes by the Russian Communist Party against Ukrainians and humanity, and plead that this evidence be fully examined by the Court of World Public Opinion and considered in the arrival at a verdict.

We accuse the Russian Communist Party and equally the Russian Communist Government of the following crimes against the Ukrainian people:

ARMED AGGRESSION

Armed aggression against the Ukrainian National Republic, an independent and sovereign state, in 1918. (see Exhibits: A; B; C; D. pp. 14–19; O; P.)

POLITICAL SUBJUGATION AND PERSECUTION

a. The invasion and occupation of the Ukrainian National Republic by Russian Communist forces in 1918–20 (see Exhibits: A; B; C; D, pp. 7–48; N; O; P.) in full violation of international treaties and solemn agreements as follows:

Treaties of Brest Litovsk (Feb. 9, 1918) and (March 3, 1918). (see Exhibits: A, pp. 80–133, 185–198; B; C; D, pp. 16–17; O.)

De facto recognition of Ukraine by France and Britain. (see Exhibits: A; B, pp. 182–3; C; D.)

De Jure recognition of the Ukrainian National Republic by the Russian Soviet Government, Dec. 17, 1917. (see Exhibits: A, 22–25, 128–133, 158–9, 186–198; B, pp. 184–5; C; D, pp. 14–15; O.)

b. The invasion and occupation of Ukraine in the Second World War in 1939–45. (see Exhibits: B; C; D, pp. 36–42; O; P.)

c. The imposition by force of arms of a puppet Communist Government upon people of Ukraine. (see Exhibits: A; B; C; D, pp. 15–20; G; O; P.)

d. The destruction of democratic political and social forces in Ukraine by forcibly imposing an alien, totalitarian, one party system. The Communist party became the only legal party in the new political structure and non-members of the communist party reduced to second class citizens. (see Exhibits: B; C; D, pp. 19–23; G; O; P.)

RELIGIOUS PERSECUTION

a. The destruction of the Ukrainian Autocephalous Orthodox and the Ukrainian Catholic Churches, (see Exhibits: C; D, pp. 111–138; E; F, pp. 5–51; O; P.)

b. The deaths, through brutality, imprisonment or execution, of the Ukrainian Catholic and Orthodox hierarchy and clergy. (see Exhibits: C, pp. 32–3; D, pp. 111–138; E; F, pp. 5–51; O; P.)

c. The closing of substantially all churches in Ukraine. (see Exhibits; C, p. 21; D, pp. 119, 125; I; F, pp. 5–51; G; M; O; P.)

d. The closing of all Ukrainian Seminaries and religious institutions, schools, and publications. (see Exhibits; C; D; E; F; G; O; P.)

e. The stripping of Ukrainian Churches of their religious and art treasures (see Exhibits; D, p. 119; E, pp. 43–45; M; O.)

f. The destruction of many ancient and historical church buildings in Ukraine. (see Exhibits; C, p. 21; D, p. 119, pictures; E; M; O; P.)

g. The persecution of other Ukrainian Christian denominations, Ukrainian Jews and adherents of the Islamic faith; the closing of their houses of prayer; and arrest of religions in Ukraine. (see Exhibits; C; D, pp. 111–138; F, p. 58; G, pp. 23–25; O; P.)

h. The creation of militant atheist institutions for waging a relentless war against all religions in Ukraine. (see Exhibits; C, D, pp. 111–138; E. p. 44; F., pp. 5–51; G.)

GENOCIDE

a. Creating a famine in 1932–33 to subdue the entire Ukrainian nation and to force collectivization on the Ukrainian farmers resulting in the deaths by starvation of seven million Ukrainians. (see Exhibits: C; pp. 17–20; D, pp. 69–84; G, pp. 15–18; H; I; O; P.)

b. The executions of hundreds of thousands of Ukrainians for political dissent by the State Security Police, Cheka, GPU, NKVD, NVD, & KGB), (see Exhibits. C; D, pp. 49–68, 85–110, 139–146, 169–198, 207–450; G; O; P.)

c. The deportation of millions of Ukrainians to Asia (Khrushchev stated at the XXth Communist Party Congress in 1956 that Stalin wanted to "deport all Ukrainians"). (see Exhibits: C; D; F, pp. 52–59; G, pp. 51–22, 65–66; O; P.)

d. The murder of 12,000 Ukrainians in Vinnytsia by NKVD. (see Exhibits: G, pp. 26–28; D, pp. 147–168; J, see The Court—Medical Report on pp. 15–18; G; O; P.)

e. Executions, imprisonment and the deportation of members of the Union for the Liberation of Ukraine (SVU), the Association of Ukrainian Youth (SUM), the Ukrainian Military Organization (UVO), the Organization of Ukrainian Nationalists (OUN) and the Ukrainian Insurgent Army (UPA). (see Exhibits: C; D, pp. 49–68, 85–100, 139–146, 169–198, 207–450; G; O; P.)

POLITICAL MURDERS

Murders of Ukrainian leaders by the Soviet Security Police operating in the free countries:

a. Simon Petlure, head of the Ukrainian government-in-exile, assassinated on May 25, 1926 in Paris, France. (See Exhibits: D, pp. 451–82; L; O; P.)

b. Col. Eugene Konovalets, head of the OUN, assassinated on May 23, 1938 in Rotterdam, Holland. (See Exhibits: D, pp. 451–466, 483–90; L; O; P.)

c. Dr. Lev R. Rebet, a Ukrainian nationalist writer, assassinated on October 12, 1957 in Munich, Germany. (See Exhibits: D, pp. 451–466; K; L; O; P.)

d. Stepan Banadera, head of the OUN, assassinated on October 15, 1959 in Munich, Germany. (see Exhibits: D, pp. 451–466, 525–8; K; L; O; P.)

CULTURAL PERSECUTION AND RUSSIFICATION

a. The waging of a relentless war against Ukrainian cultural and social institutions,

and progressively limiting the number of Ukrainian language publications. (see Exhibits: C; D, pp. 49–68, 85–110; G; O; P.)

b. The down-grading of the Ukrainian language. The imposing of the Russian language upon Ukrainian schools, institutions and administration in Ukraine. (see Exhibits: C; D; G; O; P.)

c. Denial of the enjoyment of Ukrainian cultural life to 8 million Ukrainians residing in the Russian Soviet Federal Socialist Republic and other parts of the USSR by prohibiting Ukrainian schools, Ukrainian language publications and the development of Ukrainian institutions. (see Exhibits: C; D; G; O; P.)

d. Conducting a population policy detrimental to the Ukrainians. (see Exhibits: C; D, p. 291; G; O; P.)

e. Conducting purges against Ukrainian intellectuals resulting in the death of thousands of Ukrainian scientists, writers, poets and educators. (see Exhibits; C; D, pp. 49–68, 85–110; 139–146, 280–282; G; O; P.)

f. The deliberate destruction of Ukrainian historical documents and records; archival treasures; and historical and ancient monuments. (see Exhibits: C, p. 21; D, pp. 110–138; E; G; M; O; P.)

ECONOMIC EXPLOITATION

a. The economic exploitation of Labor and National resources of Ukraine by the Russian Communist Government and the Russian Communist Party. (See Exhibits: C; D, pp. 119–124, 219–223; G; O; P.)

b. The destruction of a traditional free farming system in Ukraine and imposing collectivization against the will and welfare of the Ukrainian people. (See Exhibits: C; D, pp. 24–29, 69–84; G; O; P.)

c. Taking indiscriminately from Ukraine all industrial and agricultural output with little or no return. (See Exhibits: D; D, pp. 24–29, 69–84, 219–224; G, pp. 15–18; O; P.)

SECRET TRIALS IN 1965–67

For conducting illegal secret trials (1965–67) at which hundreds of Ukrainian intellectuals (writers, scientists, and educators) were sentenced to imprisonment or deported to slave labor camps. (See Exhibits Q and R.)

VOLODYMYR Y. MAYEWSKY,
Chairman, Organization for the Defense of Four Freedoms for Ukraine, Inc., Washington, D.C., Branch 17.
Colonel WILLIAM RYBAK,
Acting Chairman, American Friends of Antibolshevik Bloc of Nations, Washington Chapter.

LIST OF EXHIBITS

Exhibit A: Stachiw, Matthew. *Ukraine and Russia.* New York: The Ukrainian Congress Committee of America, 1967.

Exhibit B: Margolin, Arnold D. *From a Political Diary: Russia, The Ukraine, and America, 1905–1945.* New York: Columbia University Press, 1946.

Exhibit C: U.S. House of Representatives. Select Committee on Communist Aggression. *Communist Takeover and Occupation of Ukraine.* Special Report No. 4. H. Res. 346 and H. Res. 438, 83rd Cong., 2nd Sess., Washington: GPO, 1954.

Exhibit D: *Russian Oppression in Ukraine: Reports and Documents.* London: Ukrainian Publishers, 1962.

Exhibit E: Luznycky, Gregory, *Persecution and Destruction of the Ukrainian Church by the Russian Bolsheviks.* New York: The Ukrainian Congress Committee of America, 1960.

Exhibit F: "The Destruction of the Ukrainian Catholic Church in the Soviet Union," *Prologue,* New York Vol. IV (Spring-Summer 1960).

Exhibit G: U.S. Senate. Committee on the Judiciary *The Soviet Empire: Prison House of Nations and Races.* A study in Genocide Discrimination, and Abuse of Power. Eighty-Fifth Cong., 2nd. Sess., August 18, 1958. Washington: GPO, 1958.

Exhibit H: U.S. House of Representatives. *Famine in Ukraine;* A. H. Res. 399. 73rd Cong., 2nd Sess., May 28, 1934, New York: United Ukrainian Organizations of the United States, 1934.

Exhibit I: Solovey, Dmytro. *On the 30th Anniversary of the Great Man-Made Famie in Ukraine.* Jersey City, N.J.: Svoboda, 1963.

Exhibit J: *The Crime of Moscow in Vynnyt sia.* Edinburg: Scottish League for European Freedom, 1952.

Exhibit K: Germany. The German High Court. *Opinion of Federal High Court of West Germany in the Trial of Soviet Agent Bogdan Stashynsky for Murder in Munich, Germany, of Ukrainian Leaders Stepan Bandera and Lev Rebet,* Karlsruhe, October 19, 1962.

Exhibit L: U.S. Senate. Committee on the Judiciary. *Murder International, Inc. Murder and Kidnaping as an Instrument of Soviet Policy.* Hearing before the Subcommittee to Investigate the Administration of the Internal Security Act and Other Internal Security Laws of the Committee on the Judiciary United States Senate, Eighty-Nine Congress, First Session, March 26, 1965. Washington: GPO, 1965.

Exhibit M: Sichynsky, Volodymyr. *Destruction of Ukrainian Monuments of Art and Culture Under the Soviet Russian Administration Between 1917–1957.* New York: The Ukrainian Congress Committee of America, 1958.

Exhibit N: Smal-Stocki, Roman, *The Captive Nations,* New York: Bookman Associates, 1960.

Exhibit O: World Congress of Free Ukrainians. *Captive Ukraine: Challenge to the World's Conscience,* New York, November 16–19, 1967.

Exhibit P: World Congress of Free Ukrainians. *Memorandum.* Submitted to the Secretary General of the United Nations, New York, November 16–19, 1967.

Exhibit Q: Worthington, Peter: "New Russian Injustices." *The Weekend Telegram,* Toronto, January 6, 1968.

Exhibit R: Karavansky, Svyatoslav Y. "To the Council of Nationalities of the USSR," *The New Leader,* New York, Vol. LI, No. 2, January 15, 1968.

THE WAY I SEE IT

(By Dr. Alexander Sas-Jaworsky)

THEY DID NOT BELIEVE IT COULD HAPPEN TO THEM

In January of 1918, after the collapse of the Czarist Russian Empire, many nations emerged as free and independent countries, among them my native, Ukraine. At that time, those people never even dreamed that the yoke of the Czar of Russia would be replaced by the yoke of the Russian Communists. But today, we all know that this is an accomplished fact.

For years, I am pleading with high elected officials and the U.S. State Department to bring the issue of slavery, inside the Soviet Union, to the forum of the United Nations. But the response from United States Congressmen (with the exception of a few) and United States Senators amount to nothing. It is hard to judge if this is a result of ignorance or indifference, but the fact remains that slavery under the Russian Communists is "off limits" to American diplomats, Congressmen, Senators. etc.

Because I deal with this issue every year about this time and because some of the Congressmen and Senators might be tired of receiving similar communications from me, I would like to inject an anecdote which will explain why I am repeating this similar message every year.

"Parishioners of a certain Catholic parish decided to send a delegation to the Bishop and ask him to remove their priest. The Bishop received the delegates very courteously and asked them for a reason for their request. One of the delegates said, 'Our priest tells us the same sermon every Sunday.' The Bishop then asked, 'And what is he saying?' The delegates, looking at each other, could not explain what their priest was preaching. 'Well, my friends,' the Bishop exclaimed, 'when you return home, ask your priest to repeat the same sermon again.'"

The 53rd Anniversary of the Restoration of the Independence of Ukraine, which will be observed on January 22, is a reminder to the whole free world that what happened to the Ukraine and other enslaved nations can happen to the today's free nations, including the United States. But what should concern us the most, is the truth that the freedom and independence of Ukraine will serve the best to the security of the United States.

Walter Lippmann, famous and perhaps the most knowledgeable American columnist, explained in his essay, "Shield of the Republic," the reasons of American traditional pro-Russian foreign policies. Says Lippmann, *"For over a century and a half, we supported Russia and considered her our potential friend behind our potential enemies which at various times were England, Germany, and Japan. Now with the elimination of Germany and Japan as the first-class powers, the situation changed to the extent that behind our potential friends, Germany and Japan, we have a potential enemy—the Soviet Union."* Let us learn from the changed situation and act accordingly.

In the name of God and humanity, I am pleading again not to remain silent and indifferent at a time of mortal struggle—freedom versus slavery—for, according to philosopher Dante, "those who choose to remain silent and indifferent in times of crisis, deserve to be placed in the hottest spots in hell."

H. CON. RES. 64

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the President, acting through the United States Ambassador to the United Nations Organization, take such steps as may be necessary to place the question of human rights violations in the Soviet-occupied Ukraine on the agenda of the United Nations Organization.

PRESIDENT'S REVENUE-SHARING PROPOSAL OUT OF STEP WITH THE TIMES?

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

Mr. MATSUNAGA. Mr. Speaker, in his message on the Federal budget for fiscal year 1972, proposed to the Congress today, the President devotes a great deal of attention to his plan for revenue sharing with the States. On balance, however, there are more questions raised by the proposal than answers supplied.

The President indicates that he would like to share with the States, without any strings attached, $5 billion during the first full year of the program.

The President indicates only roughly how each State's share would be determined. The budget prescribes a formula "primarily on the basis of the population of each State."

The President fails to indicate the source of these new funds. Indeed, given

the President's projected $11.6 billion deficit for fiscal year 1972, it is not "revenue" that can be shared with the States. And if the President is no more accurate than he was last year in forecasting tax collections for the coming year, that deficit will be about $8 billion greater than what the President predicts.

Among the measures passed by the 91st Congress, President Nixon vetoed the education appropriations bill, the hospital construction bill, the comprehensive manpower bill and the bill to provide more family doctors. These measures, he said, would contribute directly to inflation, by adding to the Federal deficit.

It is truly difficult for most Americans to understand why spending to provide needed educational, manpower, and health resources would have been so inflationary as to require a Presidential veto only a few months ago, while spending $5 billion by revenue sharing is now acceptable and, as characterized by the President, "historic in scope and bold in concept."

Hopefully, the President has rejected the suggestions for financing this major outlay made by his chief assistant for domestic affairs who earlier this week told the press that—

We are not going to raise taxes or cut existing programs.

As in every other State, Hawaii's local governments are in dire need of additional revenues. But is this new program of unrestricted grants to the States the best way to deal with this troublesome problem?

Chairman WILBUR MILLS, of the House Ways and Means Committee, in a thoughtful speech last Tuesday on the floor of the House, pointed out one of the chief flaws of the plan proposed by the President. Nowhere is the factor of relative need considered. The money is to be distributed according to population, whether a particular State needs additional revenue or not. Surely, all of the States could use more funds, but clearly some have greater and more urgent needs than others.

Within each State, the problem of distribution to the various counties and local jurisdictions presents the same question: Will their relative needs be a factor in deciding how much each locality gets?

Some States have made heroic efforts to raise revenues to cover the increased demand for services; others have been less diligent. Should unrestricted Federal funds be distributed without regard to the efforts each State has made to tax its own citizens?

Several years ago, when the concept of revenue sharing first became widely known, it was based on the prediction that the Federal Government would soon have a surplus of revenues it would not know what to do with. Magazines carried dozens of articles discussing alternative uses for "the $50 billion fiscal dividend," or surplus which the Federal tax structure would soon generate. The central idea was "Instead of lowering Federal taxes, why not share the revenue surplus with the States?"

For a variety of reasons, as everyone now realizes, that dividend never materialized.

The Vietnam war, the economic downturn, the increased aid to State and local governments, have combined with other factors not only to dissipate any potential surplus, but to create an $18.6 billion deficit for the current fiscal year.

In addition, Congress will soon be called upon to evaluate a number of proposed new Federal initiatives—welfare reform, expanded manpower programs, an all-volunteer Armed Force and national health insurance, to name but a few—which promise to be anything but inexpensive.

It is in this significantly altered atmosphere that we should consider the President's revenue-sharing proposal. If adopted without deliberate consideration, it may prove to be a prelude to a drastic reduction in funds for ongoing Federal programs. The President should first tell the Congress where he intends to get the $5 billion he proposes to share with the States. As responsible legislators we must insist that he do this before we take any action.

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. MAHON, for 20 minutes, today.

Mr. Bow, for 15 minutes, today.

Mr. VANIK, today, for 10 minutes, to revise and extend his remarks and to include extraneous material.

(The following Members (at the request of Mr. KYL), to revise and extend their remarks and to include extraneous matter to:)

Mr. MCDONALD of Michigan, today, for 15 minutes.

Mr. SAYLOR, today, for 5 minutes.

Mr. GUBSER, today, for 30 minutes.

Mr. REID of New York, today, for 5 minutes.

Mr. PRICE of Texas, today, for 15 minutes.

Mr. BLACKBURN, today, for 5 minutes.

(The following Members (at the request of Mr. MAZZOLI), to revise and extend their remarks and to include extraneous matter to:)

Mr. MONAGAN, today, for 15 minutes.

Mr. RARICK, today, for 10 minutes.

Mr. MATSUNAGA, today, for 10 minutes.

Mr. DOW, on February 4, for 60 minutes.

Mr. MIKVA, on February 4, for 60 minutes.

Mr. RYAN, on February 4, for 60 minutes.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Appendix of the RECORD, or to revise and extend remarks was granted to:

Mr. COLLIER in four instances and to include extraneous matter.

Mr. GROSS and to include newspaper articles.

Mr. Bow asked and was given permission to revise and extend his remarks.

Mr. MAHON asked and was given permission to revise and extend his remarks and to include certain tables and pertinent extraneous material.

(The following Members (at the request of Mr. KYL), and to include extraneous matter:)

Mr. KEATING in two instances.

Mr. BROWN of Michigan in two instances.

Mr. SCHERLE in four instances.

Mr. BROOMFIELD.

Mr. PEYSER.

Mr. ZION.

Mr. GOLDWATER in two instances.

Mr. ROBISON.

Mr. ASHBROOK in three instances.

Mr. ZWACH.

Mr. PRICE of Texas in three instances.

Mr. HOGAN.

Mr. MORSE in two instances.

Mr. LANDGREBE.

Mr. GERALD R. FORD in three instances.

Mr. HOSMER in two instances.

Mr. VEYSEY in three instances.

Mr. Bow in three instances.

Mr. TEAGUE of California.

Mr. THONE.

Mr. EDWARDS of Alabama.

Mr. HORTON.

Mr. TALCOTT in two instances.

Mr. SCHMITZ.

(The following Members (at the request of Mr. MAZZOLI) and to include extraneous matter:)

Mr. MOORHEAD in eight instances.

Mr. CLAY in six instances.

Mr. FOLEY.

Mr. SARBANES in three instances.

Mr. ROYBAL in five instances.

Mr. FRASER in three instances.

Mr. CULVER in five instances.

Mrs. HANSEN of Washington.

Mr. EDWARDS of California in four instances.

Mr. DINGELL.

Mr. HARRINGTON in two instances.

Mr. FULTON of Tennessee in two instances.

Mr. NATCHER in two instances.

Mr. MADDEN in three instances.

Mr. RARICK in three instances.

Mr. KYROS in two instances.

Mr. PATTEN.

Mr. BINGHAM in two instances.

Mr. BENNETT in two instances.

Mr. NICHOLS in two instances.

Mr. RODINO in three instances.

Mr. MCCORMACK.

Mr. PICKLE in eight instances.

Mr. GALLAGHER.

Mr. UDALL in 10 instances.

Mr. BOGGS.

Mr. RONCALIO in two instances.

Mr. RYAN.

Mr. HALEY in two instances.

Mr. HANNA.

Mr. O'NEILL in three instances.

ADJOURNMENT

Mr. MAZZOLI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 42 minutes p.m.), under its previous order, the House adjourned until Monday, February 1, 1971, at 12 o'clock noon.

JANUARY 22, 1971.

COMMITTEE ON AGRICULTURE

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from June 30, 1970, to December 31, 1970, inclusive, together with total funds authorized or appropriated and expended by it.

Name of employee	Profession	Total gross salary during 6-month period
Christine S. Gallagher	Clerk	$15,098.88
Hyde H. Murray	Associate counsel	16,967.80
George F. Missibeck	Printing editor	8,963.76
Lydia Vacin	Staff assistant	8,073.72
Betty M. Prezioso	Secretary to general counsel.	8,073.72
Martha S. Hannah	Subcommittee clerk	8,073.72
Catherine L. Bernhardt	Calendar clerk	8,073.72
Marjorie B. Johnson	Secretary to associate counsel.	8,073.72
Louis T. Easley	Staff consultant	12,247.86
Lacey C. Sharp	General counsel	15,098.88
Investigative staff:		
Fred T. Ward	Assistant staff consultant.	8,386.20
Bert Allan Watson	Staff assistant	2,816.70
Mildred P. Baxley	do	8,073.72
Doris Lucile Farmarco	do	5,968.74
Mary P. Shaw	do	5,968.74
John A. Knebel	Assistant counsel	13,511.94
Doris R. Swischer	Staff assistant	5,46.29

Funds authorized or appropriated for committee expenditures	$200,000.00
Amount of expenditures previously reported	135,140.68
Amount expended, June 30–Dec. 31, 1970	52,842.51
Total amount expended, Jan. 1, 1969–Dec. 31, 1970	187,983.29
Total amount expended, Jan. 1, 1969–Dec. 31, 1970	187,983.29
Balance unexpended as of Dec 31, 1970	12,016.71

JANUARY 15, 1971.

COMMITTEE ON APPROPRIATIONS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1970, to December 31, 1970, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Paul M. Wilson	Clerk and staff director	$16,671.37
Jay B. Howe	Staff assistant	16,507.32
Robert M. Moyer	do	16,507.32
G. Homer Skarin	do	16,507.32
Eugene B. Wilhelm	do	16,507.32
Samuel R. Preston	do	16,507.32
Hunter L. Spillan	do	15,568.56
Aubrey A. Gunnels	do	15,325.62
Henry A. Neil, Jr	do	15,325.62
Keith F. Mainland	Staff assistant to chairman.	14,649.66
George E. Evans	Staff assistant	14,649.66
Earl C. Silsby	do	14,649.66
Peter J. Murphy, Jr	do	13,671.66
William G. Boling	do	11,780.22
John M. Garrity	do	11,549.64
Robert B. Foster	do	11,549.64
Milton B. Meredith	do	10,259.64
George A. Urian	Staff assistant	9,072.06
Dempsey B. Mizelle	do	9,072.06
Robert C. Nicholas, III	do	9,072.06
Thomas J. Kingfield	do	9,072.06
Donald E. Richbourg	do	9,072.06
Thayer A. Wood	do	$7,402.08
Gary C. Michalak	do	5,843.88
John G. Plashal	do	2,077.43
Byron S. Nielson	do	1,947.96
Samuel W. Crosby	Special assistant	16,507.32
Lawrence C. Miller	Editor	11,780.22
Paul V. Farmer	Assistant editor	8,140.92
Francis W. Sady	Administrative assistant.	6,727.68
Austin G. Smith	Clerical assistant	6,727.68
Gerard J. Chouinard	do	6,337.92
Judith A. McClure	do	5,464.56
Dale M. Shulaw	do	5,464.56
Daniel V. Gun Shows	do	4,444.38
Gemma M. Hickey	Clerk-typist	978.19
Randolph Thomas	Messenger	5,138.16
Gerald F. Meyer	Minority clerk	13,253.40
Enid Morrison	Staff assistant to Minority.	9,343.20
Naomi A. Rich	Clerk-stenographer	6,008.58
Patrick M. Hayes	do	2,640.80
Mary H. Smallwood	do	6,337.92
Catherine M. Voytko	do	6,337.92
John F. Walsh	do	6,337.92
T. Robert Garretson	do	6,337.92
Margarita V. Turner	do	6,337.92
Leta M. Buhrman	do	6,337.92
Margaret A. Riley	Clerk-stenographer	5,089.20
Forrest O. Tate, Jr	do	6,337.92
Vincent Rizzutto	do	6,161.87
Judith S. Strachan	do	4,347.36
Peggy C. Ehringhaus	do	6,337.92
Jimmy R. Fairchild	do	6,337.92
Patricia E. Hutchinson	do	6,337.92
Carmen Bergstrom	do	3,168.96
Katherine D. Coupe	do	6,337.92
Barbara B. Blum	do	6,337.92
David H. Kehl	do	6,304.98
Ronald A. Rash	do	5,942.70
William E. Martin	do	910.76
Helen W. Philipsborn	do	6,173.25
Keith E. Heiberg	do	5,170.80
Karen Lee Sahlin	do	5,281.60
Linda Steele	do	3,168.96
Total amount expended, July 1–Dec. 31, 1970		$547,552.24

GEORGE MAHON,
Chairman.

JANUARY 15, 1971.

COMMITTEE ON APPROPRIATIONS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1970, to December 31, 1970, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Surveys and investigations staff:		
Paul J. Mohr	Director	$15,001.68
Cornelius R. Anderson	First Assistant Director.	14,185.98
Leroy R. Kirkpatrick	Second Assistant Director.	13,103.46
Mary Alice Sauer	Clerk-stenographer	6,769.20
Frances May	do	5,000.25
Janet Lou Dameron	do	607.68
Barbara E. Keikkinen	do	1,963.44
Agriculture, Department of:		
Burton, R. L., Jr	Investigator	3,872.99
Army Audit Agency:		
Dunn, R. J	do	6,705.40
Fukutome, B. T	do	3,971.05
Central Intelligence Agency:		
Morrow, C. W	do	4,518.04
Commerce, Department of:		
Specht, D. H	do	$8,742.36
Defense Contract Audit Agency:		
Herron, M. A	do	10,088.00
Federal Bureau of Investigation:		
Baber, J. R	do	7,421.04
Bennett, C. L	do	12,165.12
Bosko, A. P	do	10,660.48
Brummitt, D. A	do	11,309.76
Carroll, G. C	do	7,817.76
Carson, D. W	do	12,450.24
Christensen, J	do	6,050.16
Fenstermacher, H.E., Jr	do	9,123.84
Franklin, R. M	do	11,594.88
Funkhouser, P. K	do	9,551.52
Goedtel, J. G	do	11,711.52
Groover, L. C., Jr	do	10,141.44
Hansen, J. F	do	2,970.00
Hieronymi, N. H	do	771.68
Ivy, C. M	do	11,625.12
Law, W. C	do	12,355.20
McGahey, H. B	do	12,165.12
Magee, E. H	do	12,165.12
Maher, M. F	do	12,165.12
Malyniak, J., Jr	do	4,259.52
Mansfield, J. P	do	8,696.16
Michalski, J. E	do	11,625.12
Sanderlin, C. H	do	4,040.64
Schaum, E. V	do	9,925.92
Scully, J. E	do	11,594.88
Shannon, A. J	do	12,165.12
Smith, H. J	do	1,141.92
Szoka, C. E	do	11,594.88
Torrence, R. E	do	11,880.00
Welch, W. H., Jr	do	12,450.24
Wetzel, R. G	do	6,486.32
Wood, H. B	do	12,165.12
Health benefits		1,392.73
Life insurance fund		1,076.71
Retirement fund		18,616.85
National Aeronautics and Space Administration:		
Dorn, R. J	Investigator	1,316.57
Driver, C	do	8,172.90
Hollingsworth, R. T	do	14,860.80
Transportation, Department of: Dailey, W. J	do	2,077.29
Veterans' Administration: O'Brien, J. F	do	5,763.40
Travel expenses		90,004.73
Miscellaneous expenses		535.85

Funds authorized or appropriated for committee expenditures	$1,015,000.00
Amount of expenditures previously reported	
Amount expended, July 1, 1970 – Dec. 31, 1970	540,588.32
Total amount expended, July 19, 1970–Dec. 31, 1970	540,588.32
Balance unexpended as of Dec. 31, 1970	474,411.68

GEORGE MAHON,
Chairman.

JANUARY 3, 1971.

COMMITTEE ON ARMED SERVICES

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1970, to December 31, 1970, for the permanent committee staff, and July 1, 1970, to January 2, 1971, for the Investigating staff, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
John R. Blandford	Chief counsel	$17,752.50
Frank M. Slatinshek	Assistant chief counsel	17,623.98
Earl J. Morgan	Professional staff member.	17,266.74
William H. Cook	Counsel	17,266.74
Ralph Marshall	Professional staff member.	13,671.66
John J. Ford	do	13,671.66
George Norris	Counsel	13,127.16
James F. Shumate	do	13,127.16

Name of employee	Profession	Total gross salary during 6-month period
William H. Hogan, Jr.	do	$9,015.24
Oneta L. Stockstill	Executive secretary	10,570.63
Mary Jo Sottile	Counsel (through July 15).	729.60
Berniece Kalinowski	do	8,600.94
L. Louise Ellis	do	8,600.94
Edna E. Johnson	do	8,600.94
Dorothy R. Britton	do	8,600.94
Doris L. Scott	do	8,600.94
Innis E. McDonald	do	6,453.45
Brenda J. Gore	Secretary	$5,366.64
Ann R. Willett	do	5,366.64
Emma M. Brown	do	5,335.44
Nancy Sue Jones	Secretary (from Oct. 12).	1,815.74
D. Carleen Poole	Secretary (through Oct. 31).	3,731.20
Constance E. Hobart	Secretary (through Sept. 13).	1,915.03
James A. Deakins	Clerical staff assistant.	6,503.30
Issiah Hardy	Messenger	4,664.86
Staff, Armed Services Investigating Subcommittee (through Jan. 2, 1971) (pursuant to H. Res. 105, H. Res. 106, and H. Res. 750, 91st Cong.)		
John T. M. Reddan	Counsel	$17,458.59
John F. Lally	Assistant counsel	13,259.66
Richard A. Ransom	Professional staff member.	12,683.22
H. Hollister Cantus	do	8,679.12
Thomas J. O'Brien	Professional staff member (from Aug. 10).	7,084.61
Albert R. Simonds	Professional staff member (through Sept. 30).	2,868.42
Rose C. Beck	Secretary	6,525.19
Adeline P. Tolerton	Clerk	5,294.26
Joyce C. Bova	Secretary	4,542.84
Diane W. Trowbridge	do	4,019.59
Sally A. Moore	do	4,183.09
William B. Short	Clerical staff assistant.	7,138.46
Sanford T. Saunders	Security officer	6,575.54
Kenneth W. Thompkins	Clerical staff assistant (through Aug. 31).	800.80
Suzanna H. Davis	Clerical staff assistant (from Sept. 28 through Oct. 15).	200.50

Funds authorized or appropriated for committee expenditures, H. Res. 106 and H. Res. 750	$425,000.00
Amount of expenditures previously reported	238,059.08
Amount expended, July 1, 1970–Jan. 2, 1971	104,953.51
Total amount expended, Jan. 3, 1969–Jan. 2, 1971	343,012.59
Balance unexpended as of Jan. 3, 1971	81,987.41

PHILIP J. PHILBIN,
Chairman.

DECEMBER 31, 1970.

HOUSE COMMITTEE ON BANKING AND CURRENCY

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1970, to December 31, 1970, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Standing committee staff:		
Paul Nelson	Clerk and staff director	$17,752.50
Orman S. Fink	Minority professional staff member.	17,752.50
Charles B. Holstein	Professional staff member.	$16,474.50
Curtis A. Prins	Chief investigator	14,961.18
Benet D. Gellman	Counsel	16,474.50
Joseph C. Lewis	Professional staff member.	17,673.84
Mary W. Layton	Secretary to minority	9,764.22
Donald G. Vaughn	Administrative assistant.	8,269.02
Total		119,122.26
Investigative staff (H. Res. 271):		
Jeanne M. Abrams	Secretary	3,505.32
Richard C. Barnes	Assistant clerk	7,956.24
Jane N. D'Arista	Research assistant	3,458.10
James F. Doherty	Counsel	15,341.82
Dolores K. Dougherty	Research associate	7,737.96
Carolyn A. Easter	Secretary	4,754.64
Robert J. Geline	Assistant clerk	5,835.60
Linda R. Hechtman	do	5,366.64
Laurance G. Henderson.	Professional staff member.	17,673.84
Helen C. Hitz	Administrative assistant.	8,260.56
Linda L. Hoff	Secretary	4,656.72
Joseph J. Jasinski	Professional staff member.	13,111.38
Mary-Helen Kesecker	Secretary	4,242.24
Mary E. Kirk	Assistant clerk	4,656.72
Mildred S. Mitchell	do	8,698.44
Richard H. Neiman	do	2,759.76
Graham T. Northup	Professional staff member, minority.	16,433.46
Margaret L. Rayhawk	Research associate	7,118.16
Gayle L. Peabody	Secretary	700.16
Yan Michael Ross	Minority staff member	7,435.68
Alicia F. Shoemaker	Minority staff secretary.	9,499.62
Elizabeth Stabler	Professional staff. member.	11,134.50
Peter D. H. Stockton	do	11,056.88
Gary Tabak	Counsel	10,600.98
Lester Carl Thurow	Professional staff member.	5,335.66
Robert L. Torrance	Assistant clerk	4,218.00
Total		201,549.08

Funds authorized or appropriated for committee expenditures	$773,600.00
Amount of expenditures previously reported	538,415.77
Amount expended, July 1, 1970 to Dec. 31 1970	224,765.10
Total amount expended, Jan. 3, 1969 to Dec. 31 1970	763,180.87
Balance unexpended as of Dec. 31, 1970	10,419.13

WRIGHT PATMAN
Chairman.

DECEMBER 31, 1970.

SUBCOMMITTEE ON HOUSING, HOUSE COMMITTEE ON BANKING AND CURRENCY

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1970, to December 31, 1970, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Housing Subcommittee (H. Res. 272):		
Terrence Boyle	Minority research associate.	$7,502.82
Jean Clarkson	Secretary	5,007.60
Michael T. Corbett	Assistant clerk	8,260.56
Patricia Eley	do	4,779.12
David Glick	Counsel	17,515.98
George Gross	do	15,670.43
Emily Hightower	Secretary	6,099.12
Casey Ireland	Minority staff member	17,515.98
Barbara Kling	Minority secretary	$5,440.08
Margaret Leary	Secretary	8,698.44
John J. McEwan, Jr.	Housing consultant	4,352.24
Gerald R. McMurray	Research associate	13,994.38
Catherine Smith	Minority secretary	4,242.24
Doris Young	Assistant clerk	8,040.18
John Zuccotti	Special counsel	6,003.24
Total salaries paid from July 1, 1970 to Dec. 31, 1970		133,122.41
Credit adjustment for repayment by John Nicholson		1,016.12
Total salaries after adjustment		132,106.29

Funds authorized or appropriated for committee expenditures (H. Res. 272 and 784)	$600,100.00
Amount of expenditures previously reported	378,844.34
Amount expended, July 1, 1970–Dec. 31, 1970	139,139.65
Total amount expended, Jan. 3, 1969–Dec. 31, 1970	517,983.99
Balance unexpended as of Dec. 31, 1970	82,116.01

WRIGHT PATMAN,
Chairman.

JANUARY 14, 1971.

COMMITTEE ON THE DISTRICT OF COLUMBIA

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1970, to January 1, 1971, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Hayden S. Garber	Counsel	$13,316.58
Clayton D. Gasque	Staff director	11,472.78
Leonard O. Hilder	Investigator	10,259.64
James T. Clark	Clerk	14,977.38
Othello Steinkuller	Secretary	8,260.56
Betty C. Alexander	do	7,637.16
Peggy L. Thornton	do	7,637.16
Sara Anna Watson	Assistant counsel	9,007.08
John E. Hogan	Minority clerk	11,998.62
Camille G. Butler	Secretary	4,974.96
Whitney L. Turley	Investigator	8,552.22
Marcellus C. Garner	Clerk-typist	3,762.54
Pat Friedman	Secretary (terminated Sept. 1).	1,535.36
Charles E. Jackson	Investigator (terminated Sept. 1).	1,658.32
Michael L. Payne	Temporary clerk-typist (terminated Sept. 1).	896.70
Harriet Coleman	do	1,095.08
John A. Roberts	Temporary (terminated July 31).	21.45
Kay A. Martin	Temporary clerk-typist (terminated Nov. 1).	1,674.51
Marsha L. Miller	Temporary clerk-typist (terminated Oct. 1).	1,642.62

Funds authorized or appropriated for committee expenditures	$110,000.00
Amount of expenditures previously reported	71,231.40
Amount expended, July 1, 1970–Jan. 1, 1971	32,722.14
Total amount expended Jan. 1, 1969–Jan. 1, 1971	103,953.55
Balance unexpended as of Jan. 1, 1971	6,046.45

JOHN L. McMILLAN,
Chairman.

JANUARY 15, 1971.

COMMITTEE ON EDUCATION AND LABOR—STANDING COMMITTEE

To the CLERK OF THE HOUSE:

The above-mentioned committee or sub-

committee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1970, to December 31, 1970, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Majority:		
Donald M. Baker	Associate counsel (Labor) (July 1–Dec. 31, 1970).	$17,752.50
Louise Maxienne Dargans.	Research director (July 1–Dec. 31, 1970).	17,752.50
William F. Gaul	Associate general counsel (July 1–Dec. 31, 1970).	17,752.50
Hartwell D. Reed, Jr.	General counsel (July 1–Dec. 31, 1970).	17,752.50
Benjamin F. Reeves	Editor of committee publications (July 1–Dec. 31, 1970).	17,358.00
Austin P. Sullivan, Jr.	Legislative specialist (July 1–Dec. 31, 1970).	13,715.67
Louise M. Wright	Administrative assistant (July 1–Dec. 31, 1970).	11,672.58
Marian R. Wyman	Special assistant to the chairman (July 1–Dec. 31, 1970).	15,034.08
Minority:		
Michael J. Bernstein	Minority counsel for education and labor (July 1–Dec. 31, 1970).	17,752.50
Charles W. Radcliffe	Minority counsel for education (July 1–Dec. 31, 1970).	17,752.50

Funds authorized or appropriated for committee expenditures	Contingent Fund
Amount of expenditures previously reported	$446,177.11
Amount expended, July 1–Dec. 31, 1970	164,295.33
Total amount expended, Jan. 1–Dec. 31, 1970	610,472.44
Balance unexpended as of Dec. 31, 1970	Contingent Fund

CARL D. PERKINS, Chairman.

JANUARY 15, 1971.

COMMITTEE ON EDUCATION AND LABOR—FULL COMMITTEE

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1970, to December 31, 1970, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Jeannine M. Anderson	Secretary (July 1–Oct. 31, 1970).	$3,403.68
Carole J. Ansheles	Assistant clerk (July 1–Aug. 14, 1970, and Dec. 15–31, 1970).	1,278.32
Goldie A. Baldwin	Legislative assistant (July 1–Dec. 31, 1970).	6,603.06
Dean Gregory Barker	Assistant clerk (from July 1–Aug. 31, 1970).	869.28
Donald F. Berens	Administrative assistant (July 1–Dec. 31, 1970).	11,019.42
William H. Cable	Legislative assistant (July 1–Dec. 31, 1970).	6,881.81
Elizabeth A. Cornett	Administrative assistant (July 1–Dec. 31, 1970).	8,260.56
Lelia T. Cornwell	do	$6,603.06
Stephen J. Dryden	Assistant clerk (July 1–Aug. 31, 1970).	869.28
Margery H. Engel	Research assistant (July 1–Oct. 16, 1970).	2,121.34
Eydie Gaskins	Administrative assistant (July 1–Dec. 31, 1970).	6,603.06
Katherine Clark Gibbons	Research assistant (Sept. 1–Dec. 31, 1970).	4,000.20
S. G. Lippman	Special counsel, labor (July 1–Dec. 31, 1970).	2,519.76
Shirley R. Mills	Secretary (July 1–Dec. 31, 1970).	6,918.78
David E. Pinkard	Assistant clerk (July 1 Aug. 21, 1970).	738.89
David B. Putnam	Staff assistant (July 1–Dec. 31, 1970).	4,278.63
Thomas F. Remington	Assistant clerk (July 1–Dec, 31, 1970),	2,607.84
Peter Schott	Assistant clerk (Dec, 1–31, 1970),	450.46
Cathie Sue Shepherd	Assistant clerk (July 1–Sept, 21, 1970),	1,173.53
Michael D, Sherman	Assistant clerk (July 1–Aug, 7, 1970),	536.06
Mary L, Shuler	Secretary (July 1–Dec, 31, 1970),	6,156.78
Jeanne E, Thompson	Legislative assistant (July 1–Dec, 31 1970),	9,007.08
Nancy J, Tyler	Junior researcher (July 1–Sept, 30, 1970),	1,351.38
Philip S, Uesato	Assistant clerk (Sept, 8–Dec, 31, 1970),	1,696.73
John E, Warren	Junior researcher (July 1–Dec, 31, 1970),	4,201.80
Minority:		
Robert C, Andringa	Minority professional staff assistant (July 1–Dec, 31, 1970),	10,595.66
Sheldon J, Batchelder	Research assistant (July 1–Sept, 12, 1970),	1,485.79
Browardine R, Broyhill,	Secretary (Dec, 1–31, 1970),	1,250.47
Mark Burnstein	Research assistant (July 1–Aug, 31, 1970),	1,000.96
Philip Bursley	do	800.80
Glenda D, Campbell	Secretary (July 1–26, 1970),	439.82
Norma P, Chiriboga	Research assistant (Sept, 1–Dec, 31, 1970),	5,165.50
Albert Edwin Clark, Jr.	Research assistant (July 1–Sept, 4, 1970),	1,295.06
Robert L, Durst, Jr.	Minority research assistant (July 1–Dec, 31, 1970),	5,288.43
Andrew S, Effron	Research assistant (Nov, 1–Dec, 31 1970),	2,500.94
Louise W, Finke	Secretary (July 1–Dec, 31, 1970),	6,619.66
Anita M, Gerhardt	do	5,605.04
Thaddeus Garrett, Jr.	Minority research assistant (Aug, 1–31, 1970),	800.60
Crawford C, Heerlein	Minority clerk (July 1–Dec, 31, 1970),	13,337.16
Will Henderson	Assistant clerk (July 1–Dec, 31, 1970),	5,469.26
Martin L, LaVor	Minority legislative coordinator (July 1–Dec, 31, 1970),	12,059.75
Joyce C, Lindsey	Secretary (Sept, 21–Dec, 31, 1970),	1,708.50
Silvia J Rodriguez	Secretary (July 1–Dec, 31, 1970),	4,334.69
Mary Ann Rospendowski.	do	3,042.68
Dean W. Rudoy	Research assistant (July 1–Aug. 31, 1970).	905.14
Walter J. Sears III	do	1,214.12
Dorothy L. Strunk	Administrative assistant (July 1–Dec. 31, 1970).	5,611.59

Funds authorized or appropriated for committee expenditures, 1969–70	$819,200.00
Amount of expenditures previously reported	491,189.58
Amount expended, July 1–Dec. 31, 1970	196,004.27
Total amount expended, Jan. 3, 1969–Dec. 31, 1970	687,193.85
Balance unexpended as of Dec. 31, 1970	132,006.15

CARL D. PERKINS, Chairman.

JANUARY 15, 1971.

SPECIAL SUBCOMMITTEE ON EDUCATION, NO. 1

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1970, to December 31, 1970, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Janet Allemand	Secretary (July 1–Dec. 31, 1970).	$3,602.28
Richard Feeney	Research assistant (Dec. 1–31, 1970).	2,278.61
Daniel A. Greenberg	Education specialist (July 20–Dec. 31, 1970).	8,610.55
Harry J. Hogan	Counsel (July 1–Dec. 31, 1970).	11,112.76
Sally K. Kirkgasler	Research assistant (July 1–Dec. 31, 1970).	5,984.90
Lillian D. Leahy	Secretary (Sept. 1–Dec. 31, 1970).	2,833.56
Rickl Lynn Ninomiya	Research assistant (July 1–31, and Nov. 1–30, 1970).	869.85
Bernice Sandler	Education specialist (Aug. 17–Dec. 31, 1970).	5,026.92
Betty L. Shupp	Clerk-typist (July 1–Dec. 31, 1970).	2,031.60

Funds authorized or appropriated for committee expenditures 1969–70	$120,000.00
Amount of expenditures previously reported	76,104.95
Amount expended, July 1–Dec. 31, 1970	42,557.58
Total amount expended from Jan. 3–Dec. 31, 1970	118,662.53
Balance unexpended as of Dec. 31, 1970	1,337.47

CARL D. PERKINS, Chairman.

JANUARY 15, 1971.

SPECIAL SUBCOMMITTEE ON LABOR, NO. 2

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1970, to December 31, 1970, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Jeunesse M. Beaumont.	Clerk (July 1–Dec. 31, 1970).	$8,071.75
Hugh G. Duffy	Counsel (Dec. 1–Dec. 31, 1970).	2,042.61
Charles K. Dutcher	Research assistant (July 1–Aug. 31, 1970).	752.26
Carl Elliott	Special counsel (Aug. (Aug. 1–Dec. 31, 1970).	536.30
James C. Hedden	Research assistant (Nov. 4–Diec. 31, 1970).	950.91
Thomas C. Keeney	Research assstant (July 1–Aug. 31, 1970).	800.80
Seth Kelsey	Research assistant (Oct. 1–Dec. 31, 1970).	453.66
Effie Nicholakis	Research assistant (July 1–Aug. 24, 1970 and Oct. 1–Oct. 5, 1970).	590.25

Name of employee	Profession	Total gross salary during 6-month period
William George Phillips.	Staff director (July 1–Nov. 30, 1970).	$12,133.20
Daniel H. Pollitt	Special counsel (Sept. 1–Dec. 31, 1970).	3,286.08
Daniel Rutledge Pollitt.	Research assistant (July 1–Aug. 15, 1970).	526.58
Ernest Robinson	Assistant clerk (July 1–Aug. 31, 1970).	214.52
Mary Lee Stein	Research assistant Oct. 1–Dec. 31, 1970).	750.78

Funds authorized or appropriated for committee expenditures 1969–70	$120,000.00
Amount of expenditures previously reported	78,449.40
Amount expended, July 1–Dec. 31, 1970	32,191.93
Total amount expended, Jan. 3–Dec. 31, 1970	110,641.33
Balance unexpended as of Dec. 31, 1970	9,358.67

CARL D. PERKINS, Chairman.

JANUARY 15, 1971.

GENERAL SUBCOMMITTEE ON LABOR, NO. 3

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1970, to December 31, 1970, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Adrienne Fields	Clerk (July 1–Dec. 31, 1970).	$7,435.68
S. G. Lippman	Special counsel (July 1–Dec. 31, 1970).	2,085.78
Mary F. McAndrew	Research assistant (Oct. 1–Dec. 31, 1970).	2,008.56
John T. Ridilla	Assistant clerk (July 1–July 23, 1970).	230.10
Robert E. Vagley	Director (July 1–Dec. 31, 1970).	14,617.74

Funds authorized or appropriated for committee expenditures 1969–1970	$120,000.00
Amount of expenditures previously reported	77,708.94
Amount expended July 1–Dec. 31, 1970	27,991.90
Total amount expended Jan. 3–Dec. 31, 1970	105,700.84
Balance unexpended as of Dec. 31, 1970	14,299.16

CARL D. PERKINS, *Chairman.*

JANUARY 15, 1971.

GENERAL SUBCOMMITTEE ON EDUCATION, NO. 4

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1970, to December 31, 1970, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Thomas J. Gerber	Assistant clerk (Nov. 1–Dec. 31, 1970).	$1,601.20
Sharlene P. Hirsch	Education specialist (Dec. 1–31, 1970).	1,400.87
John F. Jennings	Counsel (July 1–Dec. 31, 1970).	12,433.70
Thomas E. Johnson	Research assistant (Dec. 1–31, 1970).	700.30
Alexandra J. Kisla	Clerk (July 1–Dec. 31, 1970).	7,928.42

Funds authorized or appropriated for committee expenditures	$120,000.00
Amount of expenditures previously reported	91,469.02
Amount expended, July 1–Dec. 31, 1970	25,465.99
Total amount expended, Jan. 3–Dec. 31, 1970	116,935.01
Balance unexpended as of Dec. 31, 1970	3,064.99

CARL D. PERKINS, Chairman.

JANUARY 15, 1971.

SELECT SUBCOMMITTEE ON LABOR, NO. 5

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1970, to December 31, 1970, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Loretta A. Bowen	(Clerk July 1–Dec. 31, 1970).	$6,868.92
Scott L. Gordon	(Research Assistant July 6–July 31, 1970).	417.07
Daniel H. Krivit	(Counsel July 1–Dec. 31, 1970).	12,559.44
Mary F. McAndrew	(Research Assistant Aug. 3–Sept. 30, 1970).	967.60
Marcia Sue Nelson	(Research Assistant July 1–Dec. 31, 1970).	5,572.14
Catherine R. Romano	(Secretary July 1–Dec. 31, 1970).	3,926.89

Funds authorized or appropriated for committee expenditures, 1969–70	$120,000.00
Amount of expenditures previously reported	81,791.57
Amount expended July 1–Dec. 31, 1970	30,713.56
Total amount expended, Jan 3–Dec. 31, 1970	112,505.13
Balance unexpended as of Dec. 31, 1970	7,494.87

CARL D. PERKINS, Chairman.

JANUARY 15, 1971.

SELECT SUBCOMMITTEE ON EDUCATION, NO. 6

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1970, to December 31, 1970, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Jack G. Duncan	Counsel (July 1–Dec. 31, 1970).	$11,055.88
Ruth L. Eliel	Assistant clerk (July 1–Aug. 31, 1970).	529.02
Mary K. Gillespie	Assistant clerk (July 1–Sept. 30, 1970).	321.78
Arlene Horowitz	Staff assistant (July 1–Dec. 31, 1970).	4,454.80
Toni Rita Immerman	Assistant clerk July 1–Dec. 31, 1970).	3,572.54
Ronald L. Katz	Research assistant (July 1–Dec. 31, 1970).	6,672.82
David Lloyd-Jones	Research assistant (Aug. 17–Dec. 31, 1970).	3,029.50
Anne W. Risdon	Assistant clerk (July 1–Aug. 31, 1970).	600.26
Curtis C. Wilkie	Assistant clerk (Nov. 17–Dec. 15, 1970).	103.68

Funds authorized or appropriated for committee expenditures, 1969–70	$120,000.00
Amount of expenditures previously reported	84,479.89
Amount expended, July 1–Dec. 31, 1970	35,240.44
Total amount expended, Jan. 3–Dec. 31, 1970	119,720.33
Balance unexpended as of Dec. 31, 1970	279.67

CARL D. PERKINS, Chairman.

DECEMBER 31, 1970.

FOREIGN AFFAIRS COMMITTEE

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1970, to December 31, 1970, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Boy ! Crawford	Staff administrator (retired Dec. 10, 1970).	$6,027.30
Roy J. Bullock	Senior staff consultant (became staff administrator Nov. 23, 1970).	17,752.50
Albert C. F. Westphal	Staff consultant	17,752.50
Franklin J. Schupp	do	16,917.84
Harry C. Cromer	do	16,671.36
Philip B. Billings	do	12,985.08
Marian A. Czarnecki	do	16,671.36
Melvin O. Benson	do	14,034.12
Everett E. Bierman	do	13,356.00
John J. Brady, Jr	do	11,349.78
John H. Sullivan	do	11,349.78
Robert J. Bowen	Clerical assistant (retired July 31, 1970).	1,076.96
Kenneth W. Cowell	Clerical assistant (effective Oct. 13, 1970).	1,974.96
Ray Sparks	Staff assistant (effective Nov. 19, 1970).	1,936.89
June Nigh	Senior staff assistant	12,411.48
Helen C. Mattas	Staff assistant	11,042.28
Helen L. Hashagen	do	10,145.82
Louise O'Brien	do	9,854.04
Dora B. McCracken	do	8,140.92
Jean E. Smith	do	6,436.86
Nancy D. Peden	do	6,436.86
Paula L. Peak	do	8,140.92
Diane Gallagher	do	3,879.68

Funds authorized or appropriated for committee expenditures	$350,000.00
Amount of expenditures previously reported	209,169.89
Amount expended, July 1, 1970, to December 31, 1970	86,361.31
Total amount expended, January 1, 1969 to December 31, 1970	295,531.20
Balance unexpended as of December 31, 1970	54,468.80

THOMAS E. MORGAN
Chairman.

JANUARY 26, 1971.

COMMITTEE ON GOVERNMENT OPERATIONS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1970, to January 2, 1971, inclusive, together with total funds authorized or appropriated and expended by it:

Expenses—July 1, 1970–Jan. 2, 1971:	
Full committee	$1,231.89
Special investigative staff	38,507.63
Military Operations Subcommittee	43,764.84
Government Activities Subcommittee	45,303.74
Intergovernmental Relations Subcommittee	49,723.39
Executive and Legislative Reorganization Subcommittee	39,147.38
Foreign Operations and Government Information Subcommittee	65,194.84
Legal and Monetary Affairs Subcommittee	38,884.32
Conservation and Natural Resources Subcommittee	65,295.84
Special Studies Subcommittee	71,463.72
Total	458,517.59

Name of employee	Profession	Total gross salary during 6-month period
Salaries, full committee—July 1–Dec. 31, 1970:		
Christine Ray Davis	Staff director	$17,752.50
James A. Lanigan	General counsel	17,752.50
Herbert Roback	Professional staff member.	17,752.50
Miles Q. Romney	Associate general counsel.	15,115.08
Lawrence P. Redmond	Professional staff member.	10,236.90
Dolores L. Fe,'Dotto	Staff member	8,260.56
Ann E. McLachlan	do	8,006.58
Catherine S. Cash	Staff member (from Aug. 1, 1970).	5,467.90
Charlotte C. Bickett	Staff member (to July 31, 1970).	1,228.09
John Philip Carlson	Minority counsel	17,752.50
William H. Copenhaver.	Minority staff member	13,545.36
Expenses, July 1, 1970–Jan. 2, 1971, Full committee, Hon. Chet Holifield, chairman:		1,231.89
Total		1,231.89
Special investigative staff, Hon. Chet Holifield, chairman:		
Thomas H. Saunders	Minority staff member	8,214.39
Clara Katherine Armstrong.	Minority research assistant.	7,450.41
Annie M. Abbott	Secretary	6,600.78
Alan Kreshtool	Investigator	5,310.76
Mabe C. Baker	Staff member	4,939.48
John L. Dodson	Clerical staff	4,898.23
Catherine S. Cash	Secretary (to July 31, 1970).	1,093.58
Total		38,507.63
Military Operations Subcommittee, Hon Chet Holifield, Chairman:		
Douglas G. Dahlin	Staff attorney	11,141.68
John Paul Ridgely	Investigator	9,933.26
Joseph C. Luman	Defense analyst	9,422.02
Catherine L. Koeberlein.	Research assistant	7,645.64
Kathryn McQ. Rosenbaum.	Clerk-stenographer	4,823.97
Expenses		798.27
Total		43,764.89
Government Activities Subcommittee, Hon. Jack Brooks, Chairman:		
Ernest C. Baynard	Staff administrator	$14,812.43
C. Don Stephens	Research analyst	9,918.15
William M. Jones	Counsel	9,653.28
Lynne Higginbotham	Clerk-stenographer	6,634.39
Michael McGettigan	Investigator (to Oct. 31, 1970).	2,300.08
Irma Reel	Clerk (to July 31, 1970)	1,093.58
Expenses		891.83
Total		45,303.74
Intergovernmental Relations Subcommittee, Hon. L. H. Fountain, Chairman:		
James R. Naughton	Counsel	14,812.43
Delphis C. Goldberg	Professional Staff member.	14,812.43
Gilbert S. Goldhammer	Consultant	9,700.77
Bebe B. Terry	Clerk-stenographer	6,241.87
Marjorie W. Vanderbilt.	Secretary	4,003.27
Expenses		152.62
Total		49,723.39
Executive and Legislative Reorganization Subcommittee, Hon. John A. Blatnik, chairman:		
Elmer W. Henderson	Counsel	15,471.33
I. Warren Harrison	Legal assistant	8,548.66
Veronica B. Johnson	Clerk	7,450.41
Gilda K. Calderone	do	4,019.59
Ralph T. Doty	Clerical staff	3,218.61
Expenses		438.78
Total		39,147.38
Foreign Operations and Government Information Subcommittee, Hon. John E. Moss, chairman:		
Vincent J. Augliere	Staff administrator	14,812.43
Norman G. Cornish	Professional staff member.	14,812.43
Jack Matteson	do	13,344.79
Harold F. Whittington	do	11,374.82
E. Jayne Bodecker	Secretary	6,634.39
Martha Myers	Stenographer	3,642.31
Expenses		573.67
Total		65,194.84
Legal and Monetary Affairs Subcommittee, Hon. Dante B. Fascell, chairman:		
Charles A. Intriago	Assistant counsel	9,696.87
R. Michael Finley	Professional staff member.	9,696.87
Stuart E. Bossom	Legal assistant	8,231.37
Millicent Y. Myers	Clerk	6,634.39
Frances M. Turk	Stenographer	4,289.38
Expenses		335.34
Total		38,884.32
Conservation and Natural Resources Subcommittee, Hon. Henry S. Reuss, chairman:		
Phineas Indritz	Counsel	14,812.43
Laurence A. Davis	Assistant counsel	12,139.89
David B. Finnegan	do	12,139.89
F. Clement Dinsmore	Legal assistant	6,408.34
Josephine Scheiber	Research analyst	7,628.65
Catherine L. Hartke	Stenographer	6,634.39
Dorothy M. Vance	Stenographer (from Sept. 21, 1970).	2,041.30
Dianne W. Quander	Stenographer (Aug. 1–Sept. 30, 1970).	1,200.76
Nancy Rochelle Johnson.	Stenographer (July 1–31, 1970).	600.38
Expenses		1,689.81
Total		65,295.84
Special Studies Subcommittee, Hon. John S. Monagan, chairman:		
Louis I. Freed	Staff administrator	14,812.43
Jacob N. Wasserman	Counsel	13,624.10
Herschel F. Clesner	do	13,568.22
Peter S. Barash	Legal analyst	9,438.70
Charles P. Witter	Staff member	7,815.44
Marilyn F. Jarvis	Stenographer	7,180.51
Wileen O. Moore	do	3,642.31
Expenses		1,382.04
Total		71,463.72

Funds authorized or appropriated for committee expenditures H. Res. 214 and H. Res. 752, 91st Cong	$1,750,000.00
Amount of expenditures previously reported	1,270,525.80
Amount expended, July 1, 1970–Jan. 2, 1971	458,517.59
Total amount expended, Jan. 3, 1969–Jan. 2, 1971	1,729,043.39
Balance unexpended as of Jan. 2, 1971	20,956.61

CHET HOLIFIELD,
Chairman.

JANUARY 2, 1971.

COMMITTEE ON HOUSE ADMINISTRATION

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1970, to December 31, 1970, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Julian P. Langston	Chief clerk	$17,748.00
Robert D. Gray	Auditor	15,001.68
David S. Wolman	Personnel analyst	14,847.84
S. Arnold Smith	Counsel	10,115.52
Louis Silverman	Assistant clerk	9,072.06
Robert H. Frank	Legal counsel	8,649.66
Mary F. Stolle	Assistant clerk	6,074.46
Gurney S. Jaynes	do	5,464.56
Dianna Sue Gaujot	do	3,450.12
Margaret H. Schuler	do	1,416.78
Melvin M. Miller	Minority clerk	14,847.84
John C. d'Amecourt	Staff director, Subcommittee on Library and Memorials.	8,755.26
Thomas A. Tangretti	Printing clerk	6,910.44
Judith D. Holes	Assistant clerk	5,244.24
Gwenda R. Green	do	5,195.28
Paula Scruggs	do	5,040.24
Mary Susan Mattson	do	3,853.29
Judith L. Vargas	Assistant clerk (minority).	2,508.36
Catherine Ann Adelman	Assistant clerk	3,322.10
Thomas J. Hart	Assistant printing clerk.	2,478.36
Thomas S. Foster	Elections clerk	3,002.36
Stuart G. Weinblatt	Assistant clerk	2,127.04
Sylvia Meyer	do	2,398.75
Eric Honick	do	982.81
Randall Perry	do	604.03
Evelyn Hange Wilson	do	865.88
R. Marilyn Lee	do	667.96
John P. Padden	do	382.29

Funds authorized or appropriated for committee expenditures	$800,000.00
Amount of expenditures previously reported	154,593.50
Amount expended, July 1–Dec. 31, 1970	465,731.51
Total amount expended, Jan. 3, 1969–Dec. 31, 1970	620,325.01
Balance unexpended as of Dec. 31, 1970	179,674.99

SAMUEL N. FRIEDEL,
Chairman.

JANUARY 15, 1971.

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1970, to December 31, 1970, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Sidney L. McFarland	Staff Director and chief clerk.	$17 673.84
William L. Shafer	Consultant on mining, minerals, and public lands.	16, 277.64
Lewis A. Sigler	Counsel and consultant on Indian affairs.	15 584.76
Charles Leppert, Jr	Assistant counsel and consultant on territorial affairs.	14 425.86
Lee McElvain	Assistant counsel and consultant on national parks and recreation.	11, 951.94
Dixie S. Barton	Clerk	8, 552.22
Patricia Ann Murray	do	8, 552.22
Patricia B Freeman	do	7, 536.42
Susan A. Gardner	do	6, 960.37
Kathleen Sandy	do	6, 960.36
Salaries paid pursuant to H. Res. 117 and H. Res. 786—91st Congress:		
Jim T. Casey	Consultant on irrigation and reclamation,	13, 671.66
Miriam Waddell	Clerk	5, 810.94
Marston L. Becker	Printing clerk	7, 469.28
Edward Gaddis	Messenger	4, 250.34
Milton A. Pearl	Special counsel on public lands (from Dec. 23).	773.32

Funds authorized or appropriated for committee expenditures	$195, 000.00
Amount of expenditures previously reported	110, 607.06
Amount expended, July 1, 1970–Dec. 31, 1970	50, 662.67
Total amount expended Jan. 3, 1969–Dec. 31, 1970	161, 269.73
Balance unexpended as of Dec. 31 1970	33, 730.27

WAYNE N. ASPINALL,
Chairman.

JANUARY 14, 1971.

COMMITTEE ON INTERNAL SECURITY

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the "Legislative Reorganization Act of 1946," Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the six-month period from July 1, 1970, to December 31, 1970, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Standing committee:		
Donald G. Sanders	Chief counsel	$16, 335.06
Richard L. Schultz	Associate chief counsel (to standing Aug. 1, 1970).	10, 742.00
Alfred M. Nittle	Legislative counsel	13, 789.53
Glenn E. Davis	Editorial director	14, 585.70
Robert M. Horner	Chief investigator	11, 996.46
William G. Shaw	Research director	11, 953.14
Juliette P. Joray	Recording clerk	10, 411.32
Mary M. Valente	Administrative secretary.	8, 617.18
Anniel Cunningham	Chief, files and reference section.	8, 082.17
Helen M. Gittings	Research analyst	8, 056.98
Lorraine N. Veley	Secretary (resigned July 31, 1970).	1, 056.32
Investigating committee:		
Victoria Appell	Clerk-typist (resigned July 31, 1970).	395.80
Martha Beck	Information classifier (appointed Nov. 6, 1970).	994.91
Margie D. Biggerstaff	Secretary	4, 525.26
Charles Bonneville	Investigator (appointed Dec. 26, 1970).	208.41
Daniel Butler	Assistant documents clerk.	4, 713.84
Mary Jo Chapman	Clerk-stenographer	3, 139.55
S. Janice Coil	Secretary	5, 407.44
Harry T. Cone	Information classifier (resigned Aug. 31).	951.56
Sue Daniels	Information analyst	3, 802.31
Florence B. Doyle	Clerk-stenographer	$4, 308.31
Elizabeth L. Edinger	Editor	7, 309.74
Rochelle E. Epstein	Clerk-typist (resigned Aug. 31, 1970).	1, 051.38
Ellen Farley	Clerk-typist (appointed July 1, 1970; resigned Nov. 11, 1970).	2, 369.70
Daniel R. Ferry	Assistant counsel	8, 755.26
James L. Gallagher	Research analyst	7, 754.76
Ruth Ann Gerbec	Information classifier	3, 361.98
Isobel Hurwitz	do	3, 361.98
Leo William Ivory, Jr	Assistant documents clerk.	2, 917.92
Doris R. Jaeck	Information analyst	4, 770.96
Mildred V. James	Clerk-typist	3, 345.96
Joan Keller	Secretary (appointed July 15, 1970).	3, 860.46
Bernice King	Financial secretary (appointed Nov. 16, 1970).	1, 875.69
Gail B. Lewis	Information classifier (resigned Oct. 31, 1970).	2, 241.32
John F. Lewis	Coordinating editor	12, 731.74
Virginia Masino	Receptionist	3, 796.76
B. R. McConnon, Jr	Investigator	8, 311.56
Elizabeth B. Medina	Secretary (resigned Oct. 16, 1970).	2, 771.12
David E. Muffley, Jr	Documents clerk	4, 606.08
Maureen P. Ontrich	Information analyst	4, 193.70
Alma T. Pfaff	Research analyst	4, 819.92
Peggy F. Pixley	Editorial clerk	4, 770.96
William T. Poole	Research analyst	4, 795.44
Robert Poos	do	8, 425.46
Stuart Pott	Investigator	5, 878.15
Martha C. Poulton	Clerk-typist (appointed Nov. 6, 1970).	994.91
Josephine S. Randolph	Secretary	5, 252.40
Audrey Rollins	do	4, 150.64
Herbert Romerstein	Investigator	8, 040.18
Stephen H. Romines	Assistant counsel	8, 755.29
Karen Sue Russell	Information classifier.	3, 361.98
Jean W. Rutledge	Information classifier (resigned Aug. 14, 1970).	1, 349.99
Richard L. Schultz	Associate chief counsel (resigned investigating committee July 31, 1970; appointed standing committee Aug. 1, 1970).	2, 148.40
Thomas Q. Simmons	Investigator (resigned July 31, 1970).	1, 016.52
Linda E. Spirt	Clerk-stenographer	4, 452.48
John Stratton	Investigator (appointed Dec. 27, 1970).	166.73
Barbara C. Sweeny	Clerk-stenographer	4, 129.08
Neil E. Wetterman	Investigator (retired Nov. 30, 1970).	5, 824.20
Richard A. Shaw	Investigator	8, 065.74

Funds authorized or appropriated for committee expenditures	$850, 000.00
Amount of expenditures previously reported	590, 654.14
Amount expended, July 1, 1970–Dec. 31, 1970	230, 437.02
Total amount expended, Jan. 3, 1969–Dec. 31, 1970	820, 871.24
Balance unexpended as of Dec. 31, 1970	29, 128.76

RICHARD H. ICHORD,
Chairman.

JANUARY 7, 1971.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1970, to December 31, 1970, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Clerical staff:		
W. E. Williamson	Clerk	$17, 752.50
Kenneth J. Painter	First assistant clerk	14, 186.00
Marcella Johnson	Assistant clerk	8, 563.04
Frank Mahon	Printing editor	9, 334.98
Mary Ryan	Clerical assistant	6, 774.76
Mildred H. Lang	Clerical assistant (C.O.B. Nov. 15, 1970).	4, 995.90
Hazel J. Collie	Staff assistant	8, 521.12
Elsie M. Karpowich	Clerical assistant	6, 774.76
Edwin Earl Thomas	Staff assistant	6, 324.44
Marion M. Burson	Staff assistant (minority).	14, 185.98
Professional staff:		
William J. Dixon	Professional staff member.	17, 752.50
James M. Menger	do	17, 752.50
Robert P. Guthrie	do	17, 752.50
Kurt Borchardt	do	17, 752.50
Additional temporary employees under H. Res. 116, 320 and 815:		
Lewis E. Berry, Jr	Minority counsel	17, 752.50
Helen M. Dubino	Staff assistant (minority).	13, 300.74
Barbara L. Bullard	Clerical assistant (minority).	5, 860.32
Additional temporary employees under H. Res. 116, 320 and 815:		
Darlene G. McMullen	Clerical assistant (minority).	3, 805.62
Diane R. Tretter	Clerical assistant (minority from Nov. 1, 1970).	1, 470.68
Eleanor A. Dinkins	Clerical assistant	6, 774.76
F. Martin Kuhn	Staff assistant	11, 672.58
Michael A. Taylor	do	11, 672.58
Walter J. Graham, Jr	do	11, 672.58
James T. Glenn	do	11, 672.58
Theodore H. Focht	Special counsel	14, 337.90
Christine M. Fawcett	(Clerical assistant (minority C.O.B. Oct. 31, 1970).	2, 941.36
Joseph T. Kelley	Messenger (to C.O.B. Sept. 14, 1970).	1, 090.32
Violet M. McCarthy	Clerical assistant	5, 297.94
Maurice Nachlas	Clerical assistant (July 20, 1970 through Aug. 25, 1970).	690.58
Anne P. Lebbon	Clerical assistant (from July 14, 1970).	3, 635.81
Stuart A. Chalew	Clerical assistant (C.O.B. July 18, 1970).	300.29
Dennis C. Shumaker	Clerical assistant (from Sept. 1, 1970).	2, 337.44
Special Subcommittee on Investigations:		
Robert W. Lishman	Chief counsel (to C.O.B. Dec. 14, 1970).	16, 174.50
Daniel J. Manelli	Attorney	13, 292.88
William T. Druhan	Staff assistant	13, 292.88
James F. Broder	Special assistant	12, 325.80
James R. Connor	Staff assistant	12, 325.80
James P. Kelly	Chief investigator	13, 292.88
Banjamin M. Smethurst.	Special assistant	13, 292.88
Robert L. Rebein	Staff attorney	13, 292.88
Mark J. Raabe	Attorney	11, 944.14
Michael F. Barrett, Jr	do	10, 638.90
Thomas D. Hart	Legislative assistant (from Dec. 1, 1970).	1, 747.87
Elizabeth G. Paola	Clerical assistant	6, 717.98
Lucy M. Gossett	do	6, 001.70
Elizabeth A. Eastman	do	6, 001.70
Russell D. Mosher	Staff assistant	4, 942.32

Funds authorized or appropriated for committee expenditures	$1, 060, 000.00
Amount of expenditures previously reported	720, 941.98
Amount expended, July 1, 1970–Dec. 31, 1970	291, 301.67
Total amount expended, Jan. 3, 1969–Dec. 31, 1970	1, 012, 243.65
Balance unexpended as of Dec. 31, 1970	47, 756.35

HARLEY O. STAGGERS,
Chairman.

JANUARY 15, 1971.

COMMITTEE ON THE JUDICIARY

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profes-

sion, and total salary of each person employed by it during the 6-month period from July 1, 1970, to December 31, 1970, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Bess E. Dick	Staff director	$17,752.50
Benjamin L. Zelenko	General counsel	16,967.70
Herbert Fuchs	Counsel	16,474.50
Garner J. Cline	do	14,577.72
R. Frederick Jett	do	13,356.00
Donald G. Benn	Associate counsel	12,504.90
Jerome M. Zeifman	Counsel	12,092.10
Frances Christy	Clerical staff	9,359.64
Jane C. Caldwell	do	8,584.68
Gertrude Clara Burak	do	7,637.16
Carrie Lou Allen	do	7,226.22
Lorraine W. Beland	do	7,226.22
Roberta E. Eisenberg	do	6,727.68

SALARIES PAID JULY 1, 1970 THROUGH DEC. 31, 1970 PURSUANT TO H. RES. 93, 118, 780, AND 1065, 91ST CONGRESS INVESTIGATIVE STAFF

Employee	Position	Salary
Joanne E. Bell	Clerical staff	$3,602.28
Pearl L. Chellman	do	4,501.02
Stephen R. Conafay	Clerical staff (through Aug. 28, 1970).	665.47
James J. Faris	Counsel	9,285.60
Paul S. Fenton	Associate counsel	7,001.88
Howard W. Fogt, Jr.	Assistant counsel	8,006.58
William B. Forti	Economist	10,745.10
Austin T. Fragomen, Jr.	Assistant counsel (through Oct. 12, 1970).	3,963.01
Mary Shea Gaffney	Clerical staff	4,379.70
Alma B. Haardt	do	6,008.58
William Thomas Hutton	Assistant counsel	6,403.62
Jane F. Johnson	Clerical staff	3,975.42
Katherine Ely Kaplan	do	4,673.04
Michael Kelemonick	do	6,337.92
Florence T. McGrady	do	6,337.92
Thomas E. Mooney	Assistant counsel	6,835.68
Franklin G. Polk	Associate counsel	12,504.90
Mary G. Sourwine	Clerical staff	5,613.24
Annelie Tischbein	Associate council	3,975.42
Louis S. Vance	Messenger	4,452.48
Rosalie C. Werback	Clerical staff (through Nov. 14, 1970).	2,568.42
John F. Winslow	Assistant counsel	7,838.64

Funds authorized or appropriated for committee expenditures	$530,000.00
Amount of expenditures previously reported	381,377.43
Amount expended, July 1, 1960–Dec. 31, 1970	520,893.54
Balance unexpended as of Dec. 31, 1970	9,106.46

EMANUEL CELLER,
Chairman.

FUNDS FOR PREPARATION OF UNITED STATES CODE, DISTRICT OF COLUMBIA CODE, AND REVISION OF THE LAWS

A. Preparation of new edition of United States Code (no year):	
Unexpended balance, June 30, 1970	$75,454.20
Expended, July 1–Dec. 31, 1970	32,480.98
Balance, Dec. 31, 1970	42,973.22
B. Preparation of new edition of District of Columbia Code:	
Unexpended balance, June 30, 1970	2,762.02
Legislative Appropriation Act, 1971	150,000.00
Total	152,762.02
Expended, July 1–Dec. 31, 1970	27,914.53
Balance, Dec. 31, 1970	124,847.49
C. Revision of the laws, 1971:	
Legislative Appropriation Act, 1971	35,000.00
Expended, July 1–Dec. 31, 1970	16,433.46
Balance, Dec. 31, 1970	18,566.54

DECEMBER 31, 1970.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1970, to December 31, 1970, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Robert J. Ables	Chief counsel	$17,752.35
Ned P. Everett	Counsel	14,233.98
Ernest J. Corrado	do	11,664.91
Richard N. Sharood	Minority counsel	12,279.06
Robert J. McElroy	Chief clerk	16,080.77
William B. Winfield	Clerk	11,196.01
Frances P. Still	Assistant clerk	8,649.68
Vera A. Barker	Secretary	8,277.54
Virginia L. Noah	do	7,838.66
Albert J. Dennis	Investigator	9,554.63
Ralph E. Casey	Special counsel	17,752.35
Thomas A. Clingan, Jr.	Counsel	4,712.68
Donald A. Watt	Editor	9,039.60
Norman M. Barnes	Investigator	4,779.11
Lucye L. Summers	Secretary	5,810.92
Diane G. Kirchenbauer	do	4,779.11
Jane C. Wojcik	do	6,630.72
Pauline M. Dickerson	do	7,334.93
Ronald W. C. Watt	Assistant clerk	3,203.41

Funds authorized or appropriated for committee expenditures	$310,000.00
Amount of expenditures previously reported	212,080.29
Amount expended, July 1–Dec. 31, 1970	73,531.12
Total amount expended, Jan. 1, 1969–Dec. 31, 1970	285,611.41
Balance unexpended as of Dec. 31, 1970	24,388.59

EDWARD A. GARMATZ
Chairman.

JANUARY 15, 1971.

COMMITTEE ON POST OFFICE AND CIVIL SERVICE

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1970, to December 31, 1970, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Standing committee staff:		
Johnson, Charles E.	Chief counsel and staff director.	$17,752.50
Martiny, John H.	Counsel	17,491.08
Bray, Bun Benton	Associate staff director.	17,491.08
Irvine, William A.	Assistant staff director.	17,491.08
Kazy, Theodore J.	Senior staff assistant	17,491.08
Smiroldo, Victor C.	do	15,171.78
Fortune, Francis C.	Coordinator	13,040.34
Thornton, Elsie E.	Chief clerk	11,557.26
Wells, Barbara M.	Secretary	7,838.64
Simons, Blanche M.	do	7,553.22

Name of employee	Profession (Standing or Select Committee)	Total gross salary during 6-month period
Investigative staff, pursuant to H. Res. 268, 301, and 869 of the 91st Cong., 2d sess.:		
Barton, Richard A.	Staff assistant	$10,305.18
Bates, Kathryn E.	Secretary	5,654.46
Bebick, Joan E.	do	4,673.04
Borger, Deanne L.	do	5,293.20
Brown, Lorraine L.	do	4,673.04
Ciaravella, Jo Ann	do	4,673.04
Coultrap, Ray H.	Staff assistant (minority).	$6,403.62
Davis, Stewart A.	Staff assistant	9,592.08
Devlin, Ralph J.	do	12,890.40
Dowd, Maureen B.	Intern (to Aug. 31, 1970).	668.66
Fisher, Mitchell Jeffrey.	Intern (to Aug. 16, 1970).	613.95
Fuchs, Thomas	Intern (to Sept. 7, 1970).	776.37
Fussell, Glenda J.	Intern (July 8, 1970–Oct. 31, 1970).	1,885.14
Gabusi, John B.	Staff assistant	10,509.96
Gould, George B.	do	11,672.58
Green, Thelma R.	Secretary	6,337.92
Griffith, Thomas B.	Intern (to Aug. 15, 1970).	488.67
Harding, Delois	Secretary	2,428.31
Higgins, Michael A.	Intern (to Sept. 15, 1970).	1,083.98
Hitchcock, John E.	Intern (to Aug. 31, 1970).	668.66
Howard, Alton M.	Printing editor	8,755.26
Kennedy, Thomas R.	Staff assistant	10,585.80
Lloyd, Max T.	do	15,171.78
Maginnis, Mary E.	Intern (to Aug. 31, 1970).	867.18
Marmon, Victor Ira	Intern (to Aug. 16, 1970).	613.95
Miller, W. Kenneth	Intern (to Aug. 31, 1970).	867.18
Myers, Lois G.	Secretary	5,827.38
Napier, Margaret G.	do	4,673.04
O'Hare, Mary V.	Intern (to Aug. 31, 1970).	867.18
Palmer, Fred D.	Research assistant	7,427.28
Pendleton, Maria R.	Document clerk	7,544.82
Peters, Dorothy L.	Assistant document clerk.	6,445.14
Potts, Loren Christi	Intern (July 20,–Aug. 31, 1970).	592.57
Quigley, Michael A.	Intern (Aug. 31, 1970)	668.66
Raymond, Anthony J.	Staff assistant (minority).	10,729.92
Rutan, Jeanne Marie	Intern (Sept. 5, 1970)	1,321.08
Snipes, Justine P.	Secretary	6,727.68
Strickland, Elizabeth M.	Intern (Aug. 31, 1970)	1,000.96
Sullivan, Mary Kathryn.	Secretary (Aug. 1–Nov. 30, 1970).	2,170.72
Ward, Sara L.	Secretary	7,583.16
Williss, Donna L.	Secretary	4,673.04

Funds authorized or appropriated for committee expenditures	$806,000.00
Amount of expenditures previously reported	544,864.88
Amount expended, July 1–Dec. 31, 1970	[1] 218,182.58
Total amount expended, Jan. 3, 1969–Dec. 31, 1970	763,047.46
Balance unexpended as of Dec. 31, 1970	$42,952.54

THADDEUS J. DULSKI
Chairman.

[1] Includes $39.04 refund in June 1970 for salary overpayment.

JANUARY 8, 1971.

COMMITTEE ON PUBLIC WORKS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1970, to December 31, 1970, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Standing committee:		
Richard J. Sullivan	Chief counsel	$17,337.96
Lester Edelman	Counsel	14,058.12
Lloyd Rivard	Engineer consultant	14,585.70
Clifton W. Enfield	Minority counsel	17,183.70
Stephen V. Feeley	Subcommittee clerk	10,866.48
Dorothy A. Beam	Executive staff assistant.	9,734.28
Meriam R. Buckley	Staff assistant	8,674.02
Sterlyn B. Carroll	do	6,403.62
Investigating staff:		
Richard C. Peet	Assistant minority counsel.	14,585.70

Name of employee	Profession	Total gross salary during 6-month period
Audrey G. Warren	Subcommittee clerk	$10,434.12
Sheldon S. Gilbert	Associate minority counsel.	9,516.12
Augusta P. Peterson	Subcommittee clerk	8,087.22
Robert F. Spence	do	8,140.92
Joseph A. Iteliano, Jr.	Editorial assistant	7,880.64
Erla S. Youmans	Minority staff assistant.	7,754.76
Sara B. Hilber	do	5,162.64
Linda L. Williams	do	4,673.04
Nancy Brayer Vitali	Staff assistant	4,606.08
Peggy Lynn Clements	do	4,476.72
Harvey C. Simms, Jr.	Clerical assistant (as of July 1, 1970).	2,766.06
Maryann D. Conway	Staff assistant	5,810.94
Emily B. Loosier	do	5,268.72
Cynthia J. Van Sant	do	3,714.48
Rosemari E. Gaughan	do	3,610.32
Frederick S. Beckman, Jr.	Clerical assistant (terminated Aug. 31, 1970).	922.02
Patricia Maguire	Minority clerical assistant.	2,766.06
Robert G. Marshall	Subcommittee clerk (as of Sept. 1, 1970).	4,164.92
Special Subcommittee on Federal-Aid Highway Program:		
Walter R. May	Chief counsel	17,482.74
John P. Constandy	Assistant chief counsel.	16,277.64
Salvatore J. D'Amico	Associate counsel	12,279.06
John P. O'Hara	do	12,279.06
Carl J. Lorenz, Jr.	do	12,465.96
Robert G. Lawrence	do	10,001.65
George M. Kopecky	Chief investigator	15,293.22
Sherman Willse	Professional staff member.	12,279.06
Paul R. S. Yates	Professional minority staff member.	13,584.84
Kathryn M. Keeney	Chief clerk	7,737.96
Stuart M. Harrison	Staff assistant	9,302.04
Mildred E. Rupert	do	1,050.83
Agnes M. GaNun	do	6,107.34
Shirley R. Knighten	do	5,260.56
Martha E. Downie	Minority staff assistant	5,703.90
Betty Hay	Staff assistant (as of Sept. 1, 1970).	4,203.32

Funds authorized or appropriated for committee expenditures:	
H. Res. 259	$486,000.00
H. Res. 801	587,000.00
Total	1,073,000.00
Amount of expenditures previously reported	780,948.83
Amount expended, July 1, 1970–Dec. 31, 1970	291,422.16
Total amount expended, Jan. 3–Dec. 31, 1970	1,072,370.99
Balance unexpended as of Dec. 31, 1970	629.01

GEORGE H. FALLON,
Chairman.

JANUARY 14, 1971.

COMMITTEE ON RULES

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1970, to December 31, 1970, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Waller Batson (to Oct. 31, 1970).	Professional staff member (P).	$6,413.24
Laurie C. Battle	Counsel (P)	17,752.50
Robert D. Hynes, Jr.	Minority counsel (P)	16,433.46
Mary Spencer Forrest	Assistant counsel (P)	10,123.08
Winifred L. Watts	Secretary (C)	7,645.56
Jonna Lynne Cullen	do	6,662.10
Margaret Bundick (Oct. 1 to Oct. 31).	do	752.02
William W. Belcher (to Oct. 31).	Messenger (C)	660.72
Total		66,442.68

Funds authorized or appropriated for committee expenditures	5,000.00
Amount of expenditures previously reported	2,728.67
Amount expended, July 1, 1970–Dec. 31, 1970	122.70
Total amount expended Jan. 1, 1970–Dec. 31, 1970	2,851.37
Balance unexpended as of Dec. 31, 1970	2,148.63

WILLIAM M. COLMER,
Chairman.

JANUARY 14, 1971.

COMMITTEE ON SCIENCE AND ASTRONAUTICS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the six-month period from July 1, 1970, to December 31, 1970, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Charles F. Ducander	Executive director and Chief counsel.	$17,752.50
John A. Carstarphen, Jr.	Chief clerk and counsel.	16,892.94
Philip B. Yeager	Counsel	16,892.94
Frank R. Hamm II, Jr.	do	16,220.22
James E. Wilson	Technical consultant	15,487.56
Mary Ann Robert	Secretary	6,777.54
Emily Dodson	do	6,495.00
Carol F. Rodgers	do	6,337.92
June C. Stafford	do	6,337.92
Virginia Robison	do	6,337.92
Investigative staff:		
Richard P. Hines	Staff consultant	15,487.56
Harold A. Gould	Technical consultant	15,487.56
Philip P. Dickinson	do	13,427.06
Wilfred H. Boone	do	16,892.94
William G. Wells, Jr.	do	12,890.40
K. Guild Nichols, Jr.	Staff consultant	8,755.26
J. Thomas Ratchford	Science consultant	14,050.14
James A. Rose, Jr.	Minority staff (to Aug. 15, 1970).	2,916.23
Stanley J. Trachta	Minority staff (Aug. 16–31, 1970).	972.08
Victor Showers	Minority staff (Sept. 9–Oct. 5, 1970).	1,425.71
William L. Offutt	Minority staff (from Nov. 23, 1970).	1,477.86
Frank J. Giroux	Printing clerk	8,260.56
Elizabeth S. Kernan	Scientific research assistant.	7,620.42
Martha N. Rees	Secretary	3,634.38
Denis C. Quigley	Publications clerk	6,702.72
Kieran U. Cashman	Secretary	5,244.24
Patricia Schwartz	do	4,673.07
Richard J. Shullaw	Assistant publications	1,552.86
George J. Feldman, Jr.	Clerical assistant (to 13, 1970).	430.19

Funds authorized or appropriated for committee expenditures	$715,000.00
Amount of expenditures previously reported	543,471.44
Amount expended, July 1–Dec. 31, 1970	152,322.54
Total amount expended, Jan. 3, 1969–Dec. 31, 1970	695,793.98
Balance unexpended as of Dec. 31, 1970	19,206.02

GEORGE P. MILLER,
Chairman.

JANUARY 20, 1971.

COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1970, to December 31, 1970, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
John M. Swanner	Staff director	$17,752.50
Bennett Wolfe	Assistant staff director	14,178.00
Robert G. Allett	Senior staff member	16,039.80
Mariann R. Mackenzie	Secretary	8,982.72
Tempie W. Whittington	Assistant clerk	4,242.24

Funds authorized or appropriated for committee expenditures (H. Res. 204; Mar. 12, 1969)	$20,000.00
Amount of expenditures previously reported	5,837.02
Amount expended, July 1, 1970–Dec. 31, 1970	159.60
Total amount expended Mar. 12, 1969–Dec. 31, 1970	5,996.62
Balance unexpended as of Dec. 31, 1970	14,003.38

MELVIN PRICE
Chairman.

JANUARY 15, 1971.

COMMITTEE ON VETERANS' AFFAIRS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1970, to December 31, 1970, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Standing Committee:		
Oliver E. Meadows	Staff director	$17,673.84
Edwin B. Patterson	Counsel	16,474.50
John R. Holden	Professional staff member.	14,617.74
Billy E. Kirby	Professional aide	14,617.74
George W. Fisher	Clerk	16,474.50
Helen A. Biondi	Assistant clerk	10,229.28
Alice V. Matthews	Clerk-stenographer	7,060.02
Morvie Ann Colby	do	6,860.58
Marjorie J. Kidd	do	6,561.48
Investigative staff:		
Helen Lee Fletcher	do	3,081.30
Audrey A. Powelson	do	5,170.80
Patricia J. Wilton	do	5,170.80
Philip E. Howard	Investigator	14,521.80
Candis L. Graves	Clerk-stenographer	4,234.20
Vance L. Gilliam	Records clerk	4,088.64
Lisa Rae Schulberg	Clerk-stenographer	1,266.85
Russell L. Love	Intern	1,251.20
Michael A. McHone	do	989.52

Funds authorized or appropriated for committee expenditures	250,000.00
Amount of expenditures previously reported	155,192.65
Amount expended, July 1–Dec. 31, 1970	61,956.77
Total amount expended, Jan. 1, 1969–Dec. 31, 1970	217,149.42
Balance unexpended as of Dec. 31, 1970	32,850.58

OLIN TEAGUE,
Chairman.

JANUARY 4, 1971.

COMMITTEE ON WAYS AND MEANS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1970, to December 31, 1970, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
John M. Martin, Jr.	Chief counsel (C)	$17,752.50
Richard C. Wilbur	Minority counsel (P)	17,673.84
John Patrick Baker	Assistant chief counsel (P).	16,121.82
Robert B. Hill	Professional staff (P)	10,335.48
William Kane	do	14,847.84
James W. Kelley	do	14,847.84
Harold Lamar	do	14,847.84
Florence Burkett	Staff assistant (C)	6,165.00
Virginia Butler	do	8,056.98
William C. Byrd	do	5,391.12
Mary Clare Fitzgerald	do	4,926.00
William Fullerton	do	14,847.84
Grace Kagan	do	8,056.98
June Kendall	do	8,860.86
Jerry W. Knebel	Staff assistant (C) to Oct. 25.	3,392.19
Elizabeth Price	Staff assistant (C)	5,860.32
Jean Ratliff	do	4,606.08
Gloria Shaver	do	7,385.28
Arthur Singleton, Jr.	do	14,569.74
Eileen Sonnett	do	6,686.16
Shirley Vallance	do	5,309.52
Judith Van Der Schaaf	Staff assistant (C) from Dec. 14.	474.65
Carole Vazis	Staff assistant (C)	5,464.56
Hughlon Greene	Document clerk (C)	6,403.62
Walter Little	do	6,403.62

Funds authorized or appropriated for committee expenditures	$50,000.00
Amount of expenditures previously reported	13,979.06
Amount expended, July 1, 1970–Dec. 31, 1970	5,013.35
Total amount expended, Jan. 1, 1969–Feb. 31, 1970	18,992.41
Balance unexpended as of Dec. 31, 1970	31,007.59

W. D. MILLS,
Chairman.

JANUARY 11, 1971.

SELECT COMMITTEE ON CRIME

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1970, to December 31, 1970, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Elkan Abramowitz	Special counsel (July 2 [1])	$130.04
Stephen N. Abrams	Press assistant	5,007.60
Weston Adams	Associate counsel	11,944.14
Stuart R. Allen	Chief investigator	12,504.90
Avanell K. Bass	Office manager	6,255.60
Leroy C. Bedell, Jr.	Staff investigator	7,956.24
Beverly Bondy	Secretary	4,088.64
Arthur E. Cameron	Associate counsel and assistant to the chairman (Dec. 30 [1]).	7,001.07
Marian Canty	Secretary to the chairman.	5,522.70
Frederick B. Collison	Investigator	6,627.96
Alliene E. Correll	File clerk (Nov. 6 [1]).	2,782.79
Joseph M. Cribben	Associate chief investigator.	11,672.58
Elsworth D. Dory	Investigator	7,754.76
M. Fayne Downey	Secretary	3,292.50
Lina Mabel Duran	do	5,031.36
Hazel K. Edwards	Secretary to the executive director.	5,301.36
Robert H. Fleming	Information director (Nov. 9 [1]).	10,447.37
Paul B. Galvani	Special counsel (July 31 [1]).	1,950.56
Roberta S. Gerson	Secretary to the chief counsel.	5,301.36
Mary M. Goulart	Finance officer	5,852.10
Deborah Hastings	Research assistant	4,088.64
Patricia C. Hester	Secretary	4,242.24
Lake E. High, Jr.	Researcher (Oct. 15 [1])	4,176.51
John F. Kane	Chief hearings officer (Dec. 15 [1]).	9,335.47
Alvin J. Lorman	Investigator	7,427.28
Raphael J. Madden	Research assistant	$3,506.16
Paul Louis Perito	Chief counsel	17,499.36
Michael D. Petit	Press officer (Aug. 1 [1]–Sept. 9 [2]) (Nov. 30 [1]–Dec. 5 [2]).	7,399.82
Mary G. Poore	Secretary	5,301.36
Andrew Radding	Assistant counsel	7,586.82
Larry T. Reida	Associate chief counsel.	14,577.72
Paul K. Rooney	Special counsel (July 3 [1]).	195.06
Alberta E. Sandel	Secretary	4,088.64
Margaret M. Schauer	do	5,040.24
Arnold G. Shulman	Assistant counsel (Oct. 30 [1]).	5,507.04
James F. Southerland	Executive director	15,001.68

Funds authorized or appropriated for committee expenditures H. Res. 399 and 808	$975,000.00
Amount of expenditures previously reported	623,461.53
Amount expended, July 1, 1970–Dec. 31, 1970	291,476.61
Total amount expended, July 1, 1969–Dec. 31, 1970	914,938.14
Balance unexpended as of Dec. 31, 1970	60,061.86

[1] Termination.
[2] Appointment.

CLAUDE PEPPER,
Chairman.

JANUARY 28, 1971.

SELECT COMMITTEE ON HOUSE RESTAURANT

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1970, to December 31, 1970, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Thomas J. Campbell	Staff director	$8,481.66
Judy A. Crowe	Secretary	3,419.37
Total		11,901.03

Funds authorized or appropriated for committee expenditures	$40,000.00
Amount of expenditures previously reported	18,865.26
Amount expended, July 1970–Dec. 31, 1970	13,459.37
Total amount expended, August 1969–Dec. 31, 1970	32,324.63
Balance unexpended as of Dec. 31, 1970	7,675.37

JOHN C. KLUCZYNSKI,
Chairman.

DECEMBER 31, 1970.

SELECT COMMITTEE ON SMALL BUSINESS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1970, to December 31, 1970, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Linda Kay Wells	Secretary	$5,176.24
Emilia E. Parrish	do	3,441.76
William A. Keel, Jr.	Research analyst	17,082.06
Marlyn Wilkinson	Secretary	$4,258.44
Myrtle Ruth Foutch	Clerk	7,922.62
Donna Santoro	Secretary	3,723.06
T. J. Oden	Counsel	7,805.10
Charles E. O'Connor	General counsel	17,713.17
Susan B. Graves	Staff assistant	2,332.44
Donald B. Roe	Counsel	8,006.61
Howard Greenberg	Staff director	17,509.18
Joanna G. O'Rourke	Secretary	4,379.70
Henry A. Robinson	Counsel	14,938.28
Bryan H. Jacques	Staff director	2,945.64
Christine A. Santoro	Secretary	3,244.72
Justinus Gould	Counsel	14,938.28
Michael R. Lemov	Consultant	8,224.95
Carol Ann Fowkes	Secretary	3,183.24
Susan E. Driggers	do	3,714.48
Melissa L. Ravenel	do	1,753.26
Leslie R. Pennington	Printing editor	2,685.66
Mary Eileen Owens	Clerk-typist	2,652.12
Clifford E. Payne, Jr.	Staff assistant	2,569.85
Robert Michael Walker	do	3,496.16
Wilma H. Housewright	Secretary	1,500.34
Roger M. Golden	Assistant minority Counsel.	4,243.62
Margaret L. Carpenter	Secretary, minority	4,974.96
John M. Finn	Assistant minority counsel.	10,688.82
Fred Wertheimer	Minority counsel	6,445.20
Bernadette O. Romanesk.	Staff assistant, minority.	4,149.27

Funds authorized or appropriated for committee expenditures	$905,000.00
Amount of expenditures previously reported	575,418.20
Amount expended, July 19, 1970–Dec. 31, 1970	203,253.76
Total amount expended Jan. 3, 1969–Dec. 31, 1970	778,671.96
Balance unexpended as of Dec. 31, 1970	126,328.04

JOE L. EVINS,
Chairman.

JANUARY 28, 1971.

SELECT COMMITTEE ON U.S. INVOLVEMENT IN SOUTHEAST ASIA

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1970, to December 31, 1970, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Thomas R. Harkin	Staff investigator	$990.46
Rebecca D. Moore	Secretary	708.39

Funds authorized or appropriated for committee expenditures	$30,000.00
Amount of expenditures previously reported	None
Amount expended July 1, 1970–Dec. 31, 1970	3,897.03
Balance unexpended as of Dec. 31, 1970	26,102.97

G. V. MONTGOMERY,
Chairman.

DECEMBER 31, 1970.

SPECIAL COMMITTEE TO INVESTIGATE CAMPAIGN EXPENDITURES

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from August 4, 1970, to December 31, 1970, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
John Warren McGarry	Chief counsel	$14,399.25
Marietta Ethier	Clerk	3,640.93
Emily DeSimone	Secretary	3,290.11
Mary Agnes Gildea	Clerical help	780.69

Funds authorized or appropriated for committee expenditures	$75,000.00
Amount of expenditures previously reported	None
Amount expended, Aug. 4–Dec. 31	22,110.98
Total amount expended from January–December	22,110.98
Balance unexpended as of Dec. 31, 1970	52,889.02

THOMAS P. O'NEILL, JR.
Chairman

JANUARY 6, 1971.

JOINT COMMITTEE ON DEFENSE PRODUCTION

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1970, to December 31, 1970, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Harold J. Warren	Clerk and counsel	$14,649.66
Charles S. Brewton	General counsel	14,393.88
George T. Ault	Professional staff member.	9,973.80
Cary H. Copeland	do	8,140.92
Thomas L. McNamara	do	6,337.92
Mattie I. Echols	Secretary	5,162.64
Lee Sherman Cox	Clerk assistant	1,015.40
Steven M. Barnard	do	595.70

Funds authorized or appropriated for committee expenditures	$118,800.00
Amount of expenditures previously reported	
Amount expended, July 1 to Dec. 31, 1970	60,299.92
Total amount expended, July 1–Dec. 31, 1970	60,299.92
Balance unexpended as of Dec. 31, 1970	58,500.08

JOHN SPARKMAN,
Chairman.

JANUARY 12, 1971.

JOINT COMMITTEE ON INTERNAL REVENUE TAXATION

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1970, to January 1, 1971, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Laurence N. Woodworth	Chief of staff	$19,999.98
Lincoln Arnold	Deputy chief of staff	18,000.00
Dennis P. Bedell	Assistant chief of staff.	14,034.12
Arthur Fefferman	Chief economist	18,000.00
Nicholas A. Tomasulo	Legislation counsel	15,867.54
Robert R. Smyers	Refund counsel	15,859.32
Herbert L. Chabot	Assistant legislation counsel.	$12,684.06
James H. Symons	Statistical analyst	15,260.82
John Germanis	do	12,208.98
Meade Emory	Legislation attorney	13,253.40
Albert Buckberg	Economist	12,473.76
Michael D. Bird	do	12,473.76
Harrison B. McCawley	Refund attorney	11,672.58
John Broadbent	Legislation attorney	11,226.78
Joseph P. Spellman	do	10,214.10
Anastasia Connaughton	Statistical clerk	9,854.04
Joseph E. Fink	do	9,854.04
Bernard M. Shapiro	Legislation attorney	9,072.06
Harold Dubroff	do	8,065.31
Leon W. Klud	Economist	8,260.56
Carl E. Bates	Refund attorney	7,847.10
Joanne McDermott	Secretary	7,318.14
Linda Savage	do	5,835.60
Blanche Nagro	Secretary (refund)	5,778.00
Mary W. Gattie	Secretary	5,572.14
Jamie L. Daley	do	5,236.08
June Matthews	do	4,836.24
Amelia Del Carmen	do	4,803.60
Marcia B. Rowzie	do	4,589.94
Wanda D. Fraser	Secretary (as of Sept. 1, 1970).	2,903.64
Sharon M. Feinsilber	Secretary (refund)	3,805.62
Linda B. Pruitt	Secretary (through Aug. 8, 1970).	1,007.20
Katherine Keller	Secretary (through Sept. 4, 1970).	814.55
Helen Strosnider	Secretary (as of Dec. 1, 1970).	750.52

Funds authorized or appropriated for committee expenditures	$657,715.00
Amount of expenditures previously reported, Jan. 1–July 1, 1970	304,515.95
Amount expended, July 1, 1970–Jan. 1, 1971	320,460.49
Balance unexpended as of Jan. 1, 1971	337,254.51

W. D. MILLS,
Chairman.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

91. A letter from the Under Secretary of Agriculture, transmitting a draft of proposed legislation to amend the Consolidated Farmers Home Administration Act of 1961 to provide for insured operating loans, and for other purposes; to the Committee on Agriculture.

92. A letter from the Under Secretary of Agriculture, transmitting a draft of proposed legislation to amend the Rural Electrification Act of 1936, as amended, to provide an additional source of financing for the rural telephone program, and for other purposes; to the Committee on Agriculture.

93. A letter from the Under Secretary of Agriculture, transmitting the third annual report on operations under the Food Stamp Act of 1964; to the Committee on Agriculture.

94. A letter from the Assistant Secretary of Defense (Comptroller), transmitting a report for the first quarter of fiscal year 1971 on receipts and disbursements pertaining to the disposal of surplus military supplies, equipment, and materiel, and for expenses involving the production of lumber and timber products, pursuant to 10 U.S.C. 2665; to the Committee on Appropriations.

95. A letter from the Director, Selective Service System, transmitting a draft of proposed legislation to amend the Military Selective Service Act of 1967, and for other purposes; to the Committee on Armed Services.

96. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of abaca from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

97. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of antimony from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

98. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of celestite from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

99. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of chemical grade chromite from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

100. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of metallurgical grade chromite from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

101. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of columbium from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

102. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of industrial diamond crushing bort from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

103. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of industrial diamond stones from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

104. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of kyanite-mullite from the national stockpile; to the Committee on Armed Services.

105. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of lead from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

106. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of magnesium from the national stockpile; to the Committee on Armed Services.

107. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of rare-earth materials from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

108. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of selenium from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

109. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of sisal from the national stockpile; to the Committee on Armed Services.

110. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of vanadium from the national stockpile; to the Committee on Armed Services

111. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of zinc from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

112. A letter from the Deputy Chief of Naval Materiel (Procurement and Produc-

tion), transmitting the Department of the Navy's semiannual report of research and development procurement actions of $50,000 or more, covering the period July 1 through December 31, 1970, pursuant to 10 U.S.C. 2357; to the Committee on Armed Services.

113. A letter from the Chairman and Members, National Advisory Council on International Monetary and Financial Policies, transmitting the annual report of the Council for fiscal year 1970, pursuant to sections 4(b), 5, and 6 of the Bretton Woods Agreement Act, as amended; (Doc. No. 92–1–39); to the Committee on Banking and Currency and ordered to be printed.

114. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to authorize further adjustments in the amount of silver certificates outstanding, and for other purposes; to the Committee on Banking and Currency.

115. A letter from the Secretary of the Treasury, transmitting a report of the audit of the Exchange Stabilization Fund for fiscal year 1970, pursuant to the Gold Reserve Act of 1934; to the Committee on Banking and Currency.

116. A letter from the Director, Office of Emergency Preparedness, Executive Office of the President, transmitting a draft of proposed legislation to amend and extend the Defense Production Act of 1950, as amended; to the Committee on Banking and Currency.

117. A letter from the Administrator, Small Business Administration, transmitting a draft of proposed legislation to clarify and extend the authority of the Small Business Administration, and for other purposes; to the Committee on Banking and Currency.

118. A letter from the Acting Assistant Secretary of Defense (Installations and Logistics), transmitting a report of Department of Defense procurement from small and other business firms for July-October 1970, pursuant to section 10(d) of the Small Business Act, as amended; to the Committee on Banking and Currency.

119. A letter from the Vice President and General Manager, Chesapeake and Potomac Telephone Co. transmitting the statement of receipts and expenditures of the Chesapeake & Potomac Telephone Co. for 1970, pursuant to chapter 1628, acts of Congress 1904, together with a comparative general balance sheet, pursuant to paragraph 14 of the act of March 4, 1913; to the Committee on the District of Columbia.

120. A letter from the Commissioner of Social Security, Department of Health, Education, and Welfare, transmitting a report on progress in processing black lung benefit claims under the Federal Coal Mine Health and Safety Act of 1969; to the Committee on Education and Labor.

121. A letter from the Assistant Secretary of State for Congressional Relations, transmitting the texts of International Labor Organization Convention No. 130 and Recommendation No. 134, concerning medical care and sickness benefits (Doc. No. 92–1–40); to the Committee on Foreign Affairs and ordered to be printed.

122. A letter from the Assistant Administrator for Legislative and Public Affairs, Agency for International Development, Department of State, transmitting a quarterly report on the programing and obligation of contingency funds by AID, covering the period July 1 through September 30, 1970, pursuant to section 451(b) of the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

123. A letter from the Under Secretary of the Interior, transmitting a draft of proposed legislation to authorize an ex gratia contribution to certain inhabitants of the Trust Territory of the Pacific Islands who suffered damages arising out of the hostilities of the Second World War, to provide for the payment of noncombatant claims occurring prior to July 1, 1951, and to establish a Micronesian Claims Commission; to the Committee on Foreign Affairs.

124. A letter from the Assistant Secretary of Agriculture for Administration, transmitting a report on the disposal of foreign excess property by the Department of Agriculture for fiscal year 1970, pursuant to section 404(d) of the Federal Property and Administrative Services Act of 1949, as amended; to the Committee on Government Operations.

125. A letter from the General Manager, U.S. Atomic Energy Commission, transmitting a report on the disposal of foreign excess property by the Atomic Energy Commission for fiscal year 1970, pursuant to 40 U.S.C. 514; to the Committee on Government Operations.

126. A letter from the Under Secretary of the Interior, transmitting a draft of proposed legislation to establish the Federal City Bicentennial Development Corporation, to provide for the preparation and carrying out of a development plan for certain areas between the White House and the Capitol, to further the purposes for which the Pennsylvania Avenue National Historic Site was designated, and for other purposes; to the Committee on Interior and Insular Affairs.

127. A letter from the Under Secretary of the Interior, transmitting a report of Geological Survey activities outside the United States during the period July 1 through December 31, 1970, pursuant to 43 USC 31(C); to the Committee on Interior and Insular Affairs.

128. A letter from the Secretary of Transportation, transmitting the final report designating a basic system of intercity rail passenger service, pursuant to section 202 of the Rail Passenger Service Act of 1970; to the Committee on Interstate and Foreign Commerce.

129. A letter from the Chairman, Federal Trade Commission, transmitting a report on the Commission's implementation and administration of the Fair Packaging and Labeling Act during fiscal year 1970, pursuant to section 8 of Public Law 89–755; to the Committee on Interstate and Foreign Commerce.

130. A letter from the Chairman, Interstate Commerce Commission, transmitting final valuations of properties of various carriers subject to the Interstate Commerce Act, pursuant to section 19a of the act; to the Committee on Interstate and Foreign Commerce.

131. A letter from the Attorney General, transmitting a draft of proposed legislation to amend title 18, United States Code, to provide for the issuance to certain persons of judicial orders to appear for the purpose of conducting nontestimonial identification procedures, and for other purposes; to the Committee on the Judiciary.

132. A letter from the Attorney General, transmitting a draft of proposed legislation to prohibit the use of interstate facilities, including the mails, for the transportation of certain materials to minors; to the Committee on the Judiciary.

133. A letter from the Attorney General, transmitting a draft of proposed legislation to prohibit the use of interstate facilities, including the mails, for the transportation of salacious advertising; to the Committee on the Judiciary.

134. A letter from the Assistant Secretary of State for Congressional Relations, transmitting a draft of proposed legislation to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

135. A letter from the Director, Community Relations Service, U.S. Department of Justice, transmitting a report of the activities of the Community Relations Service for fiscal year 1970, pursuant to section 1004 of the Civil Rights Act of 1964; to the Committee on the Judiciary.

136. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved according certain beneficiaries third and sixth preference classification, pursuant to section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

137. A letter from the Director, Federal Bureau of Investigation, U.S. Department of Justice, transmitting a report on positions in the FBI in grades GS–16, GS–17, and GS–18, during calendar year 1970, pursuant to 5 U.S.C. 5114; to the Committee on Post Office and Civil Service.

138. A letter from the Chairman, Railroad Retirement Board, transmitting a report on positions in the Board in grades GS–16, GS–17, and GS–18, during calendar year 1970, pursuant to 5 U.S.C. 5114(a); to the Committee on Post Office and Civil Service.

139. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to amend the act of June 1, 1948, to increase the jurisdiction and policing power of the General Services Administration special policemen, to increase the penalties for violations of rules and regulations promulgated thereunder by the General Services Administration for the protection of public buildings, and to prohibit certain conduct in or near offices of the Government; to the Committee on Public Works.

140. A letter from the Administrator of Veterans Affairs, transmitting a draft of proposed legislation to amend title 38, United States Code, in order to authorize the Administrator to make advance educational assistance to certain veterans; to the Committee on Veterans' Affairs.

141. A letter from the Administrator of Veterans' Affairs, transmitting a draft of proposed legislation to amend title 38 of the United States Code to require that certain veterans receiving hospital care from the Veterans' Administration for non-service-connected disabilities be charged for such care to the extent that they have health insurance or similar contracts with respect to such care; to prohibit the future exclusion of such coverage from insurance policies or contracts; and for other purposes; to the Committee on Veterans' Affairs.

142. A letter from the Administrator of Veterans' Affairs, transmitting a draft of proposed legislation to amend section 902 of title 38, United States Code, to eliminate certain duplications in Federal benefits now payable for the same, or similar, purpose; to the Committee on Veterans' Affairs.

143. A letter from the Administrator of Veterans' Affairs, transmitting a draft of proposed legislation to repeal the savings provision of Public Law 90–493 protecting veterans entitled to disability compensation for arrested tuberculosis; to the Committee on Veterans' Affairs.

144. A letter from the Administrator of Veterans' Affairs, transmitting a draft of proposed legislation to authorize the Administrator of Veterans' Affairs to sell at prices which he determines to be reasonable under prevailing mortgage market conditions direct loans made to veterans under chapter 37, title 38, United States Code; to the Committee on Veterans' Affairs.

145. A letter from the Attorney General, transmitting a draft of proposed legislation to amend the Internal Revenue Code of 1954 to modify the provisions relating to taxes on wagering to insure the constitutional rights of taxpayers, to facilitate the collection of such taxes, and for other purposes; to the Committee on Ways and Means.

146. A letter from the Chairman and members, U.S. Atomic Energy Commission, transmitting the annual report of the Commission for 1970, pursuant to the Atomic

Energy Act of 1954; to the Joint Committee on Atomic Energy.

147. A letter from the Chairman, U.S. Atomic Energy Commission, transmitting a draft of proposed legislation to amend the Atomic Energy Act of 1954, as amended, to authorize the Commission to charge Federal agencies fees for the licensing of nuclear power reactors; to the Joint Committee on Atomic Energy.

RECEIVED FROM THE COMPTROLLER GENERAL

148. A letter from the Comptroller General of the United States, transmitting a report on the need to improve management of the Army's tactical vehicles development program; to the Committee on Government Operations.

149. A letter from the Comptroller General of the United States, transmitting a report on the administration of Metroliner and Turbo-Train projects by the Federal Railroad Administration, Department of Transportation; to the Committee on Government Operations.

150. A letter from the Comptroller General of the United States, transmitting a report on fair prices paid for small purchases by the Department of Defense; to the Committee on Government Operations.

151. A letter from the Comptroller General of the United States, transmitting a report on positions in the General Accounting Office in grades GS–16, GS–17, and GS–18 during calendar year 1970, pursuant to 5 U.S.C. 5114; to the Committee on Post Office and Civil Service.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ABBITT:

H.R. 2448. A bill to amend title 10, United States Code, to restore the system of recomputation of retired pay for certain members and former members of the Armed Forces; to the Committee on Armed Services.

By Mr. ASPINALL:

H.R. 2449. A bill to provide for a national land-use policy to be administered by the Secretary of the Interior and implemented by the States, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BYRNE of Pennsylvania:

H.R. 2450. A bill to declare a portion of the Delaware River in Philadelphia County, Pa., nonnavigable; to the Committee on Interstate and Foreign Commerce.

By Mr. CHAPPELL:

H.R. 2451. A bill to amend title II of the Social Security Act to eliminate the 6-month waiting period which is presently a prerequisite of eligibility for disability insurance benefits or the disability freeze; to the Committee on Ways and Means.

By Mr. DON H. CLAUSEN:

H.R. 2452. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

H.R. 2453. A bill Voluntary Military Manpower Procurement Act of 1971; to the Committee on Armed Services.

H.R. 2454. A bill to amend section 2(3), section 8c(2), and section 8c(6)(1) of the Agricultural Marketing Agreement Act of 1937, as amended; to the Committee on Agriculture.

H.R. 2455. A bill to amend chapter 73 of title 10, United States Code, to establish a survivor benefit plan; to the Committee on Armed Services.

By Mr. COLLIER:

H.R. 2456. A bill to amend the Food Stamp Act of 1964 to authorize elderly persons to exchange food stamps under certain circumstances for meals prepared and served by private nonprofit organizations, and for other purposes; to the Committee on Agriculture.

H.R. 2457. A bill to allow a deduction for income tax purposes of certain expenses incurred by the taxpayer for the education of a dependent; to the Committee on Ways and Means.

H.R. 2458. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. COLLIER (for himself and Mr. O'NEILL):

H.R. 2459. A bill to permit State agreements for coverage under the hospital insurance program for the aged; to the Committee on Ways and Means.

By Mr. CORMAN:

H.R. 2460. A bill to amend the Internal Revenue Code of 1954 to tax cigarettes on the basis of their tar and nicotine content; to the Committee on Ways and Means.

H.R. 2461. A bill to amend the Social Security Act to provide that future increases in social security, railroad retirement, veterans', and other Federal benefits shall be disregarded in determining an individual's eligibility or need for aid or assistance under any of the Federal-State public assistance programs; to the Committee on Ways and Means.

H.R. 2462. A bill to amend part B of title XVIII of the Social Security Act to include prescribed drugs among the items and services covered under the supplementary medical insurance program for the aged, and to amend such part and all the public assistance titles of such act to require that drugs provided under the programs involved must be prescribed and furnished on a nonproprietary or generic basis; to the Committee on Ways and Means.

H.R. 2463. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

H.R. 2464. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from gross income for social agency, legal, and related expenses incurred in connection with the adoption of a child by the taxpayer; to the Committee on Ways and Means.

H.R. 2465. A bill to assist small business and persons engaged in small business by allowing a deduction, for Federal income tax purposes, for additional investment in depreciable assets, inventory, and accounts receivable; to the Committee on Ways and Means.

H.R. 2466. A bill to amend section 2039 of the Internal Revenue Code of 1954 (relating to estate tax treatment of annuities); to the Committee on Ways and Means.

By Mr. DERWINSKI:

H.R. 2467. A bill to amend the National Labor Relations Act to exclude nonprofit private educational institutions from its jurisdiction; to the Committee on Education and Labor.

By Mr. EDWARDS of Alabama:

H.R. 2468. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

By Mr. GERALD R. FORD:

H.R. 2469. A bill to amend the Tariff Act of 1930 to provide for the duty-free entry of certain hollow reinforcing bars; to the Committee on Ways and Means.

By Mrs. GRASSO (for herself, Mr. MONAGAN, Mr. GIAIMO, and Mr. COTTER):

H.R. 2470. A bill to preserve and promote the resources of the Connecticut River Valley, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. GREEN of Pennsylvania (for himself, Mr. BYRNE of Pennsylvania, Mr. CLARK, Mr. DENT, Mr. FLOOD, Mr. MOORHEAD, Mr. NIX, Mr. GAYDOS, Mr. ROONEY of Pennsylvania, Mr. VIGORITO, and Mr. YATRON):

H.R. 2471. A bill to provide for the establishment of the Tinicum National Urban Park in the Commonwealth of Pennsylvania, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HANNA:

H.R. 2472. A bill to amend the Internal Revenue Code of 1954 to exempt from gross income the first $1,000 of interest or dividends on deposits and withdrawable accounts of individuals in banks and domestic building and loan associations; to the Committee on Ways and Means.

H.R. 2473. A bill to better enable savings and loan associations to serve the public; to the Committee on Banking and Currency.

By Mr. HANSEN of Idaho (for himself and Mr. MCCLURE):

H.R. 2474. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Salmon Falls division; Upper Snake River project, Idaho, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HARRINGTON:

H.R. 2475. A bill to authorize the National Science Foundation to conduct research, educational, and assistance programs to prepare the country for conversion from defense to civilian, socially oriented research and development activities, and for other purposes; to the Committee on Science and Astronautics.

By Mr. HÉBERT (for himself and Mr. ARENDS):

H.R. 2476. A bill to amend the Military Selective Service Act of 1967, and for other purposes; to the Committee on Armed Services.

By Mr. HELSTOSKI:

H.R. 2477. A bill to designate January 15, the birthday of Martin Luther King, Jr., as a legal public holiday; to the Committee on the Judiciary.

H.R. 2478. A bill to create a national system of health security; to the Committee on Ways and Means.

By Mr. HICKS of Washington:

H.R. 2479. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. HOGAN:

H.R. 2480. A bill to permit the acceptance of checks and nonpostal money orders in payment for postal charges and services; authorize the Postmaster General to relieve postmasters and accountable officers for losses incurred by postal personnel when accepting checks for nonpostal money orders in full compliance with postal regulations; and to provide penalties for presenting bad checks and bad nonpostal money orders in payment for postal charges and services; to the Committee on Post Office and Civil Service.

H.R. 2481. A bill to provide an equitable system for fixing and adjusting the rates of pay for prevailing rate employees of the Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. KING:

H.R. 2482. A bill to provide that the fiscal year of the United States shall coincide with the calendar year; to the Committee on Government Operations.

By Mr. LENNON:

H.R. 2483. A bill to amend the Agricultural Adjustment Act of 1938 to authorize the sale of tobacco acreage allotments under certain conditions; to the Committee on Agriculture.

H.R. 2484. A bill to promote safety in the operation of submersible vessels; to the Committee on Merchant Marine and Fisheries.

H.R. 2485. A bill to prohibit the use of interstate facilities, including the mails, for transportation of salacious advertising; to the Committee on the Judiciary.

H.R. 2486. A bill to amend title 10 of the United States Code on the assignment of members of the Armed Forces to new duty stations, and for other purposes; to the Committee on Armed Services.

H.R. 2487. A bill to provide for a national cemetery at Fort Bragg, N.C.; to the Committee on Veterans' Affairs.

H.R. 2488. A bill to amend chapter 73 of title 10, United States Code, to establish a survivor benefit plan; to the Committee on Armed Services.

H.R. 2489. A bill to provide for the establishment of a U.S. Court of Labor-Management Relations which shall have jurisdiction over certain labor disputes in industries substantially affecting commerce; to the Committee on the Judiciary.

H.R. 2490. A bill to amend section 620 of the Foreign Assistance Act of 1961 to suspend, in whole or in part, economic and military assistance and certain sales to any country which fails to take appropriate steps to prevent narcotic drugs produced or processed, in whole or in part, in such country from entering the United States unlawfully, and for other purposes; to the Committee on Foreign Affairs.

H.R. 2491. A bill to amend the Civil Rights Act of 1964 by adding a new title, which restores to local school boards their constitutional power to administer the public schools committed to their charge, confers on parents the right to choose the public schools their children attend, secures to children the right to attend the public schools chosen by their parents, and makes effective the right of public school administrators and teachers to serve in the schools in which they contract to serve; to the Committee on the Judiciary.

H.R. 2492. A bill to provide for the effective management of the Nation's coastal and estuarine areas; to the Committee on Merchant Marine and Fisheries.

H.R. 2493. A bill to assist the States in establishing coastal and estuarine zone management plans and programs; to the Committee on Merchant Marine and Fisheries.

By Mr. McFALL (for himself, Mr. BLATNIK, Mr. REES, Mr. CARTER, Mr. ANDREWS of North Dakota, Mr. THOMPSON of New Jersey, Mr. VANIK, Mr. PUCINSKI, Mr. FRASER, and Mr. BERGLAND):

H.R. 2494. A bill to amend the Public Works Acceleration Act to make its benefits available to certain areas of extra high unemployment, to authorize additional funds for such act, and for other purposes; to the Committee on Public Works.

By Mr. McMILLAN:

H.R. 2495. A bill to encourage and assist private industry to provide needed new parking facilities, employment opportunities, and housing units, and a strengthened and expanded tax base in the District of Columbia, and for other purposes, pursuant to skyline studies for the National Capital Planning Commission in 1964, and parking studies for the Bureau of the Budget to provide needed parking facilities in the District of Columbia; to the Committee on the District of Columbia.

H.R. 2496. A bill to provide that health regulations of the District of Columbia shall extend to the restaurants of the U.S. Senate and the House of Representatives; to the Committee on the District of Columbia.

H.R. 2497. A bill to amend the District of Columbia Redevelopment Act of 1945 by directing the establishment of orderly procedures for the modification of an urban renewal plan and requiring adherence thereto by the District of Columbia Redevelopment Land Agency, by requiring that provision be made in each redevelopment contract for timely construction of public streets and facilities; to the Committee on the District of Columbia.

H.R. 2498. A bill to authorize banks, savings and loan associations, and other regulated lenders in the District of Columbia to charge or deduct interest in advance on loans to be repaid in installments; to the Committee on the District of Columbia.

H.R. 2499. A bill to authorize realistic, economic, and modern building heights and bulk in the District of Columbia, to provide new business and employment opportunity for all, to expand the tax base, to stimulate and assist efforts to break the poverty cycle and strengthen the economy, to provide parking, to rebuild and renew blighted, slum, burned-out, and underdeveloped areas, to conserve and make the best, and maximum, use of land, to achieve the best design, to save tax funds, and for other purposes; to the Committee on the District of Columbia.

H.R. 2500. A bill to provide public assistance to mass transit bus companies in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. MILLER of Ohio:

H.R. 2501. A bill to provide for small farm participation in the feed grain program; to the Committee on Agriculture.

By Mr. MONAGAN (for himself and Mr. McFALL):

H.R. 2502. A bill to establish a temporary Emergency Guidance Board to facilitate economic recovery with minimum inflation by establishing price and wage guidelines and encouraging voluntary adherence thereto; to the Committee on Banking and Currency.

By Mr. MORSE:

H.R. 2503. A bill to require that international agreements other than treaties, hereafter entered into by the United States, be transmitted to the Congress within 60 days after the execution thereof; to the Committee on Foreign Affairs.

By Mr. MOSS:

H.R. 2504. A bill to amend the provisions of chapter 5 of title 5, United States Code, relating to the application of the public information and disclosure provisions of such chapter; to the Committee on Government Operations.

H.R. 2505. A bill to amend title 38 of the United States Code to provide equality of treatment for married female veterans; to the Committee on Veterans' Affairs.

H.R. 2506. A bill to amend title 5, United States Code, to provide that a retiring employee or member may elect to receive a full annuity without annuity for the surviving spouse only on submission to the Civil Service Commission of evidence of the knowledge of the spouse of such election; to the Committee on Post Office and Civil Service.

H.R. 2507. A bill to amend the Civil Service Retirement Act to provide equality of treatment with respect to widows and widowers of certain employees who die in service; to the Committee on Post Office and Civil Service.

H.R. 2508. A bill to amend title 5, United States Code, to provide salary step advancements for employees moving from prevailing rate pay systems to the classification and General Schedule pay system, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 2509. A bill to require tribal consent to all grants of right-of-way over Indian tribal land; to the Committee on Interior and Insular Affairs.

H.R. 2510. A bill to amend the Civil Rights Act of 1957 to extend the duties of the Civil Rights Commission; to the Committee on the Judiciary.

H.R. 2511. A bill to provide equality of treatment for married women employees of the Federal Government and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MURPHY of New York:

H.R. 2512. A bill to amend the Fishermen's Protective Act of 1967 to require the return of certain vessels of the United States; to the Committee on Merchant Marine and Fisheries.

H.R. 2513. A bill: Natural Gas Act Amendments of 1971; to the Committee on Interstate and Foreign Commerce.

H.R. 2514. A bill to amend the act entitled "An act to establish a contiguous fishery zone beyond the territorial sea of the United States," approved October 14, 1966, to require that the method of straight baselines shall be employed for the purpose of determining the boundaries of such fishery zone, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. O'HARA:

H.R. 2515. A bill to establish a national cancer authority and to authorize international programs and joint ventures in order to conquer cancer at the earliest possible date; to the Committee on Interstate and Foreign Commerce.

By Mr. PATTEN:

H.R. 2516. A bill to promote the safety of workers engaged in making asbestos products for shipment in commerce, and for other purpose; to the Committee on Interstate and Foreign Commerce.

By Mr. PERKINS:

H.R. 2517. A bill authorizing the construction, repair, and preservation of certain public works on rivers for flood control; to the Committee on Public Works.

H.R. 2518. A bill to amend the Economic Opportunity Act of 1964, as amended; to the Committee on Education and Labor.

By Mr. PICKLE:

H.R. 2519. A bill to facilitate equipment interchange between and among the several modes of transportation; to the Committee on Interstate and Foreign Commerce.

By Mr. PUCINSKI:

H.R. 2520. A bill: Manpower Development and Training Act of 1971; to the Committee on Education and Labor.

H.R. 2521. A bill to amend the Higher Education Act of 1965 to provide a comprehensive program for the training of attorneys and related personnel in order to improve the legal services available to the community; to the Committee on Education and Labor.

By Mr. REID of New York:

H.R. 2522. A bill to amend the Federal Water Pollution Control Act to increase the penalty for pollution of the water by oil; to the Committee on Public Works.

H.R. 2523. A bill to amend title 38 of the United States Code to permit certain active duty for training to be counted as active duty for purposes of entitlement to educational benefits under chapter 34 of such title; to the Committee on Veterans' Affairs.

H.R. 2524. A bill to amend title 38 of the United States Code to provide improved medical care to veterans; to provide hospital and medical care to certain dependents and survivors of veterans; to improve recruitment and retention of career personnel in the Department of Medicine and Surgery; and for other purposes; to the Committee on Veterans' Affairs.

By Mr. RONCALIO:

H.R. 2525. A bill to provide for the equalization of the retire pay of members of the uniformed services of equal grade and years of service; to the Committee on Armed Services.

By Mr. ROONEY of Pennsylvania:

H.R. 2526. A bill to amend chapter 55 of

title 10 of the United States Code to provide medical and dental care to dependents of certain members of the uniformed services for a period of 90 days after the date of separation of such members from active duty; to the Committee on Armed Services.

H.R. 2527. A bill to amend title 10 of the United States Code so as to permit members of the Reserves and the National Guard to receive retired pay at age 55 for nonregular service under chapter 67 of that title; to the Committee on Armed Services.

H.R. 2528. A bill to establish a Commission on Fuels and Energy to recommend programs and policies intended to insure, through maximum use of indigenous resources, that the U.S. requirements for low-cost energy be met, and to reconcile environmental quality requirements with future energy needs; to the Committee on Interstate and Foreign Commerce.

H.R. 2529. A bill to amend chapter 55 of title 10, United States Code, to provide for the continuation of certain benefits to mentally retarded and physically handicapped dependents of members of the uniformed services after the death of such member or after his discharge or release from active duty for a service-connected disability to the Committee on Armed Services.

H.R. 2530. A bill to amend title 5, United States Code, to correct certain inequities in the crediting of National Guard technician service in connection with civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 2531. A bill to amend the Federal Trade Commission Act to extend protection against fraudulent or deceptive practices, condemned by that act to consumers through civil actions, and to provide for class actions for acts in defraud of consumers; to the Committee on Interstate and Foreign Commerce.

H.R. 2532. A bill to extend to volunteer fire companies and volunteer ambulance and rescue companies the rates of postage on second-class and third-class bulk mailings applicable to certain nonprofit organizations; to the Committee on Post Office and Civil Service.

H.R. 2533. A bill relating to withholding, for purposes of the income tax imposed by certain cities, on the compensation of Federal employees; to the Committee on Ways and Means.

H.R. 2534. A bill to protect collectors of antique glassware against the manufacture in the United States or the importation of imitations of such glassware; to the Committee on Interstate and Foreign Commerce.

H.R. 2535. A bill to provide Federal financial assistance to States to enable them to pay compensation to certain disabled individuals who, as a result of their employment in the coal mining industry, suffer from pneumoconiosis and who are not entitled to compensation under any workmen's compensation law; to the Committee on Education and Labor.

H.R. 2536. A bill to regulate and foster commerce among the States by providing a system for the taxation of interstate commerce; to the Committee on the Judiciary.

H.R. 2537. A bill to provide for orderly trade in iron ore, iron and steel mill products; to the Committee on Ways and Means.

H.R. 2538. A bill to provide additional authority to the Secretary of the Interior for land acquisition in the Delaware Water Gap National Recreation Area; to the Committee on Interior and Insular Affairs.

By Mr. ROYBAL:

H.R. 2539. A bill to authorize the Secretary of Housing and Urban Development to provide or to guarantee any bid, payment, or performance bond applied for by or on behalf of a small business concern which is a construction contractor or subcontractor; to the Committee on Banking and Currency.

H.R. 2540. A bill to provide for the establishment of not less than seven regional law enforcement academies, and for other purposes; to the Committee on the Judiciary.

H.R. 2541. A bill to authorize the U.S. Commissioner of Education to establish educational programs to encourage understanding of policies and support of activities designed to enhance environmental quality and maintain ecological balance; to the Committee on Education and Labor.

H.R. 2542. A bill to amend section 242 (b) of the Immigration and Nationality Act to require special deportation proceedings in connection with the voluntary departure from the United States of any alien who is a native of a country contiguous to the United States; to the Committee on the Judiciary.

H.R. 2543. A bill to amend title 18, United States Code, to prohibit the establishment of emergency detention camps and to provide that no citizen of the United States shall be committed for detention or imprisonment in any facility of the U.S. Government except in conformity with the provisions of title 18; to the Committee on the Judiciary.

H.R. 2544. A bill to equalize the retired pay for members of the uniformed services retired prior to June 1, 1958, whose retired pay is computed on laws enacted on or after October 1, 1949; to the Committee on Armed Services.

H.R. 2545. A bill to authorize the U.S. Commissioner of Education to make grants to elementary and secondary schools and other educational institutions for the conduct of special educational programs and activities concerning the use of drugs and for other related educational purposes; to the Committee on Education and Labor.

H.R. 2546. A bill to amend the National Labor Relations Act, as amended, to amend the definition of "employee" to include certain agricultural employees, and to permit certain provisions in agreements between agricultural employers and employees; to the Committee on Education and Labor.

H.R. 2547. A bill to provide that the membership of local selective service boards reflect the ethnic and economic nature of the areas served by such boards; to the Committee on Armed Services.

H.R. 2548. A bill to authorize the Secretary of the Treasury to carry out a program of research and development relating to devices and techniques for the detection of illegal importation of dangerous drugs into the United States; to the Committee on Ways and Means.

H.R. 2549. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968, and for other purposes; to the Committee on the Judiciary.

By Mr. ROYBAL (for himself and Mr. CORMAN):

H.R. 2550. A bill to authorize special appropriations for training teachers for bilingual education programs; to the Committee on Education and Labor.

By Mr. ROYBAL (for himself and Mr. EDWARDS of California):

H.R. 2551. A bill to amend section 312(1) of the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. SISK:

H.R. 2552. A bill to establish certain policies with respect to certain use permits for national forest lands; to the Committee on Agriculture.

By Mr. TALCOTT:

H.R. 2553. A bill to amend title 38 of the United States Code to include within the parental beneficiary class under the servicemen's group life insurance program persons who stood in loco parentis to a deceased insured; to the Committee on Veterans' Affairs.

H.R. 2554. A bill to provide for the establishment of a Commission on Revision of Federal Taxation; to the Committee on Ways and Means.

H.R. 2555. A bill to amend the Internal Revenue Code of 1954 to restore the provisions permitting the deduction, without regard to the 3-percent and 1-percent floors, of medical expenses incurred for the care of individuals 65 years of age and over; to the Committee on Ways and Means.

H.R. 2556. A bill to amend title 5, United States Code, to include as creditable service for civil service retirement purposes certain periods of service in the armed forces of a government-in-exile allied or associated with the United States in World War II, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. TAYLOR:

H.R. 2557. A bill to assure an opportunity for employment to every American seeking work; to the Committee on Education and Labor.

By Mr. TALCOTT:

H.R. 2558. A bill to establish a Select Commission on Nationality and Naturalization; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H.R. 2559. A bill to amend section 2(3), section 8c(2), section 8c(6)(I), and section 8c(7)(C) of the Agricultural Marketing Agreement Act of 1937, as amended; to the Committee on Agriculture.

H.R. 2560. A bill to amend title 38 of the United States Code to provide improved medical care to veterans; to improve recruitment and retention of career personnel in the Department of Medicine and Surgery, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. THOMPSON of New Jersey (for himself, Mr. BRADEMAS, Mr. SCHWENGEL, Mr. HARVEY, Mr. CRANE, and Mr. NEDZI):

H.R. 2561. A bill to rescind authority for construction of a sculpture garden in the Capitol Mall; to the Committee on Public Works.

By Mr. THOMSON of Wisconsin:

H.R. 2562. A bill to amend the Rural Electrification Act of 1936, as amended, to provide an additional source of financing for the rural telephone program, and for other purposes; to the Committee on Agriculture.

By Mr. ULLMAN:

H.R. 2563. A bill to authorize the study of certain rivers and river segments for addition to the national wild and scenic rivers system; to the Committee on Interior and Insular Affairs.

H.R. 2564. A bill to strengthen State and local tax systems by providing for a credit against individual income taxes for 40 percent of State and local taxes, and by authorizing the Secretary of the Treasury to enter into agreements providing for Federal collection of State income taxes; to the Committee on Ways and Means.

By Mr. WATTS:

H.R. 2565. A bill to amend the Uniform Time Act to allow an option in the adoption of advanced time in certain cases; to the Committee on Interstate and Foreign Commerce.

By Mr. WHITE:

H.R. 2566. A bill to authorize the Secretary of the Army, or his designee, to convey to the State of Texas certain lands at the Fort Bliss Military Reservation in exchange for certain other lands; to the Committee on Armed Services.

By Mr. WYATT (for himself, Mr. DELLENBACK, Mrs. GREEN of Oregon, Mr. WALDIE, Mr. ESHLEMAN, Mr. MYERS, Mr. PELLY, and Mr. MATSUNAGA):

H.R. 2567. A bill to establish the Federal Medical Evaluations Board to carry out the functions, powers, and duties of the Secre-

tary of Health, Education, and Welfare relating to the regulation of biological products, medical devices, and drugs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. YATRON (for himself, Mr. RIEGLE, Mr. HENDERSON, Mr. BEGICH, Mr. WILLIAMS, Mr. EDWARDS of California, Mrs. CHISHOLM, Mr. HALPERN, Mr. KYROS, Mr. ROYBAL, Mr. BURTON, Mr. MCKINNEY, Mr. CAREY of New York, Mr. MORGAN, and Mr. RARICK):

H.R. 2568. A bill to amend the Military Selective Service Act of 1967 to provide an exemption thereunder to the only son of any veteran with a service-connected disability of 70 percent or more, and the sole surviving son of any veteran who had such a disability at the time of death; to the Committee on Armed Services.

By Mr. BLACKBURN (for himself, Mr. ARCHER, Mr. BAKER, Mr. BUCHANAN, Mr. COLLIER, Mr. CRANE, Mr. DANIEL of Virginia, Mr. DAVIS of Georgia, Mr. DENNIS, Mr. DERWINSKI, Mr. DICKINSON, Mr. ERLEBORN, Mr. FISHER, Mr. GRIFFIN, Mr. HALEY, Mr. HALL, Mr. JARMAN, Mr. KUYKENDALL, Mr. PREYER of North Carolina, Mr. RARICK, Mr. SCHMITZ, Mr. SCHERLE, Mr. SCOTT, Mr. SIKES, and Mr. SPENCE):

H.R. 2569. A bill to protect the freedom of choice of Federal employees in employee-management relations; to the Committee on Post Office and Civil Service.

By Mr. BLACKBURN (for himself, Mr. ABBITT, Mr. BARING, Mr. GOODLING, Mr. GROSS, Mr. HASTINGS, Mr. LENNON, Mr. MICHEL, Mr. RHODES, Mr. ROBINSON, Mr. SATTERFIELD, Mr. STEIGER of Arizona, Mr. STEPHENS, and Mr. WINN):

H.R. 2570. A bill to protect the freedom of choice of Federal employees in employee-management relations; to the Committee on Post Office and Civil Service.

By Mr. BOW (for himself, Mr. GERALD R. FORD, Mr. ARENDS, Mr. RHODES, Mr. CONABLE, Mr. SMITH of California, Mr. JONAS, Mr. CEDERBERG, Mr. MICHEL, Mr. ROBISON, Mr. SHRIVER, Mr. ANDREWS of North Dakota, Mr. WYMAN, Mr. TALCOTT, Mrs. REID of Illinois, Mr. RIEGLE, Mr. WYATT, Mr. EDWARDS of Alabama, Mr. DEL CLAWSON, and Mr. SCHERLE):

H.R. 2571. A bill to provide for fiscal responsibility through the establishment of a limitation on budget expenditures and net lending (budget outlays) for the fiscal year 1972, and for other purposes; to the Committee on Government Operations.

By Mr. CELLER (for himself, Mrs. ABZUG, Mr. ADDABBO, Mr. BADILLO, Mr. BIAGGI, Mr. BINGHAM, Mr. BRASCO, Mr. CAREY of New York, Mr. CHISHOLM, Mr. DELANEY, Mr. HALPERN, Mr. KOCH, Mr. MURPHY of New York, Mr. PODELL, Mr. RANGEL, Mr. ROSENTHAL, Mr. RYAN, Mr. SCHEUER, and Mr. WOLFF):

H.R. 2572. A bill for the relief of the city of New York; to the Committee on the Judiciary.

By Mr. DON H. CLAUSEN (for himself, Mr. DEVINE, Mr. LATTA, Mr. DAVIS of Georgia, Mr. STAFFORD, Mr. DAVIS of Wisconsin, Mr. QUIE, Mr. MCCLURE, Mr. MIZELL, Mr. KEE, Mr. KYL, Mr. SEBELIUS, Mr. CAMP, Mr. TEAGUE of California, Mr. HANSEN of Idaho, Mr. WYATT, and Mrs. HECKLER of Massachusetts):

H.R. 2573. A bill to amend section 4491 of the Internal Revenue Code of 1954 to provide that the weight portion of the excise tax on the use of civil aircraft shall apply to piston-engined aircraft only if they have a maximum certificated takeoff weight of more than 6,000 pounds, and to restrict expenditures from the airport and airway trust fund to the purposes for which it was established; to the Committee on Ways and Means.

By Mr. COLLIER:

H.R. 2574. A bill to create a catalog of Federal assistance programs, and for other purposes; to the Committee on Government Operations.

H.R. 2575. A bill to amend title II of the Social Security Act to provide under the retirement test a substantial increase in the amount of outside income permitted without loss of benefits, but with a requirement that income of all types and from all sources be included in determining the amount of an individual's income for purposes of such test; to the Committee on Ways and Means.

H.R. 2576. A bill to amend the Internal Revenue Code of 1954 and title II of the Social Security Act to provide a full exemption (through credit or refund) from the employees' tax under the Federal Insurance Contributions Act, and an equivalent reduction in the self-employment tax, in the case of individuals who have attained age 65; to the Committee on Ways and Means.

By Mr. CORMAN (for himself, Mr. DRINAN, Mr. GONZALEZ, Mr. KAZEN, Mr. KYROS, Mr. STEELE, and Mr. WHITE):

H.R. 2577. A bill to amend section 103 of the Social Security Amendments of 1965 to provide hospital insurance benefits (under title XVIII of the Social Security Act) for certain uninsured individuals who are not otherwise eligible for such benefits; to the Committee on Ways and Means.

By Mr. DE LA GARZA:

H.R. 2578. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. FOUNTAIN (for himself, Mr. GROSS, Mrs. GREEN of Oregon, Mr. FULTON of Tennessee, Mr. PICKLE, Mr. BUCHANAN, Mr. BROWN of Michigan, Mr. MATHIAS of California, Mr. PETTIS, Mr. SCOTT, and Mr. HANSEN of Idaho):

H.R. 2579. A bill to improve the financial management of Federal assistance programs, to facilitate the consolidation of such programs, to strengthen further congressional review of Federal grants-in-aid, to provide a catalog of Federal assistance programs, and to extend and amend the law relating to intergovernmental cooperation; to the Committee on Government Operations.

By Mrs. GRIFFITHS:

H.R. 2580. A bill to amend title 10 and 37, United States Code, to provide for equality of treatment for military personnel in the application of dependency criteria; to the Committee on Armed Services.

By Mr. HARRINGTON (for himself, Mr. BURTON, Mr. CHAPPELL, Mr. CLAY, Mr. FORSYTHE, Mr. HECHLER of West Virginia, Mr. MIKVA, Mr. ROUSH, and Mr. SEIBERLING):

H.R. 2581. A bill to amend the Fish and Wildlife Coordination Act to provide additional protection to marine and wildlife ecology by providing for the orderly regulation of dumping in the ocean, coastal, and other waters of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. HELSTOSKI:

H.R. 2582. A bill to amend title 10 of the United States Code to provide that members of the Armed Forces be assigned to duty stations near their homes after serving in combat zones; to the Committee on Armed Services.

H.R. 2583. A bill to provide early educational opportunities for all preschool children, and to encourage and assist in the formation of local preschool districts by residents of urban and rural areas; to the Committee on Education and Labor.

H.R. 2584. A bill: Newsmen's Privilege Act of 1971; to the Committee on the Judiciary.

By Mr. HENDERSON:

H.R. 2585. A bill to amend the act of September 27, 1944 (58 Stat. 746), an act "to authorize the Secretary of the Interior to accept property for the Moores Creek National Military Park, and for other purposes"; to the Committee on Interior and Insular Affairs.

By Mr. HOGAN:

H.R. 2586. A bill to amend title 5, United States Code, to provide that the entire cost of certain minimum health benefits for employees and their families shall be paid by the United States, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. LENNON (for himself, Mr. MOSHER, Mr. GARMATZ, Mr. MAILLIARD, Mr. PELLY, Mr. ASHLEY, Mr. KEITH, Mr. DOWNING, Mr. DELLENBACK, Mr. ROGERS, Mr. RUPPE, Mr. GOODLING, Mr. HATHAWAY, Mr. MCCLOSKEY, Mr. FREY, Mr. HANNA, Mr. LEGGETT, and Mr. JONES of North Carolina):

H.R. 2587. A bill to establish the National Advisory Committee on the Oceans and Atmosphere; to the Committee on Merchant Marine and Fisheries.

By Mr. MCCLORY:

H.R. 2588. A bill to improve judicial machinery by providing for the appointment of a district court executive for each district court having six or more authorized permanent judges; to the Committee on the Judiciary.

H.R. 2589. A bill to amend section 1869 of title 28, United States Code, with respect to the information required by a jury qualification form; to the Committee on the Judiciary.

By Mr. MCMILLAN:

H.R. 2590. A bill to prohibit the intimidation, coercion, or annoyance of a person officiating at or attending a religious service or ceremony in a church in the District of Columbia; to the Committee on the District of Columbia.

H.R. 2591. A bill to amend section 8 of the act approved March 4, 1913 (37 Stat. 974), as amended, to standardize procedures for the testing of utility meters; to add a penalty provision in order to enable certification under section 5(a) of the Natural Gas Pipeline Safety Act of 1968, and to authorize cooperative action with State and Federal regulatory bodies on matters of joint interest; to the Committee on the District of Columbia.

H.R. 2592. A bill to amend the act entitled "An Act to regulate the employment of minors in the District of Columbia," approved May 29, 1928; to the Committee on the District of Columbia.

H.R. 2593. A bill to amend the act entitled "An Act to regulate the hours of employment and safeguard the health of females employed in the District of Columbia," approved February 24, 1914; to the Committee on the District of Columbia.

H.R. 2594. A bill to amend chapter 19 of title 20 of the District of Columbia Code to provide for distribution of a minor's share in a decedent's personal estate where the share does not exeed the value of $1,000; to the Committee on the District of Columbia.

H.R. 2595. A bill to amend the act entitled "An Act to regulate the practice of podiatry in the District of Columbia," approved May 23, 1918, as amended; to the Committee on the District of Columbia.

H.R. 2596. A bill to amend the act of July 11, 1947, to authorize members of the District of Columbia Fire Department, the U.S. Park Police Force, and the Executive Protective Service, to participate in the Metropolitan Police Department Band, and for other purposes; to the Committee on the District of Columbia.

H.R. 2597. A bill to amend the District of Columbia Minimum Wage Act to authorize the computation of overtime compensation for hospital employees on the basis of a 14-day work period; to the Committee on the District of Columbia.

H.R. 2598. A bill to authorize the acquisition, training, and maintenance of dogs to be used in law enforcement in the District of Columbia; to the Committee on the District of Columbia.

H.R. 2599. A bill to amend title 12, District of Columbia Code, to provide a limitation of actions for actions arising out of death or injury caused by a defective or unsafe improvement to real property; to the Committee on the District of Columbia.

H.R. 2600. A bill to equalize the retirement benefits for officers and members of the Metropoltian Police Force and the Fire Department of the District of Columbia who are retired for permanent total disability; to the Committee on the District of Columbia.

By Mr. MEEDS (for himself, Mr. UDALL, Mr. ANDREWS of North Dakota, Mr. MURPHY of New York, Mr. BOW, and Mr. MELCHER):

H.R. 2601. A bill to promote the domestic and foreign commerce of the United States by modernizing practices of the Federal Government relating to the inspection of persons, merchandise, and conveyances moving into, through, and out of the United States, and for other purposes; to the Committee on Ways and Means.

By Mr. MORGAN:

H.R. 2602. A bill to provide a program to improve the opportunity of students in elementary and secondary schools to study cultural heritages of the major ethnic groups in the Nation; to the Committee on Education and Labor.

H.R. 2603. A bill to establish a National Cancer Authority and to authorize international programs and joint ventures in order to conquer cancer at the earliest possible date; to the Committee on Interstate and Foreign Commerce.

By Mr. MORSE (for himself, Mr. ANDERSON of California, Mr. BIAGGI, Mr. BURKE of Massachusetts, Mr. BURTON, Mr. BYRON, Mr. CLEVELAND, Mr. DANIEL of Virginia, Mr. DOW, Mr. DRINAN, Mr. ESCH, Mr. GALLAGHER, Mrs. GRASSO, Mr. HORTON, Mr. HUNGATE, Mr. MCCLOSKEY, Mr. NELSEN, Mr. SANDMAN, Mr. SHRIVER, and Mr. STEELE):

H.R. 2604. A bill to amend title 10 of the United States Code to provide that members of the armed forces be assigned to duty stations near their homes after serving in combat zones; to the Committee on Armed Services.

By Mr. MOSS:

H.R. 2605. A bill to amend title 44, United States Code, to provide for consumer, labor, and small business representation on advisory committees under the coordination of Federal Recording Services, and for other purposes; to the Committee on Government Operations.

H.R. 2606. A bill to amend the Federal Aviation Act of 1958 in order to establish certain requirements with respect to air traffic controllers; to the Committee on Interstate and Foreign Commerce.

H.R. 2607. A bill to amend title 18, United States Code, to prohibit the establishment of emergency detention camps and to provide that no citizen of the United States shall be committed for detention or imprisonment in any facility of the U.S. Government except in conformity with the provisions of title 18; to the Committee on the Judiciary.

H.R. 2608. A bill to amend title 5, United States Code, to correct certain inequities with respect to the details of civilian employees of executive agencies, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 2609. A bill to assist the States in raising revenues by making more uniform the incidence and rate of tax imposed by States on the severance of minerals; to the Committee on Ways and Means.

By Mr. O'NEILL:

H.R. 2610. A bill to amend title II of the Social Security Act to provide that an individual may qualify for disability insurance benefits and the disability freeze if he has 20 quarters of coverage, regardless of when such quarters were earned; to the Committee on Ways and Means.

By Mr. PEYSER:

H.R. 2611. A bill to amend the Railroad Retirement Act of 1937 to permit an annuitant to receive his annuity even though he renders compensated service for the outside employer by whom he was last employed before his annuity began to accrue; to the Committee on Interstate and Foreign Commerce.

H.R. 2612. A bill to amend the Immigration and Nationality Act to make additional immigrant visas available for immigrants from certain foreign countries, and for other purposes; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 2613. A bill to authorize the Commissioner of Education to make vocational education opportunity grants; to the Committee on Education and Labor.

H.R. 2614. A bill to provide for the recognition of the Polish Legion of American Veterans by the Secretary of Defense and the Administrator of Veterans' Affairs; to the Committee on Veterans' Affairs.

By Mr. QUIE:

H.R. 2615. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. REID of New York:

H.R. 2616. A bill to amend section 203(a)(2) of the Immigration and Nationality Act to provide that parents of lawful resident aliens shall be eligible for second preference immigrant visas; to the Committee on the Judiciary.

H.R. 2617. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. ROBERTS:

H.R. 2618. A bill to require the Secretary of the Army to permit the use of recreational areas at Lake Texoma for nontransient mobile homes; to the Committee on Public Works.

By Mr. ROONEY of Pennsylvania:

H.R. 2619. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources, and for other purposes; to the Committee on Ways and Means.

H.R. 2620. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

H.R. 2621. A bill to provide for orderly trade in textile articles and articles of leather footwear, and for other purposes; to the Committee on Ways and Means.

H.R. 2622. A bill to amend title II of the Social Security Act to increase, in the case of individuals having 40 or more quarters of coverage, the number of years which may be disregarded in computing such individual's average monthly wage, and to provide that, for benefit computation purposes, a man's insured status and average monthly wage will be figured on the basis of an age-62 cutoff (the same as presently provided in the case of women); to the Committee on Ways and Means.

By Mr. ROYBAL:

H.R. 2623. A bill: Voluntary Military Manpower Procurement Act of 1971; to the Committee on Armed Services.

H.R. 2624. A bill to amend the Internal Revenue Code of 1954 to permit airline tickets and advertising to state the amount of tax on air transportation; to the Committee on Ways and Means.

H.R. 2625. A bill to amend the Internal Revenue Code of 1954 to provide a basic $5,000 exemption from income tax for amounts received as annuities, pensions, or other retirement benefits; to the Committee on Ways and Means.

By Mr. RYAN (for himself, Mr. HALPERN, Mr. BADILLO, Mr. BURTON, Mr. DELLUMS, Mr. DIGGS, Mr. FRASER, Mr. HECHLER of West Virginia, Mr. MITCHELL, Mr. O'NEILL, and Mr. RANGEL):

H.R. 2626. A bill making appropriations to carry out the lead-based paint poisoning prevention program for the fiscal year 1971; to the Committee on Appropriations.

H.R. 2627. A bill making appropriations to carry out the lead-based paint poisoning prevention program for the fiscal years 1971 and 1972; to the Committee on Appropriations.

By Mr. RYAN (for himself, Mr. BURTON, Mr. DANIELSON, Mr. PODELL, and Mr. RANGEL):

H.R. 2628. A bill to amend the Truth in Lending Act to require that statements under open-end credit plans be mailed in time to permit payment prior to the imposition of finance charges; to the Committee on Banking and Currency.

H.R. 2629. A bill to amend the Truth in Lending Act to protect consumers against careless and erroneous billing, and to require that statements under open-end credit plans be mailed in time to permit payment prior to the imposition of finance charges; to the Committee on Banking and Currency.

By Mr. ST GERMAIN:

H.R. 2630. A bill to repeal the provisions of the Economic Opportunity Act of 1964 which limit the terms of office of Community Action Boards; to the Committee on Education and Labor.

By Mr. SAYLOR (for himself, Mr. OBEY, Mr. LENNON, Mr. DON H. CLAUSEN, Mr. DOWNING, Mr. EDWARDS of California, Mr. FREY, Mr. FULTON of Pennsylvania, Mr. DINGELL, Mr. GOODLING, Mr. HANNA, Mr. KARTH, Mr. KYROS, Mr. LENT, Mr. MCCLOSKEY, Mr. O'HARA, Mr. PELLY, Mr. REID of New York, Mr. ROGERS, Mr. BIAGGI, and Mr. KEITH):

H.R. 2631. A bill to amend the Fish and Wildlife Act of 1956 to provide a criminal penalty for shooting at certain birds, fish, and other animals from an aircraft; to the Committee on Merchant Marine and Fisheries.

By Mr. SCHMITZ:

H.R. 2632. A bill to rescind and revoke membership of the United States in the United Nations and the specialized agencies thereof, and for other purposes; to the Committee on Foreign Affairs.

H.R. 2633. A bill to amend the Voting Rights Act of 1965 by repealing the provisions with respect to 18-year-old voting; to the Committee on the Judiciary.

By Mr. SISK:

H.R. 2634. A bill to amend section 301(a)(7) of the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. STEELE:

H.R. 2635. A bill to amend the Federal Food, Drug, and Cosmetic Act to establish a code system for the identification of prescription drugs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2636. A bill to amend the Food, Drug, and Cosmetic Act to strengthen consumer protection with respect to fish and fishery products and to assist the States in administering related programs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. TEAGUE of California (for himself, Mr. MAILLIARD, Mr. ANDERSON of Illinois, Mr. SISK, Mr. GUBSER, Mr. WALDIE, Mr. DEL CLAWSON, Mr. VAN DEERLIN, Mr. J. WILLIAM STANTON,

Mr. BROWN of Ohio, Mr. MATSUNAGA, Mr. LEGGETT, Mr. HANSEN of Idaho, Mr. SCHEUER, and Mr. WILLIAMS):

H.R. 2637. A bill to provide for a Federal ecological preserve in a portion of the Outer Continental Shelf in the Santa Barbara Channel and to provide for a moratorium on drilling operations pending the ability to control and prevent pollution by oil discharges and to improve the state of the art with respect to oil production from the submerged lands, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. TEAGUE of California (for himself, Mr. MCCLOSKEY, Mr. RONCALIO, Mr. CONTE, Mr. DENT, Mr. DUNCAN, Mr. THONE, Mr. COLLIER, Mr. DORN, Mr. MILLER of California, Mr. HARRINGTON, Mr. ABOUREZK, Mr. HELSTOSKI, Mr. MIKVA, Mr. HALPERN, Mr. BIESTER, and Mr. DON H. CLAUSEN):

H.R. 2638. A bill to provide for a Federal ecological preserve in a portion of the Outer Continental Shelf in the Santa Barbara Channel and to provide for a moratorium on drilling operations pending the ability to control and prevent pollution by oil discharges and to improve the state of the art with respect to oil production from the submerged lands, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WHALEN:

H.R. 2639. A bill to amend title 37, United States Code, to provide for the procurement and retention of judge advocates and law specialist officers for the armed forces; to the Committee on Armed Services.

H.R. 2640. A bill to provide additional benefits for optometry officers of the uniformed services; to the Committee on Armed Services.

H.R. 2641. A bill to equalize the retired pay of members of the uniformed services retired prior to June 1, 1958, whose retired pay is computed on laws enacted on or after October 1, 1949; to the Committee on Armed Services.

By Mr. WHALLEY:

H.R. 2642. A bill to permit the reading of verses from the Holy Bible at certain times in the public schools throughout the United States; to the Committee on Education and Labor.

H.R. 2643. A bill to cut off Federal benefits for conviction of rioting and prohibiting entitlement to such benefits thereafter; to the Committee on the Judiciary.

By Mr. CHARLES H. WILSON:

H.R. 2644. A bill to protect the civilian employees of the executive branch of the U.S. Government in the enjoyment of their constitutional rights and to prevent unwarranted governmental invasions of their privacy; to the Committee on Post Office and Civil Service.

By Mr. WRIGHT:

H.R. 2645. A bill to provide for the appointment of additional U.S. district judges; to the Committee on the Judiciary.

By Mr. WYMAN:

H.R. 2646. A bill to amend chapter 1 of title 18 of the United States Code to permit the publication and dissemination of information relating to the sweepstakes conducted by any State or the District of Columbia; to the Committee on the Judiciary.

H.R. 2647. A bill to exempt receipts, tickets, and other acknowledgments of any State or the District of Columbia in connection with any sweepstakes operated by such State or the District of Columbia from the provisions of section 1953 of title 18, United States Code; to the Committee on the Judiciary.

By Mr. YATES:

H.R. 2648. A bill to establish a National Cancer Authority and to authorize international programs and joint ventures in order to conquer cancer at the earliest possible date; to the Committee on Interstate and Foreign Commerce.

By Mr. ZWACH:

H.R. 2649. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without any deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. BROYHILL of North Carolina:

H.J. Res. 221. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. CELLER:

H.J. Res. 222. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President; to the Committee on the Judiciary.

H.J. Res. 223. Joint resolution proposing an amendment to the Constitution of the United States, extending the right to vote to citizens 18 years of age or older; to the Committee on the Judiciary.

By Mr. COLLIER:

H.J. Res. 224. Joint resolution to authorize the President to proclaim the second Sunday in September of each year as Bataan Day; to the Committee on the Judiciary.

By Mr. DELANEY:

H.J. Res. 225. Joint resolution to authorize the President to designate the period beginning March 21, 1971, as "National Week of Concern for Prisoners of War/Missing in Action"; to the Committee on the Judiciary.

By Mr. DERWINSKI:

H.J. Res. 226. Joint resolution proposing an amendment to the Constitution of the United States providing for a 4-year term for Senators; to the Committee on the Judiciary.

By Mr. FRASER:

H.J. Res. 227. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. GONZALEZ:

H.J. Res. 228. Joint resolution to establish a National Week of Concern for Prisoners of War/Missing in Action; to the Committee on the Judiciary.

By Mr. HALEY:

H.J. Res. 229. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.J. Res. 230. Joint resolution to designate the 3d week of April of each year as "Earth Week"; to the Committee on the Judiciary.

H.J. Res. 231. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. LENNON:

H.J. Res. 232. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of President and Vice President; to the Committee on the Judiciary.

H.J. Res. 233. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. LENT:

H.J. Res. 234. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

H.J. Res. 235. Joint resolution designating the 3d week of April of each year as Earth Week; to the Committee on the Judiciary.

By Mr. MAZZOLI:

H.J. Res. 236. Joint resolution providing for the designation of the 1st week of February of each year as National Youth Appreciation Week; to the Committee on the Judiciary.

By Mr. MORGAN:

H.J. Res. 237. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. PRICE of Illinois:

H.J. Res. 238. Joint resolution proposing an amendment to the Constitution to provide for the direct popular election of the President and Vice President of the United States; to the Committee on the Judiciary.

By Mr. STRATTON:

H.J. Res. 239. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. TALCOTT:

H.J. Res. 240. Joint resolution providing for the designation of the last Monday in October of each year as Peace Officers Appreciation Day; to the Committee on the Judiciary.

By Mr. WHALLEY:

H.J. Res. 241. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. WINN:

H.J. Res. 242. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. DE LA GARZA:

H. Con. Res. 96. Concurrent resolution condemning the treatment of American prisoners of war by the Government of North Vietnam and urging the President to initiate appropriate action for the purpose of insuring that American prisoners are accorded humane treatment; to the Committee on Foreign Affairs.

By Mr. HAYS:

H. Con. Res. 97. Concurrent resolution authorizing the printing of a revised edition of the publication entitled "History of the United States House of Representatives", and for other purposes; to the Committee on House Administration.

By Mr. LONG of Maryland (for himself, Mr. BOGGS, Mr. HÉBERT, Mr. GARMATZ, Mr. MITCHELL, Mr. SARBANES, Mr. DON H. CLAUSEN, Mr. MURPHY of New York, Mr. ANDERSON of California, Mr. O'NEILL, Mr. ADDABBO, Mr. KUYKENDALL, Mr. PELLY, Mr. BADILLO, Mr. JONES of North Carolina, Mrs. HICKS of Massachusetts, Mr. BURTON, Mr. PUCINSKI, Mr. RARICK, Mr. MIKVA, Mr. BROOKS, Mr. GIBBONS, Mr. BEGICH, Mr. HELSTOSKI, and Mr. HARRINGTON):

H. Con. Res. 98. Concurrent resolution expressing the sense of Congress with respect to the continued operation of Public Health Service facilities; to the Committee on Interstate and Foreign Commerce.

By Mr. LONG of Maryland (for himself, Mr. VAN DEERLIN, Mr. ECKHARDT, and Mr. HASTINGS):

H. Con. Res. 99. Concurrent resolution expressing the sense of Congress with respect to the continued operation of Public Health Service facilities; to the Committee on Interstate and Foreign Commerce.

By Mr. BINGHAM (for himself, Mr. ANDERSON of Illinois, Mrs. CHISHOLM, Mr. CLAY, Mr. CONYERS, Mr. DIGGS, Mr. HARRINGTON, Mr. HAWKINS, Mr. LEGGETT, Mr. MIKVA, Mr. MOORHEAD, Mr. MORSE, Mr. NIX, Mr. RODINO, Mr. ROSENTHAL, Mr. RYAN, Mr. STOKES, and Mr. UDALL):

H. Con. Res. 100. Concurrent resolution authorizing the placing of a bust or statue of Martin Luther King, Jr. in the Capitol; to the Committee on House Administration.

By Mr. MATSUNAGA:

H. Con. Res. 101. Concurrent resolution expressing the sense of the Congress that military activity of the United States in Southeast Asia be strictly limited to defensive actions and that total withdrawal of all U.S. Forces be completed by December 24, 1971; to the Committee on Foreign Affairs.

By Mr. MEEDS (for himself, Mr. FRASER, Mr. CAMP, Mr. KASTENMEIER, Mr. RIEGLE, Mr. MOSS, Mr. DUNCAN, Mr. CLARK, Mr. OBEY, Mr. BINGHAM, Mrs. HANSEN of Washington, Mr. BERGLAND, Mr. ANDREWS of North Dakota, Mr. LUJAN, Mr. HALPERN, Mr. WOLFF, and Mr. HASTINGS):

H. Con. Res. 102. Concurrent resolution to declare the sense of the U.S. Congress with respect to the Federal administration of Indian Affairs; to the Committee on Interior and Insular Affairs.

By Mr. PATMAN:

H. Con. Res. 103. Concurrent resolution providing for the printing of the report entitled "Investigation and Hearing of Abuses in Federal Low- and Moderate-Income Housing Programs"; to the Committee on House Administration.

By Mr. RYAN (for himself and Mr. BURTON):

H. Con. Res. 104. Concurrent resolution to establish a Joint Congressional Committee on foreign policy; to the Committee on Rules.

By Mr. CELLER:

H. Res. 161. Resolution authorizing the Committee on the Judiciary to conduct studies and investigations relating to certain matters within its jurisdiction; to the Committee on Rules.

By Mr. COLLIER:

H. Res. 162. Resolution to establish a select committee to be known as the "Committee on the House Restaurant"; to the Committee on Rules.

H. Res. 163. Resolution to express the sense of the House of Representatives that the United States maintain its sovereignty and jurisdiction over the Panama Canal Zone; to the Committee on Foreign Affairs.

By Mr. GALLAGHER (for himself, Mr. HORTON, Mr. KOCH, Mr. MURPHY of New York, and Mr. YATES):

H. Res. 164. Resolution establishing the Select Committee on Privacy, Human Values, and Democratic Institutions; to the Committee on Rules.

By Mr. MORSE (for himself, Mr. ADDABBO, Mr. ANDERSON of Illinois, Mr. ASPIN, Mr. BADILLO, Mr. BIESTER, Mrs. CHISHOLM, Mr. FISH, Mr. FRENZEL, Mr. FULTON of Pennsylvania, Mrs. GRASSO, Mr. HALPERN, Mrs. HANSEN of Washington, Mr. HARRINGTON, Mr. HARVEY, Mrs. HICKS of Massachusetts, Mr. MCDONALD of Michigan, Mr. MCKINNEY, Mr. MIKVA, Mr. MITCHELL, Mr. PODELL, Mr. PUCINSKI, Mr. RANGEL, Mr. REID of New York, and Mr. ROBISON):

H. Res. 165. Resolution to amend the Rules of the House of Representatives to create a standing committee to be known as the Committee on Urban Affairs; to the Committee on Rules.

By Mr. MORSE (for himself, Mr. ROSENTHAL, Mr. ROYBAL, Mr. SCHEUER, and Mr. SCHWENGEL):

H. Res. 166. Resolution to amend the Rules of the House of Representatives to create a standing committee to be known as the Committee on Urban Affairs; to the Committee on Rules.

By Mr. NATCHER:

H. Res. 167. Resolution to create a Select Committee on Aging; to the Committee on Rules.

By Mr. REID of New York:

H. Res. 168. Resolution requesting the President to urge the Soviet Union to process the requests of 50,000 Soviet citizens for reunions with their families who are outside the Union of Soviet Socialist Republics; to the Committee on Foreign Affairs.

By Mr. ROYBAL:

H. Res. 169. Resolution to stop funds for war in Cambodia, Laos, and to limit funds for war in Vietnam; to the Committee on Foreign Affairs.

By Mr. STAGGERS:

H. Res. 170. Resolution authorizing the Committee on Interstate and Foreign Commerce to make studies and investigations within its jurisdiction; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 2650. A bill for the relief of Rafael Ching (also known as Tong Kit Chat); to the Committee on the Judiciary.

H.R. 2651. A bill for the relief of Long Kam Soi also known as Guiloermo Ching; to the Committee on the Judiciary.

H.R. 2652. A bill for the relief of Essie Christopher; to the Committee on the Judiciary.

H.R. 2653. A bill for the relief of Milicent E. Christopher; to the Committee on the Judiciary.

H.R. 2654. A bill for the relief of Raphael Christopher; to the Committee on the Judiciary.

H.R. 2655. A bill for the relief of Angelo Duca; to the Committee on the Judiciary.

H.R. 2656. A bill for the relief of Paul Hyppolite; to the Committee on the Judiciary.

H.R. 2657. A bill for the relief of Fen Iang Kuo; to the Committee on the Judiciary.

H.R. 2658. A bill for the relief of Shing Gee Kwan; to the Committee on the Judiciary.

H.R. 2659. A bill for the relief of Gaspare LaMarca; to the Committee on the Judiciary.

H.R. 2660. A bill for the relief of Frank Morgan; to the Committee on the Judiciary.

H.R. 2661. A bill for the relief of Kheng Hoon Ng (also known as Yu Chu Sun Ng); to the Committee on the Judiciary.

H.R. 2662. A bill for the relief of Mary Martha Thompson; to the Committee on the Judiciary.

H.R. 2663. A bill for the relief of June Vernon; to the Committee on the Judiciary.

H.R. 2664. A bill for the relief of Virgil Vernon; to the Committee on the Judiciary.

H.R. 2665. A bill for the relief of Teresa Giacoboni Volpe; to the Committee on the Judiciary.

H.R. 2666. A bill for the relief of Eleftheria Yiannitsiadis; to the Committee on the Judiciary.

H.R. 2667. A bill for the relief of Ng Chio Kwan, also known as Daniel Yong; to the Committee on the Judiciary.

By Mr. ANDERSON of California:

H.R. 2668. A bill for the relief of Chan Ku Lee, his wife, Young A., and daughter Eun Kyung; to the Committee on the Judiciary.

By Mr. ARENDS:

H.R. 2669. A bill for the relief of John R. Forsythe; to the Committee on the Judiciary.

By Mr. ASPINALL:

H.R. 2670. A bill for the relief of Constantin Koumantakis; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 2671. A bill for the relief of Giacomo Bianco and Maria Giovanna Trombino Bianco; to the Committee on the Judiciary.

H.R. 2672. A bill for the relief of Ignazio Bono, Rosetta Caterina DiPiazza Bono, and Santina Bono to the Committee on the Judiciary.

H.R. 2673. A bill for the relief of Rosalia Carcione, Rosaria Carcione, and Elena Carcione; to the Committee on the Judiciary.

H.R. 2674. A bill for the relief of Concetta D'Amico; to the Committee on the Judiciary.

H.R. 2675. A bill for the relief of Giovanni Di Maggio, Calogera Di Maggio, and Calogero Di Maggio; to the Committee on the Judiciary.

H.R. 2676. A bill for the relief of Guiseppe Di Martino; to the Committee on the Judiciary.

H.R. 2677. A bill for the relief of Andrea DiStefano; to the Committee on the Judiciary.

H.R. 2678. A bill for the relief of Angelo Grella; to the Committee on the Judiciary.

H.R. 2679. A bill for the relief of Pasquale Lo Duca and Giuseppe Lo Duca; to the Committee on the Judiciary.

H.R. 2680. A bill for the relief of Mrs. Giovanna Maria Lunetta and Michele Filippo Lunetta; to the Committee on the Judiciary.

H.R. 2681. A bill for the relief of Loreto Mancino; to the Committee on the Judiciary.

H.R. 2682. A bill for the relief of Vito Gullo, Giuseppa Gullo, and their child, Baldassare Gullo; to the Committee on the Judiciary.

H.R. 2683. A bill for the relief of Giuseppe Mannino; to the Committee on the Judiciary.

H.R. 2684. A bill for the relief of Rosalia Mannino; to the Committee on the Judiciary.

H.R. 2685. A bill for the relief of Andrea Parrino; to the Committee on the Judiciary.

H.R. 2686. A bill for the relief of Marco Pezzino and Rosaria Pezzino; to the Committee on the Judiciary.

H.R. 2687. A bill for the relief of Francesco Randazzo; to the Committee on the Judiciary.

H.R. 2688. A bill for the relief of Guiseppe Caracchiolo; to the Committee on the Judiciary.

H.R. 2689. A bill for the relief of Francesco Rosa; to the Committee on the Judiciary.

H.R. 2690. A bill for the relief of Ignazio Santangelo; to the Committee on the Judiciary.

H.R. 2691. A bill for the relief of Girolamo Sassano; to the Committee on the Judiciary.

H.R. 2692. A bill for the relief of Giuseppe Sassano; to the Committee on the Judiciary.

H.R. 2693. A bill for the relief of Stefano Vaccaro; to the Committee on the Judiciary.

H.R. 2694. A bill for the relief of Andrea and Sabina Ventilato and Maria Teresa Ventilato; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia (by request):

H.R. 2695. A bill for the relief of Elio Domestici; to the Committee on the Judiciary.

By Mr. BURKE of Massachusetts:

H.R. 2696. A bill for the relief of Domenico Calderone and Carmela Magazzu Calderone; to the Committee on the Judiciary.

H.R. 2697. A bill for the relief of Antonino Venuto; to the Committee on the Judiciary.

By Mr. BURTON:

H.R. 2698. A bill for the relief of Angiolino Agriesti; to the Committee on the Judiciary.

H.R. 2699. A bill for the relief of Emanuel Ambeliotis; to the Committee on the Judiciary.

H.R. 2700. A bill for the relief of Maria Athanassiou; to the Committee on the Judiciary.

H.R. 2701. A bill for the relief of Giana Antonietta; to the Committee on the Judiciary.

H.R. 2702. A bill for the relief of Jaime R. Bagis; to the Committee on the Judiciary.

H.R. 2703. A bill for the relief of Mrs. Concepcion Garcia Balauro; to the Committee on the Judiciary.

H.R. 2704. A bill for the relief of Leonora Bascos Basconcillo and her children, Abelardo Basconcillo, Jr., and Maria Lourdes Basconcillo; to the Committee on the Judiciary.

H.R. 2705. A bill for the relief of Jose Ylaya Bayani; to the Committee on the Judiciary.

H.R. 2706. A bill for the relief of Miguelito Ybut Benedicto; to the Committee on the Judiciary.

H.R. 2707. A bill for the relief of Lizette Bhak; to the Committee on the Judiciary.

H.R. 2708. A bill for the relief of Gaetano Biradelli; to the Committee on the Judiciary.

H.R. 2709. A bill for the relief of Galicano Miguel Bondoc; to the Committee on the Judiciary.

H.R. 2710. A bill for the relief of Teodosia Bocoboc Bueno; to the Committee on the Judiciary.

H.R. 2711. A bill for the relief of Benjamin Mueca Cadalin; to the Committee on the Judiciary.

H.R. 2712. A bill for the relief of Mrs. Soo Ok Koo Campbell; to the Committee on the Judiciary.

H.R. 2713. A bill for the relief of Antonio Wong Campoy; to the Committee on the Judiciary.

H.R. 2714. A bill for the relief of Mrs. Kayo N. Carvell; to the Committee on the Judiciary.

H.R. 2715. A bill for the relief of Cecilia Frances Chan; to the Committee on the Judiciary.

H.R. 2716. A bill for the relief of Peh-An Chang; to the Committee on the Judiciary.

H.R. 2717. A bill for the relief of Elie Louis Charalabopoulos; to the Committee on the Judiciary.

H.R. 2718. A bill for the relief of Quan Woon Chee; to the Committee on the Judiciary.

H.R. 2719. A bill for the relief of Mo Lau Cheong; to the Committee on the Judiciary.

H.R. 2720. A bill for the relef of Pearl K. H. Chun; to the Committee on the Judiciary.

H.R. 2721. A bill for the relief of Ciriaca G. David; to the Committee on the Judiciary.

H.R. 2722. A bill for the relief of Norma de Castro; to the Committee on the Judiciary.

H.R. 2723. A bill for the relief of Adelina Del Barrio; to the Committee on the Judiciary.

H.R. 2724. A bill for the relief of Marino Del Frate; to the Committee on the Judiciary.

H.R. 2725. A bill for the relief of Fredi Robert Dreilich; to the Committee on the Judiciary.

H.R. 2726. A bill for the relief of Manuel Catiloc Duran; to the Committee on the Judiciary.

H.R. 2727. A bill for the relief of Visitacion Daa Estaris; to the Committee on the Judiciary.

H.R. 2728. A bill for the relief of Bartolome A. Federico; to the Committee on the Judiciary.

H.R. 2729. A bill for the relief of Louis Kai Fei; to the Committee on the Judiciary.

H.R. 2730. A bill for the relief of Emdrita G. Francisco; to the Committee on the Judiciary.

H.R. 2731. A bill for the relief of Evangeline Tolentino Gragera; to the Committee on the Judiciary.

H.R. 2732. A bill for the relief of Caterina Grimaldi; to the Committee on the Judiciary.

H.R. 2733. A bill for the relief of Nemesio Berino Gubatan, Jr., and his wife, Perla Santos Gubatan; to the Committee on the Judiciary.

H.R. 2734. A bill for the relief of Cheng Ken Han; to the Committee on the Judiciary.

H.R. 2735. A bill for the relief of Fong Hong; to the Committee on the Judiciary.

H.R. 2736. A bill for the relief of Peter Yu-Ju Huang; to the Committee on the Judiciary.

H.R. 2737. A bill for the relief of Abdulla Ali Hussein; to the Committee on the Judiciary.

H.R. 2738. A bill for the relief of Mrs. Serafia R. Impang; to the Committee on the Judiciary.

H.R. 2739. A bill for the relief of Isidro M. Jimenez (also known as Sid Jimenez); to the Committee on the Judiciary.

H.R. 2740. A bill for the relief of Lim Yue Kung; to the Committee on the Judiciary.

H.R. 2741. A bill for the relief of Manuel Laygo Gillermo (also known as Manual Guillermo Laygo); to the Committee on the Judiciary.

H.R. 2742. A bill for the relief of Mrs. Kay Sue Lee; to the Committee on the Judiciary.

H.R. 2743. A bill for the relief of Wing Chong Lee; to the Committee on the Judiciary.

H.R. 2744. A bill for the relief of Dapen Liang, his wife, Alice Tsai-hung Y. Liang, and their children, Gladstone C. K. Liang, Nancy C. C. Liang, Dora C. F. Liang, May C. M. Liang, and John C. P. Liang; to the Committee on the Judiciary.

H.R. 2745. A bill for the relief of Shirley Evelyn Lim; to the Committee on the Judiciary.

H.R. 2746. A bill for the relief of Kurt Friedrich Link; to the Committee on the Judiciary.

H.R. 2747. A bill for the relief of Antonino Lococo; to the Committee on the Judiciary.

H.R. 2748. A bill for the relief of Hem Chow Loo; to the Committee on the Judiciary.

H.R. 2749. A bill for the relief of Norma M. Lucas; to the Committee on the Judiciary.

H.R. 2750. A bill for the relief of Ddltha Alumisim Madrona; to the Committee on the Judiciary.

By Mr. BURTON:

H.R. 2751. A bill for the relief of Franco Magnani; to the Committee on the Judiciary.

H.R. 2752. A bill for the relief of Francisco A. Magno (also known as Frank Magno); to the Committee on the Judiciary.

H.R. 2753. A bill for the relief of Yolanda Alamares Malasmas; to the Committee on the Judiciary.

H.R. 2754. A bill for the relief of Wong Hong, his wife, Chung Choi Kum, and their children, Wong Yiu Chung, Wong Lai Mui, and Wong Ching Man; to the Committee on the Judiciary.

H.R. 2755. A bill for the relief of Severina Viray Manansala and her husband, Ciriaco Anicete Manansala; to the Committee on the Judiciary.

H.R. 2756. A bill for the relief of Alice Paz Z. Manlucu; to the Committee on the Judiciary.

H.R. 2757. A bill for the relief of Roberto A. Marcos; to the Committee on the Judiciary.

H.R. 2758. A bill for the relief of German Mauleon; to the Committee on the Judiciary.

H.R. 2759. A bill for the relief of Roberta Figueroa Mercado; to the Committee on the Judiciary.

H.R. 2760. A bill for the relief of Isais Sanabria Montalvan; to the Committee on the Judiciary.

H.R. 2761. A bill for the relief of Joaquin Morales Monterrey and his wife, Dora Morales Monterrey, and their child, Cynthia Morales Monterrey; to the Committee on the Judiciary.

H.R. 2762. A bill for the relief of Ada G. Morco; to the Committee on the Judiciary.

H.R. 2763. A bill for the relief of Claude Rene Marc Moreau; to the Committee on the Judiciary.

H.R. 2764. A bill for the relief of Bartolome M. Moreto; to the Committee on the Judiciary.

H.R. 2765. A bill for the relief of Pedro Tijan Munoz; to the Committee on the Judiciary.

H.R. 2766. A bill for the relief of Edmond Sae Nee; to the Committee on the Judiciary.

H.R. 2767. A bill for the relief of Shek Chi Ng; to the Committee on the Judiciary.

H.R. 2768. A bill for the relief of Roberto D. Nubla; to the Committee on the Judiciary.

H.R. 2769. A bill for the relief of Miguel Angel Ortiz; to the Committee on the Judiciary.

H.R. 2770. A bill for the relief of Choon Ki Paik; to the Committee on the Judiciary.

H.R. 2771. A bill for the relief of Mi Ja Paik; to the Committee on the Judiciary.

H.R. 2772. A bill for the relief of Felipe A. Pastrana; to the Committee on the Judiciary.

H.R. 2773. A bill for the relief of Antonio Piazza; to the Committee on the Judiciary.

H.R. 2774. A bill for the relief of Socorro Guillen Picado; to the Committee on the Judiciary.

H.R. 2775. A bill for the relief of Tong Yee Kam Po; to the Committee on the Judiciary.

H.R. 2776. A bill for the relief of Porfiria Pantas Pragas; to the Committee on the Judiciary.

H.R. 2777. A bill for the relief of Sillas Raisakis; to the Committee on the Judiciary.

H.R. 2778. A bill for the relief of Heydar Reghaby; to the Committee on the Judiciary.

H.R. 2779. A bill for the relief of Grace M. Reyes; to the Committee on the Judiciary.

H.R. 2780. A bill for the relief of Luz Mayugba Reyes; to the Committee on the Judiciary.

H.R. 2781. A bill for the relief of Jesus Mora Ruiz; to the Committee on the Judiciary.

H.R. 2782. A bill for the relief of Ponciano Salvador; to the Committee on the Judiciary.

H.R. 2783. A bill for the relief of Gianfranco Sandri and his wife, Fiorella Borgatti Sandri; to the Committee on the Judiciary.

H.R. 2784. A bill for the relief of Roger David Scullion; to the Committee on the Judiciary.

H.R. 2785. A bill for the relief of David Kenneth Sham and his wife, Juliet L. K. Ng Sham; to the Committee on the Judiciary.

H.R. 2786. A bill for the relief of Siu Won Shew; to the Committee on the Judiciary.

H.R. 2787. A bill for the relief of Ruth Dela Cruz Sioson; to the Committee on the Judiciary.

H.R. 2788. A bill for the relief of Benedetto Spoletini, his wife, Maria Spoletini, and their children, Tommas Spoletini and Marco Spoletini; to the Committee on the Judiciary.

H.R. 2789. A bill for the relief of Ali Mohammad Tabatabaian-Kashani; to the Committee on the Judiciary.

H.R. 2790. A bill for the relief of Mrs. Silvia Bautista Tendero; to the Committee on the Judiciary.

H.R. 2791. A bill for the relief of Leong Tin; to the Committee on the Judiciary.

H.R. 2792. A bill for the relief of Juanita Savedia Varela; to the Committee on the Judiciary.

H.R. 2793. A bill for the relief of Carmen Esperanza Centeno Vasquez; to the Committee on the Judiciary.

H.R. 2794. A bill for the relief of Silvia Italia Vassallo-Pastor; to the Committee on the Judiciary.

H.R. 2795. A bill for the relief of Miss Apollonia Redy Vettore; to the Committee on the Judiciary.

H.R. 2796. A bill for the relief of Catalina Rubang Villaluz; to the Committee on the Judiciary.

H.R. 2797. A bill for the relief of Rogelio Villegas and his son, Michael Villegas; to the Committee on the Judiciary.

H.R. 2798. A bill for the relief of Mrs. Severa Salonga Virag; to the Committee on the Judiciary.

H.R. 2799. A bill for the relief of Yu Sau Wah; to the Committee of the Judiciary.

H.R. 2800. A bill for the relief of Maung Win; to the Committee on the Judiciary.

H.R. 2801. A bill for the relief of Lee Seung Woo; to the Committee on the Judiciary.

H.R. 2802. A bill for the relief of Hee Ngew Yee; to the Committee on the Judiciary.

H.R. 2803. A bill for the relief of In Kyong Yi; to the Committee on the Judiciary.

H.R. 2804. A bill for the relief of Miss Mamako Yoneyama; to the Committee on the Judiciary.

H.R. 2805. A bill for the relief of Kiyoko

Yoshizawa; to the Committee on the Judiciary.

H.R. 2806. A bill for the relief of Aida G. Yuzon; to the Committee on the Judiciary.

H.R. 2807. A bill for the relief of Helen E. Zamora; to the Committee on the Judiciary.

H.R. 2808. A bill for the relief of Galal Hassanein Zanati; to the Committee on the Judiciary.

H.R. 2809. A bill for the relief of Gilberto Oropa Zapanta and his wife, Lilia Ong Zapanta; to the Committee on the Judiciary.

By Mr. BLANTON:

H.R. 2810. A bill for the relief of Antonio Plameros; to the Committee on the Judiciary.

By Mr. BYRNE of Pennsylvania:

H.R. 2811. A bill for the relief of Lt. Col. Edward J. Flatley, XXXX to the Committee on the Judiciary.

H.R. 2812. A bill for the relief of Leopold Morse Tailoring Co.; to the Committee on the Judiciary.

H.R. 2813. A bill for the relief of Flavia Merlino; to the Committee on the Judiciary.

By Mr. BYRON:

H.R. 2814. A bill for the relief of Rea Republica Ramos; to the Committee on the Judiciary.

By Mr. CAREY of New York:

H.R. 2815. A bill for the relief of Thelma Enriquez; to the Committee on the Judiciary.

H.R. 2816. A bill for the relief of Rose Minutillo; to the Committee on the Judiciary.

H.R. 2817. A bill for the relief of Louise Adda Phillips; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 2818. A bill for the relief of Adam J. Golau; to the Committee on the Judiciary.

By Mr. CHAPPELL:

H.R. 2819. A bill for the relief of Maria Luisa Gorostegui deDourron, M.D.; to the Committee on the Judiciary.

H.R. 2820. A bill for the relief of Boleslaw Juchniewicz; to the Committee on the Judiciary.

H.R. 2821. A bill for the relief of Dr. Renigio G. Lacsamana; to the Committee on the Judiciary.

H.R. 2822. A bill for the relief of Herbert W. Lindsay and Marie Lindsay; to the Committee on the Judiciary.

H.R. 2823. A bill for the relief of Carmen Pinto; to the Committee on the Judiciary.

H.R. 2824. A bill for the relief of William T. Thompson; to the Committee on the Judiciary.

H.R. 2825. A bill for the relief of Aleyda Arias Veru; to the Committee on the Judiciary.

H.R. 2826. A bill to authorize the conveyance of the mineral rights and interests of the United States in certain real property to Jesse W. Yawn; to the Committee on Interior and Insular Affairs.

By Mr. CLEVELAND:

H.R. 2827. A bill for the relief of Filippo Sardo; to the Committee on the Judiciary.

By Mr. COLLIER:

H.R. 2828. A bill for the relief of Mrs. Rose Scanio; to the Committee on the Judiciary.

By Mr. CONYERS:

H.R. 2829. A bill for the relief of Barbara Padmore Benning (nee Barbara Kathleen Batson); to the Committee on the Judiciary.

By Mr. DOW:

H.R. 2830. A bill for the relief of John Jaros; to the Committee on the Judiciary.

By Mr. EDWARDS of Alabama:

H.R. 2831. A bill for the relief of Carelena K. Goodman; to the Committee on the Judiciary.

H.R. 2832. A bill for the relief of Ruhollah Sayyah; to the Committee on the Judiciary.

By Mr. FLOOD:

H.R. 2833. A bill for the relief of Judith Novella Matthew; to the Committee on the Judiciary.

By Mr. FRELINGHUYSEN:

H.R. 2834. A bill for the relief of Giovanni Bonfantino; to the Committee on the Judiciary.

By Mr. GIAIMO:

H.R. 2835. A bill for the relief of William E. Carroll; to the Committee on the Judiciary.

H.R. 2836. A bill for the relief of Lu-Yin Chen, Julie Chen, and Edward Chen; to the Committee on the Judiciary.

H.R. 2837. A bill for the relief of Luigi DeFlora; to the Committee on the Judiciary.

H.R. 2838. A bill for the relief of Tomaso Masella; to the Committee on the Judiciary.

By Mr. GRAY:

H.R. 2839. A bill for the relief of Alfredo Fugaccia and his family: Anna Maria Franchi Fugaccia (wife), Alberto Fugaccia (son), Isabella Fugaccia (daughter); to the Committee on the Judiciary.

By Mr. GUDE:

H.R. 2840. A bill for the relief of the estate of Albert W. Small; to the Committee on the Judiciary.

By Mrs. HECKLER of Massachusetts:

H.R. 2841. A bill for the relief of Francesco and Alfonso Acierno; to the Committee on the Judiciary.

H.R. 2842. A bill for the relief of Mrs. Marie Acierno and her children, Regina, Giuditta, and Diana Acierno; to the Committee on the Judiciary.

H.R. 2843. A bill for the relief of Raul B. Rodriguez Berrey; to the Committee on the Judiciary.

H.R. 2844. A bill for the relief of Sofia Buitrago; to the Committee on the Judiciary.

H.R. 2845. A bill for the relief of Ioro, Olga, Mario, and Maria Carreiro; to the Committee on the Judiciary.

H.R. 2846. A bill for the relief of Roy E. Carroll; to the Committee on the Judiciary.

H.R. 2847. A bill for the relief of Dr. Pablo Cordero; to the Committee on the Judiciary.

H.R. 2848. A bill for the relief of Bianca Esther Montoya Davila; to the Committee on the Judiciary.

H.R. 2849. A bill for the relief of Nellie Hyacinth Davis; to the Committee on the Judiciary.

H.R. 2850. A bill for the relief of Dr. Marianne Dierks; to the Committee on the Judiciary.

H.R. 2851. A bill for the relief of Maria T. Egea; to the Committee on the Judiciary.

H.R. 2852. A bill for the relief of Joaquim Esteves Fernandes; to the Committee on the Judiciary.

H.R. 2853. A bill for the relief of Alvaro Rau'l Goncalves; to the Committee on the Judiciary.

H.R. 2854. A bill for the relief of Rosa P. Goncalves; to the Committee on the Judiciary.

H.R. 2855. A bill for the relief of Adolfo and his wife, Almerinda Henriques; to the Committee on the Judiciary.

H.R. 2856. A bill for the relief of Rosemarie Huguette and daughter, Vivian Labus; to the Committee on the Judiciary.

H.R. 2857. A bill for the relief of Guiseppe Landolina; to the Committee on the Judiciary.

H.R. 2858. A bill for the relief of Fiorvante Leo; to the Committee on the Judiciary.

H.R. 2859. A bill for the relief of Chee Mon Lau; to the Committee on the Judiciary.

H.R. 2860. A bill for the relief of Pasquale Mancinelli; to the Committee on the Judiciary.

H.R. 2861. A bill for the relief of Louis Botelho Motta; to the Committee on the Judiciary.

H.R. 2862. A bill for the relief of Ferdinando Neola; to the Committee on the Judiciary.

H.R. 2863. A bill for the relief of Anthony O'Brien; to the Committee on the Judiciary.

H.R. 2864. A bill for the relief of Dr. Roger Pasimio and family; to the Committee on the Judiciary.

H.R. 2865. A bill for the relief of Stephen Pearson; to the Committee on the Judiciary.

H.R. 2866. A bill for the relief of Francesco Pecchia; to the Committee on the Judiciary.

H.R. 2867. A bill for the relief of Angelo M. Petitto; to the Committee on the Judiciary.

H.R. 2868. A bill for the relief of Caerina Frattoletto Petitto; to the Committee on the Judiciary.

H.R. 2869. A bill for the relief of Felice Angelo Petitto; to the Committee on the Judiciary.

H.R. 2870. A bill for the relief of Jose Joaquim Rezendes; to the Committee on the Judiciary.

H.R. 2871. A bill for the relief of Degennaro Sabato; to the Committee on the Judiciary.

H.R. 2872. A bill for the relief of Alberico Suriano; to the Committee on the Judiciary.

H.R. 2873. A bill for the relief of Vincent Suriano; to the Committee on the Judiciary.

H.R. 2874. A bill for the relief of Carmela Tarantino; to the Committee on the Judiciary.

H.R. 2875. A bill for the relief of Nicola Tarzia; to the Committee on the Judiciary.

H.R. 2876. A bill for the relief of Franca Tolusso; to the Committee on the Judiciary.

H.R. 2877. A bill for the relief of Antonio Trinchese; to the Committee on the Judiciary.

By Mr. HOGAN:

H.R. 2878. A bill for the relief of Giuseppe Cavallo; to the Committee on the Judiciary.

H.R. 2879. A bill for the relief of Fermina Marinas; to the Committee on the Judiciary.

By Mr. KLUCZYNSKI:

H.R. 2880. A bill for the relief of Panagiotis Bozionelos; to the Committee on the Judiciary.

H.R. 2881. A bill for the relief of Pasqua Porzia; to the Committee on the Judiciary.

By Mr. McKINNEY:

H.R. 2882. A bill for the relief of Antonietta Maria Caione; to the Committee on the Judiciary.

H.R. 2883. A bill for the relief of Stefania Chaber; to the Committee on the Judiciary.

H.R. 2884. A bill for the relief of Maria Giraldi Favretto; to the Committee on the Judiciary.

H.R. 2885. A bill for the relief of Franco Geralmo Giraudo; to the Committee on the Judiciary.

H.R. 2886. A bill for the relief of Carmelo Macauda; to the Committee on the Judiciary.

H.R. 2887. A bill for the relief of Iolanda C. Masotta; to the Committee on the Judiciary.

H.R. 2888. A bill for the relief of James Vincent Melia, his wife Eugenia Melia, and their children, Sarafina Melia, Rocco Fernando Melia, and Nicola Melia; to the Committee on the Judiciary.

H.R. 2889. A bill for the relief of Michelangelo Morrelli; to the Committee on the Judiciary.

H.R. 2890. A bill for the relief of Leonardo Riccio; to the Committee on the Judiciary.

H.R. 2891. A bill for the relief of Giovanni Sari; to the Committee on the Judiciary.

H.R. 2892. A bill for the relief of Michele Sorbara; to the Committee on the Judiciary.

By Mr. McMILLAN:

H.R. 2893. A bill for the incorporation of the Merchant Marine War Veterans Association; to the Committee on the District of Columbia.

H.R. 2894. A bill to incorporate Paralyzed Veterans of America; to the Committee on the District of Columbia.

H.R. 2895. A bill to provide for the conveyance of certain real property in the District of Columbia to the National Firefighting Museum and Center for Fire Prevention, Inc.; to the Committee on the District of Columbia.

By Mr. MADDEN:

H.R. 2896. A bill for the relief of Constanin Demetre Caralis; to the Committee on the Judiciary.

By Mr. MEEDS:

H.R. 2897. A bill for the relief of Nguyen-Van-Tien; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 2898. A bill for the relief of Filippo Butera; to the Committee on the Judiciary.

By Mr. MOSS:

H.R. 2899. A bill for the relief of Louis M. Lamothe; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 2900. A bill for the relief of Cristina, Guiseppe, Agostino, and Francesco Abbate; to the Committee on the Judiciary.

H.R. 2901. A bill for the relief of Antonio Accardo; to the Committee on the Judiciary.

H.R. 2902. A bill for the relief of Guiseppe and Angela Agate; to the Committee on the Judiciary.

H.R. 2903. A bill for the relief of Kamal Akley; to the Committee on the Judiciary.

H.R. 2904. A bill for the relief of Angela Alamia; to the Committee on the Judiciary.

H.R. 2905. A bill for the relief of Calogero, Guiseppa, and Paola Alba; to the Committee on the Judiciary.

H.R. 2906. A bill for the relief of Rocco Alfonzetti; to the Committee on the Judiciary.

H.R. 2907. A bill for the relief of Benedetto and Valeria Amato; to the Committee on the Judiciary.

H.R. 2908. A bill for the relief of Vito Amato; to the Committee on the Judiciary.

H.R. 2909. A bill for the relief of Satoru Ando; to the Committee on the Judiciary.

H.R. 2910. A bill for the relief of Teresa Antonaglia; to the Committee on the Judiciary.

H.R. 2911. A bill for the relief of Joseph Assal; to the Committee on the Judiciary.

H.R. 2912. A bill for the relief of Angel and Azucena Avila; to the Committee on the Judiciary.

H.R. 2913. A bill for the relief of Antonino Badalamenti; to the Committee on the Judiciary.

H.R. 2914. A bill for the relief of George Mikland Badro; to the Committee on the Judiciary.

H.R. 2915. A bill for the relief of Veronica Barnes; to the Committee on the Judiciary.

H.R. 2916. A bill for the relief of Paolina Barone; to the Committee on the Judiciary.

H.R. 2917. A bill for the relief of Juan Battista Biazzo, Margarita Biazzo, Juan Tomas Biazzo, and Carolos Antonio Biazzo; to the Committee on the Judiciary.

H.R. 2918. A bill for the relief of Accursia Billera; to the Committee on the Judiciary.

H.R. 2919. A bill for the relief of Mark Bitar; to the Committee on the Judiciary.

H.R. 2920. A bill for the relief of Pietro Bivona, Accursia Bivona, Giuseppina Bivona, and Enza Bivona; to the Committee on the Judiciary.

H.R. 2921. A bill for the relief of Stavros Bounas; to the Committee on the Judiciary.

H.R. 2922. A bill for the relief of Vincenzo, Anna Rosa, and Giuseppe Bozzi; to the Committee on the Judiciary.

H.R. 2923. A bill for the relief of Nadia Canducci; to the Committee on the Judiciary.

H.R. 2924. A bill for the relief of Guiseppe and Nicola Caputo; to the Committee on the Judiciary.

H.R. 2925. A bill for the relief of Francesco Catanzaro, Calogera Catanzaro, Gaspare Catanzaro, and Vita Catanzaro; to the Committee on the Judiciary.

H.R. 2926. A bill for the relief of Vito Cimino and Gaetana Cimino; to the Committee on the Judiciary.

H.R. 2927. A bill for the relief of Rita Louise Clarke; to the Committee on the Judiciary.

H.R. 2928. A bill for the relief of Habibollah Cohen; to the Committee on the Judiciary.

H.R. 2929. A bill for the relief of Giovannina Maria Cona and Angelina Cona; to the Committee on the Judiciary.

H.R. 2930. A bill for the relief of Vincenzo Covello; to the Committee on the Judiciary.

H.R. 2931. A bill for the relief of Paulina Crisci; to the Committee on the Judiciary.

H.R. 2932. A bill for the relief of Lauretta Cunningham; to the Committee on the Judiciary.

H.R. 2933. A bill for the relief of Shlomo, Bella, and Rachel Dagan; to the Committee on the Judiciary.

H.R. 2934. A bill for the relief of Radouan G. Dakki; to the Committee on the Judiciary.

H.R. 2935. A bill for the relief of Bartolome Catelo and Marietta Alonso De Castro; to the Committee on the Judiciary.

H.R. 2936. A bill for the relief of Michele Derosa; to the Committee on the Judiciary.

H.R. 2937. A bill for the relief of Anna DiStefano; to the Committee on the Judiciary.

H.R. 2938. A bill for the relief of Guiseppe DiStefano; to the Committee on the Judiciary.

H.R. 2939. A bill for the relief of Dr. Azak Serf Eryol; to the Committee on the Judiciary.

H.R. 2940. A bill for the relief of Assuntina, Angela, and Raimondo Florica; to the Committee on the Judiciary.

H.R. 2941. A bill for the relief of Alonso Gonzalez-Palacio; to the Committee on the Judiciary.

H.R. 2942. A bill for the relief of Giovanni and Terrana Grottadauria; to the Committee on the Judiciary.

H.R. 2943. A bill for the relief of Gerlando Quarantino Iacono; to the Committee on the Judiciary.

H.R. 2944. A bill for the relief of Giuseppe, Giuseppa, Rosa, Pietro, Rosario, and Santa Inzerillo; to the Committee on the Judiciary.

H.R. 2945. A bill for the relief of Michel G. Issa; to the Committee on the Judiciary.

H.R. 2946. A bill for the relief of Alan Kaadi; to the Committee on the Judiciary.

H.R. 2947. A bill for the relief of Fayez Khanji; to the Committee on the Judiciary.

H.R. 2948. A bill for the relief of Jai Doh Kim; to the Committee on the Judiciary.

H.R. 2949. A bill for the relief of Simone Laboeuf; to the Committee on the Judiciary.

H.R. 2950. A bill for the relief of Maria Concetta Lettera; to the Committee on the Judiciary.

H.R. 2951. A bill for the relief of Dr. Hong-Chien Lin, Tzu-Yung Lin, and Hong-Yih Lin; to the Committee on the Judiciary.

H.R. 2952. A bill for the relief of Rosa E. Llobell; to the Committee on the Judiciary.

H.R. 2953. A bill for the relief of Heide Lomangino; to the Committee on the Judiciary.

H.R. 2954. A bill for the relief of Carlos Abel Majia-Herrera; to the Committee on the Judiciary.

H.R. 2955. A bill for the relief of Calogero Mallia; to the Committee on the Judiciary.

H.R. 2956. A bill for the relief of Crisanto G. Mamaril; to the Committee on the Judiciary.

H.R. 2957. A bill for the relief of Domenico Mammana; to the Committee on the Judiciary.

H.R. 2958. A bill for the relief of Filippo Mandala; to the Committee on the Judiciary.

H.R. 2959. A bill for the relief of Elena I. Manzanera; to the Committee on the Judiciary.

H.R. 2960. A bill for the relief of Mr. and Mrs. Domenico Marino and their children, Ciriaco, Adelaide, Gaetano, Elvira, Gerardo, and Carmine; to the Committee on the Judiciary.

H.R. 2961. A bill for the relief of Elena Monteza; to the Committee on the Judiciary.

H.R. 2962. A bill for the relief of Giuseppe, Paola, and Antonella Muce; to the Committee on the Judiciary.

H.R. 2963. A bill for the relief of Oussama Mohamed Naja; to the Committee on the Judiciary.

H.R. 2964. A bill for the relief of Costa Youssef Najjar; to the Committee on the Judiciary.

H.R. 2965. A bill for the relief of Guiseppe Neri; to the Committee on the Judiciary.

H.R. 2966. A bill for the relief of Giuseppe Novello; to the Committee on the Judiciary.

H.R. 2967. A bill for the relief of Emilia Oliveri; to the Committee on the Judiciary.

H.R. 2968. A bill for the relief of Calogero and Maria Piro; to the Committee on the Judiciary.

H.R. 2969. A bill for the relief of Gaetano and Gaetana Porcello; to the Committee on the Judiciary.

H.R. 2970. A bill for the relief of Marina B. Profeta; to the Committee on the Judiciary.

H.R. 2971. A bill for the relief of Guillermina Pulgar; to the Committee on the Judiciary.

H.R. 2972. A bill for the relief of Aurora Ramos; to the Committee on the Judiciary.

H.R. 2973. A bill for the relief of Vincenzo Randazzo; to the Committee on the Judiciary.

H.R. 2974. A bill for the relief of Juana Reyes; to the Committee on the Judiciary.

H.R. 2975. A bill for the relief of Leonor Muirragui Robalino; to the Committee on the Judiciary.

H.R. 2976. A bill for the relief of Carmelo Rodio; to the Committee on the Judiciary.

H.R. 2977. A bill for the relief of Jacob, Rivka, Eliyuhu, Moshe, Rina, and Ilan Rouach; to the Committee on the Judiciary.

H.R. 2978. A bill for the relief of Mouhamad Safa; to the Committee on the Judiciary.

H.R. 2979. A bill for the relief of Javier Salazar-Ruiz; to the Committee on the Judiciary.

H.R. 2980. A bill for the relief of Hector and Iolanda Scafati; to the Committee on the Judiciary.

H.R. 2981. A bill for the relief of Luigi Scattarreggia; to the Committee on the Judiciary.

H.R. 2982. A bill for the relief of Michele and Rosa Scotti; to the Committee on the Judiciary.

H.R. 2983. A bill for the relief of Luis Enrique Sierra-Gonzalez; to the Committee on the Judiciary.

H.R. 2984. A bill for the relief of Wong Wah Sin; to the Committee on the Judiciary.

H.R. 2985. A bill for the relief of Dr. Lalendra Kumar Sinha; to the Committee on the Judiciary.

H.R. 2986. A bill for the relief of Theresa Somma; to the Committee on the Judiciary.

H.R. 2987. A bill for the relief of Desbina Souri; to the Committee on the Judiciary.

H.R. 2988. A bill for the relief of Margherita Suglia; to the Committee on the Judiciary.

H.R. 2989. A bill for the relief of Faez Elias Tayar; to the Committee on the Judiciary.

H.R. 2990. A bill for the relief of Victoria Telias; to the Committee on the Judiciary.

H.R. 2991. A bill for the relief of Nunzia Uccellatore; to the Committee on the Judiciary.

H.R. 2992. A bill for the relief of Juan Artavia Villarreal; to the Committee on the Judiciary.

H.R. 2993. A bill for the relief of Francesco Vultaggio; to the Committee on the Judiciary.

H.R. 2994. A bill for the relief of Jock Min Woo; to the Committee on the Judiciary.

By Mr. O'NEILL:

H.R. 2995. A bill for the relief of Francesca Biccheri; to the Committee on the Judiciary.

H.R. 2996. A bill for the relief of Salvatore and Rosa Cassero; to the Committee on the Judiciary.

H.R. 2997. A bill for the relief of Giovannina Cefalo; to the Committee on the Judiciary.

H.R. 2998. A bill for the relief of Angiolina Chioccariello; to the Committee on the Judiciary.

H.R. 2999. A bill for the relief of Michele D'Aleo; to the Committee on the Judiciary.

H.R. 3000. A bill for the relief of Teresa Galli D'Aleo; to the Committee on the Judiciary.

H.R. 3001. A bill for the relief of Joaquin Da Costa; to the Committee on the Judiciary.

H.R. 3002. A bill for the relief of Maria Salome da Cunha; to the Committee on the Judiciary.

H.R. 3003. A bill for the relief of Antonio Malheiro Ferreira da Silva; to the Committee on the Judiciary.

H.R. 3004. A bill for the relief of Antonio Pereira Da Silva; to the Committee on the Judiciary.

H.R. 3005. A bill for the relief of Clarinda Duarte Da Silva; to the Committee on the Judiciary.

H.R. 3006. A bill for the relief of Rita Maria da Silva Costa Bettencourt and her minor children, Victor Manuel Costa Bettencourt da Silva and Mario Costa Bettencourt da Silva; to the Committee on the Judiciary.

H.R. 3007. A bill for the relief of Mario DeNicola; to the Committee on the Judiciary.

H.R. 3008. A bill for the relief of Irvia DiFiore; to the Committee on the Judiciary.

H.R. 3009. A bill for the relief of Guiseppe and Acursia Friscia; to the Committee on the Judiciary.

H.R. 3010. A bill for the relief of Antonio Iula; to the Committee on the Judiciary.

H.R. 3011. A bill for the relief of Luisa Clelia La Pietra; to the Committee on the Judiciary.

H.R. 3012. A bill for the relief of Angelo Marchio; to the Committee on the Judiciary.

H.R. 3013. A bill for the relief of Domenico, Serafina, and Maria Mazzei; to the Committee on the Judiciary.

H.R. 3014. A bill for the relief of Lise, Martine, Florence Marie, and Fritz, Jr., Momplaisir; to the Committee on the Judiciary.

H.R. 3015. A bill for the relief of Giovanni and Maria Rita Morello and their minor children, Maria Concetta, Salvatore, and Vincenzo; to the Committee on the Judiciary.

H.R. 3016. A bill for the relief of Theodore Panagiotakopoulos; to the Committee on the Judiciary.

H.R. 3017. A bill for the relief of Armando Pisaniello; to the Committee on the Judiciary.

H.R. 3018. A bill for the relief of Amalia Placidi; to the Committee on the Judiciary.

H.R. 3019. A bill for the relief of Americo Placidi; to the Committee on the Judiciary.

H.R. 3020. A bill for the relief of Rosalia Romano; to the Committee on the Judiciary.

H.R. 3021. A bill for the relief of Italo Rosati; to the Committee on the Judiciary.

H.R. 3022. A bill for the relief of Guiseppe, Garofalo, Gino, and Guiseppe Rullo; to the Committee on the Judiciary.

H.R. 3023. A bill for the relief of Saverio Scalzi; to the Committee on the Judiciary.

H.R. 3024. A bill for the relief of Antoine Elias Srour; to the Committee on the Judiciary.

H.R. 3025. A bill for the relief of Paul Stavropoulos; to the Committee on the Judiciary.

H.R. 3026. A bill for the relief of Franca Zazzera; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 3027. A bill for the relief of Deb Kumar Das; to the Committee on the Judiciary.

H.R. 3028. A bill for the relief of Maria Soledad dela Cruz; to the Committee on the Judiciary.

H.R. 3029. A bill for the relief of Dominador G. Ferreria; to the Committee on the Judiciary.

H.R. 3030. A bill for the relief of Ildefonso L. and Paulita K. Origenes; to the Committee on the Judiciary.

H.R. 3031. A bill for the relief of Norma M. Sasi; to the Committee on the Judiciary.

H.R. 3032. A bill for the relief of Irving D. Smith; to the Committee on the Judiciary.

H.R. 3033. A bill for the relief of Simplicio Velasco; to the Committee on the Judiciary.

By Mr. PEPPER:

H.R. 3034. A bill for the relief of Mrs. Rosa Zimmerman; to the Committee on the Judiciary.

By Mr. PEYSER:

H.R. 3035. A bill for the relief of Vincenzo Lombardo and his wife, Gaetana Castrogiovanni Lombardo; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 3036. A bill for the relief of Maria Casamento and her minor son, Sergio Casamento; to the Committee on the Judiciary.

H.R. 3037. A bill for the relief of Francesco Di Domenico; to the Committee on the Judiciary.

H.R. 3038. A bill for the relief of Mariano Scavuzzo; to the Committee on the Judiciary.

H.R. 3039. A bill for the relief of Giovanni Tavano and his wife, Natalina Tavano; to the Committee on the Judiciary.

H.R. 3040. A bill for the relief of Vincenzo Vindigni; to the Committee on the Judiciary.

By Mr. ROBERTS:

H.R. 3041. A bill for the relief of John Harwin Parrish, postmaster at Gladewater, Tex., and for Mary James Kates, owner of the Gladewater Daily Mirror; to the Committee on the Judiciary.

By Mr. ROE:

H.R. 3042. A bill for the relief of Carmelo Andolina; to the Committee on the Judiciary.

H.R. 3043. A bill for the relief of Raffaele Antoci; to the Committee on the Judiciary.

H.R. 3044. A bill for the relief of Mr. and Mrs. Giovanni Battista Asaro; to the Committee on the Judiciary.

H.R. 3045. A bill for the relief of Carlo Bieco; to the Committee on the Judiciary.

H.R. 3046. A bill for the relief of Maria Luisa Bona; to the Committee on the Judiciary.

H.R. 3047. A bill for the relief of Sister Amelia Callegarin; to the Committee on the Judiciary.

H.R. 3048. A bill for the relief of Giuseppe Cappello; to the Committee on the Judiciary.

H.R. 3049. A bill for the relief of Mrs. Lucia Tommasi and Maria Carbonaro; to the Committee on the Judiciary.

H.R. 3050. A bill for the relief of Francesco Ciarfella; to the Committee on the Judiciary.

H.R. 3051. A bill for the relief of Giuseppe D'Amico; to the Committee on the Judiciary.

H.R. 3052. A bill for the relief of Anna D'Angelo; to the Committee on the Judiciary.

H.R. 3053. A bill for the relief of Orazia Dierna; to the Committee on the Judiciary.

H.R. 3054. A bill for the relief of Mario Di Leo; to the Committee on the Judiciary.

H.R. 3055. A bill for the relief of Germain Francois; to the Committee on the Judiciary.

H.R. 3056. A bill for the relief of Domenico Graziadio; to the Comimttee on the Judiciary.

H.R. 3057. A bill for the relief of Carmelo Intili; to the Committee on the Judiciary.

H.R. 3058. A bill for the relief of Consolata Monti; to the Committee on the Judiciary.

H.R. 3059. A bill for the relief of Delia Petracca; to the Committee on the Judiciary.

H.R. 3060. A bill for the relief of Benedetto Trifiro; to the Committee on the Judiciary.

H.R. 3061. A bill for the relief of Emanuela Trovato; to the Committee on the Judiciary.

H.R. 3062. A bill for the relief of Dora and Rosa Vasile; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 3063. A bill for the relief of Adolfo J. Torres; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 3064. A bill for the relief of Arie Aviv (also known as Arie Abramovich); to the Committee on the Judiciary.

H.R. 3065. A bill for the relief of Silvia Carbone; to the Committee on the Judiciary.

H.R. 3066. A bill for the relief of Sylvia Cavada Guzman; to the Committee on the Judiciary.

H.R. 3067. A bill for the relief of Vicenta Aida Manjon; to the Committee on the Judiciary.

H.R. 3068. A bill for the relief of Hemayack Meghrigian; to the Committee on the Judiciary.

H.R. 3069. A bill for the relief of Teruko Morino; to the Committee on the Judiciary.

H.R. 3070. A bill for the relief of Manuel Silvestre Lara Ortiz; to the Committee on the Judiciary.

H.R. 3071. A bill for the relief of Ekaterina Pyramidou and Evanthia Pyramidou; to the Committee on the Judiciary.

H.R. 3072. A bill for the relief of Esmeralda Antonia Ramierez y Pena; to the Committee on the Judiciary.

H.R. 3073. A bill for the relief of Gershon George Rijwan; to the Committee on the Judiciary.

H.R. 3074. A bill for the relief of Juana V. Then-Rodriguez; to the Committee on the Judiciary.

H.R. 3075. A bill for the relief of Elma Eiola Tobitt; to the Committee on the Judiciary.

H.R. 3076. A bill for the relief of Margarita Abreu Winkler and Gernot Winkler; to the Committee on the Judiciary.

H.R. 3077. A bill for the relief of Anton B. Wojcicki; to the Committee on the Judiciary.

By Mr. SCHMITZ:

H.R. 3078. A bill for the relief of Bernaldo Acupan; to the Committee on the Judiciary.

H.R. 3079. A bill for the relief of Harold P. Conroy; to the Committee on the Judiciary.

H.R. 3080. A bill for the relief of Wilda M. Kilburn; to the Committee on the Judiciary.

H.R. 3081. A bill for the relief of Herta Margarete Helene Monden; to the Committee on the Judiciary.

H.R. 3082. A bill for the relief of Ronnie B. (Malit) Morris and Henry B. (Malit) Morris; to the Committee on the Judiciary.

H.R. 3083. A bill for the relief of Jose Olmos-Flores; to the Committee on the Judiciary.

H.R. 3084. A bill for the relief of Harry Woo, Margaret Woo, and Paul Woo (alias Woo Yee Chien, Woo Cheong Yow Dai, and Woo Diu Kuo); to the Committee on the Judiciary.

By Mr. TALCOTT:

H.R. 3085. A bill for the relief of Mr. and Mrs. Vincenzo Culotta, Rosaria Culotta, and Fortunata Culotta; to the Committee on the Judiciary.

By Mr. BOB WILSON:

H.R. 3086. A bill for the relief of Mrs. Constancia D. Saso; to the Committee on the Judiciary.

By Mr. WINN:

H.R. 3087. A bill for the relief of Robert L. Stevenson; to the Committee on the Judiciary.

By Mr. WOLFF:

H.R. 3088. A bill for the relief of Ralph Gallo; to the Committee on the Judiciary.

H.R. 3089. A bill for the relief of Nicolo Giammarresi; to the Committee on the Judiciary.

H.R. 3090. A bill for the relief of Antonio Masucci; to the Committee on the Judiciary.

By Mr. WRIGHT:

H.R. 3091. A bill to confer certain benefits under subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement; to the Committee on the Judiciary.

H.R. 3092. A bill for the relief of Milivoy Jankovic; to the Committee on the Judiciary.

H.R. 3093. A bill for the relief of Mrs. Crescencia Lyra Serna and her minor children, Maria Minde Fe Serna, Sally Garoza Serna, Gonzalo Garoza Serna, and James Garoza Serna; to the Committee on the Judiciary.

By Mr. WYMAN:

H.R. 3094. A bill for the relief of the estate of Capt. John N. Laycock, U.S. Navy (retired); to the Committee on the Judiciary.

By Mr. BYRNE of Pennsylvania:

H. Res. 171. Resolution to refer the bill H.R. 2812, entitled "For the relief of Leopold Morse Tailoring Co." to the Chief Commissioner of the U.S. Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code; to the Committee on the Judiciary.

By Mr. CELLER:

H. Res. 172. Resolution to refer the bill (H.R. 2402) entitled "A bill for the relief of Joseph W. Harris," to the Chief Commissioner of the Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code, as amended; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

5. By the SPEAKER: A memorial of the General Assembly of the State of South Carolina, relative to daylight saving time; to the Committee on Interstate and Foreign Commerce.

6. Also, a memorial of the General Assembly of the State of South Carolina, relative to amending the National Environmental Policy Act of 1969; to the Committee on Merchant Marine and Fisheries.

7. Also, a memorial of the Legislature of the State of New Hampshire, relative to the establishment of such quotas and tariffs as may be necessary to protect the domestic shoe industry; to the Committee on Ways and Means.

8. Also, a memorial of the Legislature of the State of New York, relative to Federal-State revenue sharing; to the Committee on Ways and Means.

9. Also, a memorial of the Legislature of the State of West Virginia, relative to Federal-State revenue sharing; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

18. Mr. CASEY of Texas presented a petition of Mrs. Rosey Marshall and 10 residents of Houston, Tex., to urge that January 15 be made a national holiday in honor of Martin Luther King, Jr.; to the Committee on the Judiciary.

SENATE—*Friday, January 29, 1971*

(Legislative day of Tuesday, January 26, 1971)

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the President pro tempore (Mr. ELLENDER).

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Almighty and ever-living God, as we pause before Thee at noonday, we ask for quiet hearts, clear minds, and spirits strong enough to match the awesome times in which we live and serve. Make us quick to discern needs, wise in solving problems, firm in defense of the right, considerate and helpful to one another. Keep ever before us the needs of the whole Nation. May the vision never be dimmed of the kingdom of God that shall yet come on earth. Send us to our tasks, anointed by Thy spirit, so to live and work that we shall leave behind us a fairer world in which the family of man may grow and flourish.

We pray in the Master's name. Amen.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Leonard, one of his secretaries.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Journal of the proceedings of Thursday, January 28, 1971, be approved.

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

TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a period for the transaction of routine morning business not to exceed 30 minutes, with statements therein limited to 3 minutes.

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

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

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

REPUBLICAN COMMITTEE ASSIGNMENTS

Mr. SCOTT. Mr. President, I send to the desk a resolution and ask for its immediate consideration.

The PRESIDENT pro tempore. The resolution will be stated.

The assistant legislative clerk read the resolution as follows:

S. RES. 20

Resolved, That the following shall constitute the minority party's membership on the standing committees of the Senate for the Ninety-second Congress.

On Aeronautical and Space Sciences: Mr. CURTIS, Mrs. SMITH, Messrs. GOLDWATER, WEICKER, BUCKLEY.

On Agriculture and Forestry: Messrs. MILLER, AIKEN, YOUNG, CURTIS, DOLE, BELLMON.

On Appropriations: Messrs. YOUNG, MUNDT, Mrs. SMITH, Messrs. HRUSKA, ALLOTT, COTTON, CASE, FONG, BOGGS, PERCY, BROOKE.

On Armed Services: Mrs. SMITH, Messrs. THURMOND, TOWER, DOMINICK, GOLDWATER, SCHWEIKER, SAXBE.

On Banking, Housing and Urban Affairs: Messrs. TOWER, BENNETT, BROOKE, PACKWOOD, ROTH, BROCK, TAFT.

On Commerce: Messrs. COTTON, PROUTY, PEARSON, GRIFFIN, BAKER, COOK, HATFIELD, STEVENS.

On Finance: Messrs. BENNETT, CURTIS, MILLER, JORDAN of Idaho, FANNIN, HANSEN, GRIFFIN.

On Foreign Relations: Messrs. AIKEN, MUNDT, CASE, COOPER, JAVITS, SCOTT, PEARSON,

On Government Operations: Messrs. MUNDT, JAVITS, PERCY, GURNEY, MATHIAS, SAXBE, ROTH, BROCK.

On Interior and Insular Affairs: Messrs. ALLOTT, JORDAN of Idaho, FANNIN, HANSEN, HATFIELD, STEVENS, BELLMON.

On the Judiciary: Messrs. HRUSKA, FONG, SCOTT, THURMOND, COOK, MATHIAS, GURNEY.

On Labor and Public Welfare: Messrs. JAVITS, PROUTY, DOMINICK, SCHWEIKER, PACKWOOD, TAFT, BEALL.

On Public Works: Messrs. COOPER, BOGGS, BAKER, DOLE, BEALL, BUCKLEY, WEICKER.

On District of Columbia: Messrs. MATHIAS, WEICKER, BUCKLEY.

On Post Office and Civil Service: Messrs. FONG, BOGGS, STEVENS, BELLMON.

On Rules and Administration: Messrs. PROUTY, COOPER, SCOTT, GRIFFIN.

On Veterans' Affairs: Messrs. THURMOND, HANSEN, COOK, STEVENS.

Mr. SCOTT. Mr. President, I ask unanimous consent to have printed in the RECORD, in connection with this resolution, an addendum in the form of a listing of the Republican leadership together with the membership on the respective conference committees.

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

REPUBLICAN LEADERSHIP, 92D CONGRESS

Margaret Chase Smith, Chairman of the Conference.
Norris Cotton, Secretary of the Conference.
Hugh Scott, Floor Leader.
Robert P. Griffin, Assistant Floor Leader.
Gordon Allott, Chairman of Policy Committee.

POLICY COMMITTEE

Gordon Allott, Chairman.
Margaret Chase Smith
Norris Cotton
Hugh Scott
Robert P. Griffin
Wallace F. Bennett
Peter H. Dominick
John G. Tower
Roman L. Hruska
J. Caleb Boggs
Clifford P. Case
John Sherman Cooper
Carl T. Curtis
Karl E. Mundt
Strom Thurmond

CAMPAIGN COMMITTEE

Peter H. Dominick, Chairman.
J. Glenn Beall, Jr.
Bill Brock
James L. Buckley
Robert Dole
Paul J. Fannin
Hiram L. Fong
Barry Goldwater
Charles McC. Mathias, Jr.
William V. Roth, Jr.
William B. Saxbe
Robert Taft, Jr.
Lowell P. Weicker, Jr.

COMMITTEE ON COMMITTEES

Wallace F. Bennett, Chairman.
George D. Aiken
Henry Bellmon
Edward W. Brooke
Marlow W. Cook
Edward J. Gurney
Clifford P. Hansen
Mark O. Hatfield

Jacob K. Javits
Len B. Jordan
Jack Miller
Robert W. Packwood
James B. Pearson
Charles H. Percy
Winston L. Prouty
Richard S. Schweiker
Ted Stevens
Milton R. Young

PERSONNEL COMMITTEE

Roman L. Hruska, Chairman.
Howard H. Baker, Jr.

CALENDAR COMMITTEE

Paul J. Fannin, Chairman.
Howard H. Baker, Jr.
Lowell P. Weicker, Jr.

The PRESIDENT pro tempore. Is there objection to consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

APPOINTMENT TO SPECIAL COMMITTEE ON AGING

The PRESIDENT pro tempore. The Chair, on behalf of the Vice President, appoints the Senator from Idaho (Mr. CHURCH) chairman of the Special Committee on Aging.

ORDER OF BUSINESS

The PRESIDENT pro tempore. Under the previous order, the Senate will now proceed to the transaction of routine morning business for a period of not to exceed 30 minutes, with statements therein limited to 3 minutes.

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

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

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

THE PRESIDENT'S BUDGET MESSAGE

The PRESIDENT pro tempore. The Chair lays before the Senate the President's budget message. Without objection the message will be printed in the RECORD without being read and will be appropriately referred.

The message was referred to the Committee on Appropriations, as follows:

To the Congress of the United States:

In the 1971 budget, America's priorities were quietly but dramatically recorded: For the first time in 20 years, we spent more to meet human needs than we spent on defense.

In 1972, we must increase our spending for defense in order to carry out the Nation's strategy for peace. Even with this increase, defense spending will drop from 36% of total spending in 1971 to 34% in 1972. Outlays for human resources programs, continuing to rise as a share of the total, will be 42% of total spending in 1972.

The 1972 budget has a historic identity of its own.

- *It provides a new balance of responsibility and power in America* by proposing the sharing of Federal revenues with States and communities on a grand scale—and in a way that will both alleviate the paralyzing fiscal crisis of State and local governments and enable citizens to have more of a say in the decisions that directly affect their lives.
- *It introduces a new fairness in American life,* with the development of national strategies to improve the health care of our citizens and to assure, with work incentives and requirements, an income floor for every family in this Nation.
- *It adopts the idea of a "full employment budget,"* in which spending does not exceed the revenues the economy could generate under the existing tax system at a time of full employment. In this way, the budget is used as a tool to promote orderly economic expansion, but the impact of the resulting actual deficit is in sharp contrast to the inflationary pressure created by the deficits of the late sixties, which were the result of excessive spending that went far beyond full employment revenues. *The full employment budget idea is in the nature of a self-fulfilling prophecy: By operating as if we were at full employment, we will help to bring about that full employment.*

The 1972 budget reaffirms the determination of the Federal Government to take an activist role in bringing about the kind of prosperity that has rarely existed in the American economy—a prosperity without war and without runaway inflation. In the 1972 budget, the Government accepts responsibility for creating the climate that will lead to steady economic growth with improving productivity and job stability.

Of course, our objective of prosperity without inflation cannot be achieved by budget policy alone. It also requires:

—the monetary policy adopted by the independent Federal Reserve System to provide fully for the growing needs of the economy; and

—increased restraint in wage and price decisions by labor and business—in their own and the Nation's interest and as a matter of common sense.

Only by working together can the budget, monetary policy, and common sense in the private sector make orderly expansion the order of the day.

The full employment 1972 budget—expansionary but not inflationary—does its full share to provide a defense strong enough to protect our national security, higher standards of income and care for the poor and the sick, a reorganized and responsive Federal structure, and the basis for a sound prosperity in a full generation of peace.

TOWARD A GROWING NONINFLATIONARY ECONOMY

Economic setting.—When I took office 2 years ago, rampant inflation was the Nation's principal economic problem.

This inflation was a direct result of the economic policies of the period 1966 to 1968, when we were mired in war in Vietnam, and when Federal spending rose sharply. Federal outlays were allowed to exceed full-employment revenues by $6 billion in 1966, $10 billion in 1967, and $25 billion in 1968. Expansive monetary policy in the summer of 1968 helped upset the hoped-for stabilizing impact of an income tax surcharge. The effect of these actions was to turn the thermostat up in an economy that was already hot enough.

My administration acted promptly to move us out of that war and cool the superheated economy.

We controlled Federal spending in 1969 and achieved a budget surplus. Spending was restrained again in 1970. Independently, the Federal Reserve System maintained a monetary policy of restraint which increased in severity throughout calendar year 1969 and continued into early 1970.

The forces of inflation have been durable and persistent—and they remain strong. But their momentum was slowed in calendar year 1969 and early 1970. Excessive demand was eliminated as a source of inflationary pressure during this period. The turnaround of this inflationary trend permitted us to enter the second phase of our plan: to follow more expensive economic policies without losing ground in the battle against inflation.

Budget policy.—Last July, I set forth the budget policy of this administration:

> "At times the economic situation permits—even calls for—a budget deficit. There is one basic guideline for the budget, however, which we should never violate: except in emergency conditions, expenditures must never be allowed to outrun the revenues that the tax system would produce at reasonably full employment. When the Federal government's spending actions over an extended period push outlays sharply higher, increased tax rates or inflation inevitably follow."

The principle of holding outlays to revenues at full employment serves three necessary purposes:

- It imposes the discipline of an upper limit on spending, a discipline that is essential because the upward pressures on outlays are relentless.
- It permits Federal tax and spending programs to be planned and conducted in an orderly manner consistent with steady growth in the economy's productive capacity.
- It helps achieve economic stability by automatically imposing restraint during periods of boom and providing stimulus during periods of slack.

The budget policy of this administration is to keep firm control over Federal spending. The outlay total $229.2 billion in 1972 is the sum of spending for programs that were scrutinized carefully to make certain that they would be managed effectively and efficiently, and that they are essential to carry out present laws or to achieve desirable changes in our national priorities.

If this careful scrutiny were not maintained—if we weaken in our resolve to control spending—we would risk permitting outlays to build up a momentum that will carry them beyond full employment receipts in the longer run, and we would risk losing the ability to restrain

spending in times when a deficit is undesirable.

SUMMARY OF THE 1972 BUDGET

The budget that I propose for 1972 is consistent with the fiscal policy I announced 6 months ago.

THE BUDGET AT A GLANCE

[Fiscal years, in billions]

Description	1970 actual	1971 estimate	1972 estimate
Budget receipts	$193.7	$194.2	$217.6
Budget outlays	196.6	212.8	229.2
Actual deficit (−)	−2.8	−18.6	−11.6
Full-employment surplus	2.6	1.4	0.1
Budget authority	213.0	236.3	249.0

	1969 actual	1970 actual	1971 estimate	1972 estimate
Outstanding debt, end of year:				
Gross Federal debt	$367.1	$382.6	$407.0	$429.4
Debt held by the public	279.5	284.9	302.5	313.1
Outstanding Federal and federally assisted credit, end of year:				
Direct loans [1]	46.5	51.1	53.8	56.5
Guaranteed and insured loans [2]	104.0	106.4	119.4	140.3
Direct loans by Government-sponsored agencies	27.0	37.6	45.4	53.2

[1] Including loans in expenditure account.
[2] Excluding loans held by Government or Government-sponsored agencies.

Budget receipts in 1972 are estimated to be $217.6 billion, $23.4 billion more than 1971, but still below the $229.3 billion of revenue that would be produced if the economy were operating at full employment throughout the year.

The estimates reflect a reduction in revenues of $2.7 billion due to the new tax depreciation rules announced on January 11. These rules are part of our plan to expand the economy and help the Nation achieve full employment without inflation.

Budget outlays in 1972 are expected to be $229.2 billion, an increase of $16.4 billion over the previous year.

The increase in outlays will help move the economy toward higher employment and production. At the same time, outlays are being held to full employment receipts.

I am requesting *budget authority*—the right to make commitments to spend—of $249.0 billion in 1972. Over $170 billion of this total will require new action on the part of the Congress.

REVENUE SHARING: RETURNING POWER TO PEOPLE

During the 1960's, more governmental initiative and power shifted to Washington and away from elected officials in State and local governments. Towards the end of the decade it became apparent that, despite new programs and massive Federal expenditures, government at all levels was not working well.

When this administration took office, I directed that an intensive review of our governmental system be made. We found that State and local governments were breaking down under an incredible fiscal burden. We also found that the red tape involved in the narrow categorical grant system made it almost impossible for the Federal Government to be effective and responsive to the needs of individuals in different localities.

The financial squeeze on State and local governments is acute, and shows no sign of becoming less painful. These governments rely mainly on receipts from consumer and property taxes, which have not grown nearly as fast as the demand for State and local government services. As a result, combined State and local debt has increased by over 600% since 1948.

The Federal Government helped meet some of this demand by increasing its financial aid, largely through grant programs, which now accounts for 18% of State and local revenues.

The results of grant programs have been impressive in some cases. But the grant structure has become a haphazard collection of hundreds of separate programs, each with its own policies, its own requirements and procedures, and its own funding.

Such a complicated method of providing Federal assistance is not only inefficient, but it:

—*restricts the freedom* of State and local governments to spend funds in accordance with their priorities;

—*is unresponsive* to the needs of specific local situations because the funds are distributed and regulated by guidelines that do not—perhaps cannot—sufficiently take account of differences among local communities; and

—*separates resources and responsibility*, because State and local governments have the responsibility for providing services, but, all too often, they do not have the money to provide those services. The Federal Government dominates the field of income taxation, and its redtape restricts the discretion of State and local governments over the services they provide.

Clearly, not enough authority over the use of resources for federally assisted programs is now lodged at the State and local level. More of the power—and the responsibility—for using federally collected funds must be given to elected officials in these governments.

The need for remedying this situation is urgent. The time for reform is now.

Local freedom of action.—I propose a revenue sharing plan to give State and local governments the money they need to deliver the services that can best be performed by government closest to the people.

This is how the new "freedom of action" plan will work:

In the first full year of the plan, $16 billion will be directed to the States and localities, in a way that will enable them to decide as never before how that money will be spent.

Of this amount, $5 billion will be in the form of *general revenue sharing*, without restrictions. This will all be "new" money, without matching requirements and with the decision on how it is to be used exclusively a State and local matter.

The remaining $11 billion will be in the form of *special revenue sharing*, with the discretion on how it will be used within each of six broad subject areas strictly a State and local matter. These areas are:

—Urban community development,
—Rural community development,
—Education,
—Manpower training,
—Law enforcement, and
—Transportation.

The hobbling restrictions now on much of the Federal aid in these areas would be removed, along with matching requirements that presently force localities to spend their own matching money on low-priority projects for fear of "losing" available Federal aid.

To emphasize the importance of the special revenue sharing funds, the change from the present tightly restrictive categorical grants to special revenue sharing in the six broad areas will be accompanied by an *increase* of $709 million in the amounts budgeted for 1972 for Federal aid to States and localities. But even more important is the fact that these governments would have far greater freedom of action in deciding how money is to be spent within each of the six areas. For example, although the Federal Government would designate the total amount of special revenue sharing for education, the State or local area would decide how much is to be spent on new textbooks, new schools, equipment, or other matters of priority to it in the field of education.

In this way, both general and special revenue sharing will redirect the control of State and local decisions on $16.1 billion to the States and localities affected most by those decisions. This is about half of Federal Government aid, excluding public assistance grants, to States and communities—a historic and massive reversal of the flow of power in America.

Budget authority proposed for revenue sharing plan, first full year

Description	*Billions*
General revenue sharing	$5.0
Special revenue sharing:	
Urban community development	2.0
Rural community development	1.0
Education	3.0
Manpower training	2.0
Law enforcement	0.5
Transportation	2.6
Total	16.1

We must make provision at the outset of this freedom of action plan for both growing State and local needs and growing State and local capacity to manage their affairs.

The new funds for general revenue sharing will grow in years to come because they will be tied to the Federal personal income tax base. As that tax base expands, more unrestricted money will flow to States and localities.

To help State and local governments develop greater capacity to plan and manage their own affairs, I will send to the Congress a planning-management assistance plan, which will provide $100 million to help these governments make their own long-range plans and enhance their capability for the efficient use of their growing revenues.

In essence, this is what revenue sharing will do:

—*for the individual taxpayer*, it will provide a stronger voice in how his tax money is spent locally, new confidence in government that comes from more "citizen control," and the hope that, in some States and locali-

ties, taxes may be reduced, or that the rising cost of government can be met without raising taxes;

—*for State and local governments,* it will not only help meet the current financial crisis, but will also wipe out rigidities and delays in Federal aid and permit them to build their capacity to respond to local needs;

—*for our federal system,* it will provide new strength by assigning services to the level of government best equipped to perform them; and

—*for all our people,* it will provide a means of encouraging local diversity and experimentation within the framework of our great national purposes.

Of course, these revenue sharing proposals will not be the vehicle for any retreat from the Federal Government's responsibility to ensure equal treatment and opportunity for all. The proposals I send to the Congress will include the safeguards against discrimination that now accompany all other Federal funds allocated to the States.

This massive revenue sharing proposal is central to my philosophy of giving people the opportunity to become more involved in the decisions that affect their lives. The magnitude of the problem calls for this kind of bold move; by acting decisively and without delay, we will strengthen our Federal system and respond better to the needs of our people.

Welfare reform.—One of the first steps in our review of the Federal system was to sort out those activities that are appropriate for the Federal Government from those that are best performed at the State and local level or in the private sector. We decided early on one primary Federal responsibility—providing, with a combination of work incentives and work requirements, an income floor for every American family.

We knew beforehand that the existing welfare system was in desperate need of reform. We also knew that the existing system imposes a crushing and growing financial burden on States.

My welfare reform proposals, described later in this message, are an integral part of our effort to give people the ability to make their own decisions, to build the capacity of State and local government, and to encourage more orderly national growth.

By building a floor under the income of every family everywhere in America with Federal funds, we provide each dependent family a new dignity, we help State and local governments finance what is now their fastest growing expenditure, and we remove one magnet that has already drawn too many persons to our congested cities.

In government operations, form should follow function. Just as revenue sharing decentralizes power to meet one need, welfare reform sets a basic national standard to meet a different need. The decision to centralize or decentralize should be based on which method best serves the larger purposes of 206 million Americans.

Revenue sharing and welfare reform are of a piece: the level of government best equipped to respond should respond in a way that raises standards and contributes to the sum of personal freedom and human dignity.

RESTORING CONFIDENCE IN GOVERNMENT

In seeking ways to reform the federal system, I have paid particular attention to the ability of the executive branch of the Federal Government to produce the results intended by the Congress and the President.

In 1971, the Federal Government will employ almost 2,900,000 civilians, operate thousands of separate programs, and spend $212.8 billion. Through its tax laws, credit activities, grant programs, and in other ways, the Government affects millions of people and influences the disposition of many more billions of dollars than it controls directly.

Toward the end of the sixties, there was mounting evidence that our Government was so complex, clumsy, and unresponsive, that it was becoming unable to meet the needs and priorities of the people or to use efficiently the funds entrusted to it.

This must not be permitted in America.

We have already taken actions to improve the organization and management of the Federal Government and, thereby, make it more efficient and responsive.

But we must do more. The Federal Government is not organized properly to deal with the Nation's most significant problems in the domestic area. Programs that should be joined together to achieve common goals are fragmented among different departments and agencies, impairing the capacity of Government to respond effectively to urgent national needs. Modernization of that structure will restore vigor to our federal system, permitting a constructive partnership among Federal, State and local governments.

In the next few months, I shall propose sweeping legislation to help achieve these goals by merging seven existing departments and several independent agencies into four departments:

—a Department of Natural Resources,

—a Department of Human Resources,

—a Department of Community Development, and

—a Department of Economic Development.

These new departments will match the domestic programs of the Federal Government with the objectives each is intended to fulfill:

—the balanced and constructive use and conservation of the land and other natural resources of the Nation;

—the development and well-being of individuals and families;

—the quality of urban and rural communities as places for people to work and live; and

—the maintenance and strengthening of the American economy.

To continue the modernization of the Federal Government, I will also ask an extension of the President's reorganization authority. We must seek to expand current efforts to shift operating responsibility for Federal programs out of Washington and closer to the people these programs are designed to serve.

To fulfill its responsibilities, the Federal Government must attract, develop, and retain capable career executives. We must have a more effective manpower planning and utilization system. I shall propose legislation to establish a Federal Executive Service which will permit:

—more effective career executive search;

—flexibility in the allocation and assignment of available talent; and

—strengthened executive development programs and policies.

By improving the organization and management of government, we will make it more responsive to the needs of the people and the new priorities of the Nation.

REFORMING THE BUDGET PROCESS

Reform of the budget process is long overdue. Fifty years have passed since the Federal budget system currently in use was adopted. The system was a major step forward in 1921. Because of congressional inaction, it has become a travesty a half-century later.

Enactment of appropriations 6 months or more after the start of the fiscal year they are supposed to cover is evidence of a major weakness. I have sent two budgets to the Congress. In each, I have had to formulate budget proposals for the year ahead without knowing what the Congress would provide in its action on the prior year's budget, which was transmitted 11 months earlier. Even now, as this message is being written, action on last year's appropriations request for one department has not been completed.

I have, therefore, had to act on parts of the budget without knowing the totals that would result. This is an intolerable situation, but one that the Congress seems to accept as the normal way of doing business. It completes action on appropriation bills over a 10- to 12-month period without any goal or determination of the total expenditures that will result after the last bill is passed.

Excess in the number and detail of appropriations often diverts attention to minutiae. It also impairs the ability of agency heads to manage their agencies responsibly and economically.

The budget is our principal instrument for coordinated management of Federal programs and finances. Close cooperation between the executive and legislative branches is needed now to make the budget an efficient and effective instrument for this purpose. Therefore we must seek a more rational, orderly budget process. The people deserve one, and our Government, the largest fiscal unit in the free world, requires it.

Furthermore, Federal credit programs which the Congress has placed outside the budget—guaranteed and insured loans, or loans by federally sponsored enterprises—escape regular review by either the executive or the legislative branch. The evaluation of these extra-budgetary programs has not been fully consistent with budget items. Their effects on fiscal policy have not been rigorously included in the overall budget process. And their effects on overall debt management are not coordinated well with the overall public debt policy. For these reasons, I will propose legislation to enable these credit programs to be reviewed and coordinated along with other Federal programs.

TOWARD A FULL GENERATION OF PEACE

Our goal is a full generation of peace in which all nations can focus their energies on improving the lives of their citizens.

To achieve this, we must continue to work in close cooperation with our allies, move from confrontation to negotiation with those with whom we differ and—together with our allies—maintain enough military strength to deter aggression. Sufficient and effective programs of military and economic assistance to help our friends help themselves are an integral part of our program.

National security.—This Nation's strategy for peace will—as it must—be based upon a position of military strength. The purpose of this strength is to prevent war; and, to this end, we will negotiate with those whose vital interests and polices conflict with our own.

We are pursuing negotiations on strategic arms limitations, on Vietnam, on Berlin, and on the Middle East. These negotiations are difficult and often slow, but we have the stamina and commitment necessary to proceed with patience and purpose.

As we carry on negotiations, we couple them with other efforts to achieve the same goal. The Vietnamization program is an example, and we are making good progress. By this spring, our authorized troop strength will have been cut approximately in half since the time I took office, and we will continue to bring American troops home.

Supporting these efforts, the military forces of this Nation and its allies will provide the armed might necessary to deter aggression or to deal with it effectively where necessary. We expect our allies to do more in their own behalf, and, in the spirit of the Nixon doctrine, many are taking steps in that direction. But we must also do our share. The kind of partnership we seek to forge works both ways. We have a vital interest in peace and stability abroad and we plan to maintain the capabilites necessary to protect that interest.

Our withdrawals from Vietnam and the change in our general purpose force planning and strategy permit a smaller force structure than in the past. At the same time, the preoccupation with Vietnam has limited our ability to meet some of our military needs elsewhere, particularly in NATO. We must be certain that our military forces are combat-ready and properly equipped to fulfill their role in our strategy for peace. In addition, we face formidable Soviet nuclear and conventional forces, including increased naval forces, and a further rise in the costs of our military equipment and personnel.

For these reasons, I am recommending an increase of $6 billion in budget authority for military and military assistance programs. This Nation has the will and the resources to meet its vital national security needs. At a time when we are urging our allies to do more and when our potential adversaries may seek military advantage, I cannot in good conscience recommend less.

We often think of military strength primarily in terms of equipment and massive organizations. While these are important, attracting and holding able citizens in the Armed Forces is the key to an effective and efficient military force. The service of Americans in uniform is worthy of respect, and I am dedicated to the goal of making all such service voluntary. This budget, and subsequent legislation which I will recommend to the Congress, will make significant progress toward ending reliance on the draft.

Foreign assistance.—Our present foreign assistance programs were established for a world that has long since changed. I will propose legislation to adapt them to the conditions of the 1970's.

We must clearly distinguish the varied purposes of foreign aid—the security of the United States and friendly nations, the long-term development of lower income countries, and humanitarian needs—and make possible a realistic assessment of our progress toward each. In 1972, our assistance programs will:

—promote a strong partnership among nations and a vigorous leadership role for multilateral development institutions;

—recognize that other nations have a growing ability and responsibility to determine their own development priorities;

—continue security assistance at a higher level than in recent years in order to help friendly nations meet the responsibility for their own defense; and

—improve coordination of our humanitarian assistance efforts.

These changes will carry out a major theme of U.S. foreign policy—less direct U.S. involvement in the affairs of other nations, less potential for friction and resentment, and a stable world order more conducive to lasting peace.

MEETING HUMAN NEEDS

The proposals that I submit today are a major step forward in the reform of our Nation's efforts to meet the needs of its 206 million citizens. They will introduce a new fairness into American life by providing:

—a basic income floor under every family with children in this Nation;

—health care to help make needed services possible for all of our people when and where such services are required;

—better systems of support for education and manpower training; and

—continued progress in assuring the civil rights of all citizens, and in controlling crime.

Income strategy.—Last year was one of great promise for the long-term income security of American families. Some of that promise reached fruition in the reform of unemployment insurance and food stamp programs:

- Unemployment insurance was extended to 4.8 million additional Americans, including farmworkers and hospital workers, and special extended benefits were established to be triggered automatically by adverse economic conditions.
- Food stamp benefits were improved by establishing national eligibility standards, requiring family allotments large enough to purchase an adequate diet, providing free food stamps to the poorest recipients, and automatically raising benefits with increases in the cost of living.

However, much of that promise was left unrealized. As I have pointed out, in 1972 I will redouble my efforts to make essential and fundamental reforms in income maintenance programs. First, and foremost, I will seek:

- *Basic welfare reform.*—Last year I proposed that our archaic and demeaning welfare system be reformed. A landmark plan that would have accomplished this was approved by the House but did not come to a vote in the Senate.

  The urgency of the need for welfare reform grows with every passing day. I have already stressed the need for early enactment of the Welfare Reform Act of 1971 by the 92d Congress.

  This plan would remove the principal evils of the existing system by:
  —setting national eligibility standards;
  —balancing strong training and work requirements with equally strong training and work incentives;
  —giving financial relief to the States; and
  —establishing a Federal floor under benefit payments for *all* needy families with children, including those with working fathers, for the first time.
- *Social security improvements.*—I will propose a significant reform of the social security system, providing *automatic* adjustments for increases in the cost of living. Such an adjustment now calls for a 6% benefit, effective retroactively to January 1, 1971, to cover the cost of living increase since January 1, 1970. I will also propose increases in widows' pensions.

Beyond these basic reforms, I will seek to harmonize related income maintenance programs with the principles of our income strategy. This will include:

—reform of services provided to welfare recipients to encourage greater accountability and effectiveness in the use of funds, and to establish national standards for foster care, with new incentives for the adoption of handicapped children; and

—proposals to put railroad retirement funds on a financially sound basis.

Improving health care.—During the current session, I will send a message to the Congress that will set out a national health strategy for the seventies and propose significant changes in the Federal role in the Nation's system of health care.

This strategy will seek to expand preventive care, to train more doctors and other health personnel, and to achieve greater equity and efficiency in the delivery of health services. It will include a new health insurance program for all low-income families with children.

The budget reflects in a preliminary way the emphasis that this administration will place on health in 1971, with:

—an increase of $100 million to ac-

celerate greatly the search for a means of preventing and curing cancer;
—a vigorous effort to find a cure for sickle cell anemia;
—a $95 million increase in Federal support for schools that train our Nation's health manpower; and
—a rational policy of using Federal resources to help bring the rapid increase in medical care costs under control.

The budget also provides for:
—a substantial improvement in the quality of medical care provided to veterans with service-connected injuries;
—expansion of services for mothers and children, Indians and Alaska natives, and women who cannot afford family planning services;
—expanded programs to combat drug abuse and alcoholism;
—emphasis on assuring purity of foods and drugs; and
—encouraging greater use of less costly services and facilities in delivering medical care.

Community safety and crime prevention.—My commitment to the reform and revitalization of our system of criminal justice is supported by this budget. The budget proposes a 32% increase in outlays to improve law enforcement, to make our judicial system fairer and more efficient, and to raise the effectiveness of correction and rehabilitation. In this way, we will:
—step up the war on organized crime and the gambling operations that finance it;
—destroy major criminal systems that import and distribute narcotics and dangerous drugs;
—strengthen local law enforcement through the special revenue sharing fund for this purpose;
—continue the antihijacking campaign to protect the Nation's air travelers;
—expand our correctional improvement programs to develop more innovative correctional institutions, and improve probation, parole, and other community-based services; and
—develop, in cooperation with State and local governments, ways to provide more accurate information on law enforcement activities.

Guaranteeing civil rights.—The ideals of our Nation require that the civil rights of *all* citizens be respected, regardless of race, sex, religion, or national origin.

My budget for 1972 proposes to strengthen our efforts to eliminate discrimination in private as well as Federal employment, in activities supported by Federal assistance to State and local governments and other recipients, in education, in housing, and in other aspects of society.

We will take these specific steps to improve the lives of all our people:
—increase by more than 50% our efforts to prevent employment discrimination by Federal contractors and other private employers;
—increase nearly threefold the Federal assistance to school districts that are desegregating;
—reorganize the field operations of the Equal Employment Opportunity Commission to make more effective efforts to halt discrimination in private employment;
—focus the activities of the Civil Service Commission to assure equal Federal employment opportunities for all our citizens, with special emphasis on opportunity for Spanish-surnamed Americans;
—serve 46 localities with conciliation assistance through the Community Relations Service;
—expand administration of the fair housing and equal opportunity laws to increase residential housing choices for all Americans; and
—increase by 15% funds to agencies to assure nondiscrimination by recipients in their use of Federal assistance.

Education and manpower training.—The education and manpower training programs proposed in this budget reflect my determination to find better ways to carry out Federal programs. Special revenue sharing is proposed for both of these vital areas. I will also submit major reform proposals to:
—reform Federal aid programs for higher education to increase their effectiveness;
—direct more funds to students from lower income working families;
—establish a National Institute of Education for research and development; and
—provide additional training opportunities and strong incentives under the Welfare Reform Act of 1971 for employable welfare recipients to undertake suitable employment or job training.

Research and development on social problems.—The Office of Economic Opportunity will emphasize its leadership role in research, development, and evaluation in social programs.

IMPROVING OUR ENVIRONMENT

The improvement and prudent use of our physical resources is vital to our Nation's prosperity and to the goal of helping all Americans enjoy a clean environment, adequate housing, and a better standard of living. In 1972, outlays to achieve these objectives will increase by $2.4 billion to $26.1 billion. The actions that I am proposing will:
—expand my administration's vigorous efforts to protect and enhance the quality of our environment and recreation resources;
—revitalize housing and community development programs; and
—increase Federal research and development efforts.

Environmental quality.—The primary responsibility for protecting and enhancing the environment lies with State and local governments, industry, and the public, but the Federal Government must—and will—provide vigorous leadership.

During the past year, this administration moved forcefully to exercise that leadership:
- Major Federal pollution control and abatement activities were consolidated in a new Environmental Protection Agency;
- The Council on Environmental Quality was given a major role within the Executive Office of the President to advise on environmental problems and on national policies to deal with them;
- New legislation to strengthen national efforts for reducing pollution was proposed to the Congress; and
- Funds for major environmental quality programs were increased significantly.

Pollution control and abatement programs will get even greater attention in the 1972 budget. Outlays will be increased by $764 million. Budget authority will rise even more, by $1.3 billion. The higher amounts will provide for:
—doubling grants for municipal waste treatment facilities;
—curbing pollution from Federal facilities;
—expanding EPA pollution control operations, including implementation of new air quality and solid waste legislation; and
—developing new pollution abatement techniques.

Legislation is again proposed to create the Environmental Financing Authority, which will assist communities that have difficulty in borrowing at reasonable rates to meet their share of the cost of water pollution control facilities.

I shall shortly propose, in a special message to the Congress, a series of further measures to control pollution and improve the quality of our environment.

Recreation.—Greater opportunity for leisure is valued highly in America and, as a result, the demand for recreation facilities is growing. The 1972 budget proposes a substantial increase in grants to help State and local governments provide some of these facilities.

I am recommending that the Land and Water Conservation Fund be fully funded to provide:
—grants of $280 million to help States and localities meet local recreation needs; and
—appropriations of $100 million for Federal acquisition to preserve nationally significant natural and historic areas.

I propose that the urban open space program be more than doubled, to $200 million, to provide more recreational areas in and near our cities.

Cultural activities.—I have again recommended that we double the appropriation for the National Foundation on the Arts and the Humanities, so that we can bring the benefits of these great cultural efforts to an increasing number of people throughout the country.

Housing.—The housing industry has already begun to lead our economic expansion. Fiscal and monetary actions taken in the past year have resulted in a significant easing of mortgage interest rates. Federal policy must help this industry meet the pent-up demand for housing.

The effectiveness of our housing programs will not be improved by merely continuing to increase Federal subsidies. The programs must be simplified and fitted into a rational framework. Inconsistencies must be removed, along with the obsolete rigidities in statutes that at times prevent programs from operating at all.

The administration will again propose legislation to carry out these badly needed reforms, which I urge the Congress to enact.

Community development.—I will also propose reform of the community development programs of the Department of Housing and Urban Development, and of certain economic development programs of the Departments of Agriculture and Commerce. Narrowly defined categorical grant programs in this field have frequently conflicted with local priorities and unnecessarily generated red tape.

With special urban and rural revenue sharing programs, we will permit localities to plan and carry out community development in accordance with their own needs.

Initial funding of the new urban program will begin at a level of $1 billion for the second half of 1972, upon enactment of the necessary legislation. An additional $2 billion appropriation is anticipated for 1973, when the program will be in effect for a full year. Rural development revenue sharing will be $1 billion in the first full year.

Science and technology.—Science and technology can make major contributions to the public by developing creative solutions to a wide range of national problems that will help us all enjoy a better life. I am proposing in this budget a substantial expansion in outlays for federally supported research and development.

While a large portion of this increase is needed to strengthen our defense capabilities I am also recommending substantial increases in civilian areas to:

—make greater use of our scientific and engineering capabilities and resources to cope with major national problems such as pollution, crime, health, transportation, and other environmental and social problems;

—strengthen research essential to the advancement of our technology and economic productivity; and

—increase our investment in fundamental science which leads to the long-term progress of our society.

As an example of the concern of this administration for the use of science and technology in the public service, I am recommending that the budget for the National Science Foundation be increased from $506 million in 1971 to $622 million in 1972. A significant portion of these added funds will be directed to research on pressing national problems.

THE LONGER VIEW

Federal budget decisions must be made with an awareness of their influence on the economy and on resource allocation in the future as well as the present.

Too often in the past, consideration of objectives and priorities focused only on Federal spending. Only immediate issues, rather than longer term goals, were considered. And this fact was ignored: when we increase the priority of some programs, the relative priority assigned to others must be reduced. In short, the sum of the resources allocated to the various functions—such as health, education, defense—cannot exceed the total resources that we command.

Looking to the future, we find that resources likely to be available to the Nation grow more rapidly than the expenditures required by existing commitments. But our freedom to use these resources will shrink as we approach each future year and make financial or program commitments in the interim. Thus, the allocation of each year's resources is largely a reflection of our past priorities.

As we make choices this year, we will be determining the use our available resources and expenditures in future years.

The resource allocation questions that the Nation will answer—either explicitly or by default—are:

- Shall we increase the available margin by ending some existing commitments?
- Who should use the margin—the Federal Government, State and local governments, or private citizens?
- To what objectives should the available margin be applied?

In answering these questions, the Nation will be setting its priorities for the future.

My preferences are clear. *One great objective of my administration is to increase the role of private citizens and State and local governments in allocating our national resources in accordance with individual and local needs. Another great objective is to set minimum standards to make certain that every American family in every locality is treated with a fairness that reflects the national conscience.*

Ours is not a regimented economy, nor will it be, Yet, we cannot ignore the influence of the budget on the economy and on the use of our national resources in the present and in the future. To do so is to take the chance that government spending will preempt resources that should be left to be used by private citizens or State and local governments.

In the last few decades, the Federal Government, disturbingly, has taken over the determination of how too many of the Nation's resources will be allocated. In spite of the Federal Government's domination, resources have not been appropriately allocated to overall national needs. Instead, they have been allocated by a process in which small additions were usually made in existing programs, and a few new categorical grant programs were created each year. These new grants were generally aimed at alleviating some narrow problem—without reference to the Nation's real need in that general problem area.

I have in this budget proposed the outlines of a new process for allocating funds according to national priorities.

Instead of continuing "more of the same" to more than a hundred narrow categorical grant programs, I have proposed replacing them with six *special* revenue sharing programs designed to deal with major national problems. These are problems that have different characteristics in different parts of the country. With these special revenue sharing funds, State and local governments can set their priorities within the national objective, design a solution fitted to their particular needs, and solve their problems locally.

The *general* revenue sharing program provides unrestricted funds to State and local governments to achieve our Nation's top domestic priority—the creation of a system of government that is effective and responsive to the needs of all of the American people. General revenue sharing will allow State and local governments to overcome their immediate fiscal crises and to come to grips with those problems that concern their citizens most.

The revenue sharing programs which I have proposed result from shared goals, provide federally shared revenues, and involve shared Federal-State-local responsibility for solving America's most important problems. Our system of government must be one of shared goals—shared revenues—shared responsibilities.

CONCLUSION

The 1972 budget befits a strong, free, compassionate, and enlightened Nation.

- It reverses the trend of the past decade toward Federal domination of the Nation's decisions, and begins to make government more responsive to the will of the people.
- It recognizes that a strong defense is vital to all our objectives, most of all to the attainment of peace.
- It provides the resources needed to meet the Nation's commitments at home, with a new standard of fairness to the poor and sick.
- It accepts the principle that budget policy, together with monetary policy and the active cooperation of the private sector, must be used to help achieve full employment in peacetime with relative price stability.

This budget expresses our fiscal program for the New American Revolution—a peaceful revolution in which power will be turned back to the people—in which government at all levels will be refreshed, renewed, and made truly responsive. This can be a revolution as profound, as far-reaching, as exciting, as that first revolution almost 200 years ago.

RICHARD NIXON.

JANUARY 29, 1971.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Berry, one of its reading clerks, informed the Senate that, pursuant to the provisions of 42 United States Code 2251, the Speaker had appointed Mr. HOLIFIELD, Mr. PRICE of Illinois, Mr. ASPINALL, Mr. YOUNG of Texas, Mr. EDMONDSON, Mr. HOSMER, Mr. ANDERSON of Illinois, and Mr. MCCULLOCH as members of the Joint Committee on Atomic Energy, on the part of the House.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT OF RECEIPTS AND DISBURSEMENTS TO APPROPRIATIONS FROM DISPOSAL OF MILITARY SUPPLIES, EQUIPMENT, AND MATERIEL, AND LUMBER AND TIMBER PRODUCTS, DEPARTMENT OF DEFENSE

A letter from the Assistant Secretary of Defense, transmitting, pursuant to law, a re-

port of receipts and disbursements pertaining to the disposal of surplus military supplies, equipment, and materiel, and for expenses involving the production of lumber and timber products, for the quarter ended September 30, 1970 (with an accompanying report); to the Committee on Appropriations.

PROPOSED LEGISLATION TO ESTABLISH THE FEDERAL CITY DEVELOPMENT CORPORATION

A letter from the Under Secretary of the Interior, transmitting a draft of proposed legislation to establish the Federal City Bicentennial Development Corporation, to provide for the preparation and carrying out of a development plan for certain areas between the White House and the Capitol, to further the purposes for which the Pennsylvania Avenue National Historic Site was designated, and for other purposes; to the Committee on Interior and Insular Affairs.

FINAL REPORT ON BASIC NATIONAL RAIL PASSENGER SERVICE

A letter from the Secretary of Transportation, transmitting, pursuant to law, a report designating a basic system of intercity rail passenger service, dated January 28, 1970 (with an accompanying report); to the Committee on Commerce.

REPORT ON FINAL VALUATIONS OF PROPERTIES OF CERTAIN CARRIERS

A letter from the Chairman, Interstate Commerce Commission, transmitting, pursuant to law, a report on the final valuations of properties of certain pipeline carriers (with an accompanying report); to the Committee on Commerce.

REPORT OF THE NATIONAL ADVISORY COUNCIL ON INTERNATIONAL MONETARY AND FINANCIAL POLICIES

A letter from the National Advisory Council on International Monetary and Financial Policies, transmitting, pursuant to law, their annual report, for the fiscal year ended June 30, 1970 (with an accompanying report); to the Committee on Foreign Relations.

REPORT OF THE COMPTROLLER GENERAL

A letter from the Comptroller of the United States, transmitting, pursuant to law, a report on fair prices paid for small purchases by the Department of Defense, dated January 29, 1971 (with an accompanying report); to the Committee on Government Operations.

REPORT OF THE RAILROAD RETIREMENT BOARD

A letter from the Chairman, United States of America Railroad Retirement Board, transmitting, pursuant to law, a report on positions in grades GS–16, 17, and 18 (with an accompanying report); to the Committee on Post Office and Civil Service.

REPORT OF THE U.S. ATOMIC ENERGY COMMISSION

A letter from the Atomic Energy Commission, transmitting, pursuant to law, a report of the Commission for 1970 (with an accompanying report); to the Joint Committee on Atomic Energy.

PROPOSED LEGISLATION TO CHARGE FEDERAL AGENCIES FEES FOR THE LICENSING OF NUCLEAR POWER REACTORS

A letter from the Chairman, Atomic Energy Commission, transmitting a draft of proposed legislation to authorize the Commission to charge Federal agencies fees for the licensing of nuclear power reactors (with accompanying papers); to the Joint Commission on Atomic Energy.

GENEVA PROTOCOL OF 1925—EXECUTIVE UNDERSTANDING NO. 1

Mr. NELSON submitted Executive Understanding (No. 1); which was ordered to be printed in the RECORD as follows:

PROTOCOL FOR THE PROHIBITION OF THE USE IN WAR OF ASPHYXIATING, POISONOUS, OR OTHER GASES, AND OF BACTERIOLOGICAL METHODS OF WARFARE

Understanding intended to be proposed by Mr. NELSON with respect to the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous, or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on June 17, 1925:

At the end of the resolution of ratification, insert the following: "It is the understanding of the Senate, which understanding inheres in its advice and consent to the ratification of the protocol, that the terms of the protocol prohibit the use in war of chemical herbicides."

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JORDAN of Idaho (for himself and Mr. CHURCH):

S. 432. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Salmon Falls division, Upper Snake project, Idaho, and for other purposes; to the Committee on Interior and Insular Affairs.

(The remarks of Mr. JORDAN of Idaho when he introduced the bill appear below under the appropriate heading.)

By Mr. BENNETT:

S. 433. A bill for the relief of Weldon Thompson; to the Committee on the Judiciary.

By Mr. PROUTY (for himself, Mr. DOMINICK, Mr. GRIFFIN, Mr. JAVITS, Mr. PACKWOOD, Mr. SAXBE, Mr. SCOTT, and Mr. SCHWEIKER):

S. 434. A bill to establish a National Institute of Education, and for other purposes; to the Committee on Labor and Public Welfare.

(The remarks of Mr. PROUTY when he introduced the bill appear below under the appropriate heading.)

By Mr. ERVIN:

S. 435. A bill for the relief of Fan Zu Ming; to the Committee on the Judiciary.

By Mr. HOLLINGS:

S. 436. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Finance.

S. 437. A bill for the relief of Mrs. Maria Jose Pereira; to the Committee on the Judiciary.

S. 438. A bill to amend the Federal Food, Drug, and Cosmetic Act, and for other purposes; to the Committee on Labor and Public Welfare.

(The remarks of Mr. HOLLINGS when he introduced S. 436 and S. 437 appear below under appropriate headings.)

By Mr. SPONG:

S. 439. A bill granting and ceding to the city of Alexandria, in the State of Virginia, certain waterfront land along the Virginia shoreline of the Potomac River; to the Committee on the Judiciary.

By Mr. CHILES:

S. 440. A bill to amend title II of the Social Security Act to increase the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title; to the Committee on Finance.

(The remarks of Mr. CHILES when he introduced the bill appear below under the appropriate heading.)

By Mr. McGOVERN:

S. 441. A bill for the relief of Blandina Salvador;

S. 442. A bill for the relief of Christina Bangcawayan;

S. 443. A bill for the relief of Sotirios Zontanos;

S. 444. A bill for the relief of Miguel Apaza; and

S. 445. A bill for the relief of Sam C. H. Shum; to the Committee on the Judiciary.

By Mr. HOLLINGS:

S. 446. A bill to establish the National Advisory Committee on the Oceans and Atmosphere; to the Committee on Commerce.

(The remarks of Mr. HOLLINGS when he introduced the bill appear below under the appropriate heading.)

By Mr. ANDERSON:

S. 447. A bill to modify the boundaries of the Santa Fe, Gila, Cibola, and Carson National Forests in the State of New Mexico, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. METCALF:

S. 448. A bill to provide that the appropriation requests of certain regulatory agencies be transmitted to Congress; to the Committee on Government Operations.

By Mr. METCALF (for himself and Mr. MANSFIELD):

S. 449. A bill to repeal section 372–1 of title 25, United States Code, relating to the appointment of hearing examiners for Indian probate work, to provide tenure and status for hearing examiners performing such work, and for other purposes;

S. 450. A bill to declare that certain federally owned land is held by the United States in trust for the Fort Belknap Indian community; and

S. 451. A bill to provide compensation to the Crow Tribe of Indians, Montana, for certain lands embraced within the present boundaries of the Crow Indian Reservation, for the validation of titles, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. INOUYE:

S. 452. A bill to provide that in determining the amount of retired pay, retirement pay, or retainer pay payable to any enlisted man, all service shall be counted which would have been counted for the same purposes if he were a commissioned officer; to the Committee on Armed Services.

S. 453. A bill to amend the Tariff Schedules of the United States to accord the Trust Territories of the Pacific Islands the same tariff treatment as is provided for insular possessions of the United States;

S. 454. A bill to amend the Internal Revenue Code of 1954 to provide credit against income tax for an employer who employs older persons in his trade or business; and

S. 455. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from gross income for social agency, legal, and related expenses incurred in connection with the adoption of a child by the taxpayer; to the Committee on Finance.

S. 456. A bill to amend the War Claims Act of 1948 and the Trading With the Enemy Act to provide for the submission of certain claims and the reinstatement of certain claims, and

S. 457. A bill to provide cost-of-living allowances to judicial employees stationed outside the continental United States or in Alaska and Hawaii; to the Committee on the Judiciary.

S. 458. A bill to provide credit under the Civil Service Retirement Act for periods of separation from the service of certain employees of Japanese ancestry during World War II; to the Committee on Post Office and Civil Service.

(The remarks of Mr. INOUYE when he introduced S. 453 and S. 455 appear below under the appropriate headings.)

By Mr. INOUYE (for himself and Mr. FONG):

S. 459. A bill to provide for the establishment of the Puukohola Heiau National Historic Site, in the State of Hawaii, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. INOUYE:

S. 460. A bill to provide that unincorporated territory of Guam shall be represented in Congress by a Territorial Deputy to the House of Representatives; to the Committee on Interior and Insular Affairs.

S. 461. A bill to require the payment of prevailing rates of wages on Federal public works on Guam; to the Committee on Labor and Public Welfare.

S. 462. A bill to include Guam within the purview of the Federal Unemployment Tax Act and related provisions of the Social Security Act; to the Committee on Finance.

(The remarks of Mr. INOUYE when he introduced the bills appear below under the appropriate heading.)

By Mr. MONDALE:

S. 463. A bill for the relief of Lau Siu Chsung;

S. 464. A bill for the relief of Freny Rustom Irani;

S. 465. A bill for the relief of Mrs. Hang Kiu Wah;

S. 466. A bill for the relief of John R. Cochrane;

S. 467. A bill for the relief of Teresa Blaszczyk;

S. 468. A bill for the relief of Miss Inkeri Perkkio;

S. 469. A bill for the relief of Bernard Claude Mignot;

S. 470. A bill for the relief of Peter Nicholas Pagotelis;

S. 471. A bill for the relief of George Buentipo; and

S. 472. A bill for the relief of Rachid Jabbra; to the Committee on the Judiciary.

By Mr. INOUYE:

S. 473. A bill to amend the Automobile Information Disclosure Act to make its provisions applicable to the possessions of the United States; to the Committee on Commerce.

(The remarks of Mr. INOUYE when he introduced the bill appear below under the appropriate heading.)

By Mr. INOUYE (by request):

S. 474. A bill to amend the Federal Aviation Act of 1958, as amended, to authorize air carriers to engage in bulk air transportation of persons and property; to the Committee on Commerce.

By Mr. INOUYE:

S. 475. A bill to extend the benefits of the Veterans' Preference Act of 1944 to persons serving in the Armed Forces of the United States during peacetime; to the Committee on Veterans' Affairs.

By Mr. NELSON:

S. 476. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to provide for an identification system for prescription drugs for human use; to the Committee on Labor and Public Welfare.

(The remarks of Mr. NELSON when he introduced the bill appear below under the appropriate heading.)

By Mr. COOK (for Mr. TOWER):

S. 477. A bill to authorize the Secretary of the Army, or his designee, to convey to the State of Texas certain lands at the Fort Bliss Military Reservation in exchange for certain other lands; to the Committee on Armed Services.

(The remarks of Mr. COOK when he introduced the bill appear below under the appropriate heading.)

By Mr. WILLIAMS:

S. 478. A bill for the relief of Rosa Luisa Giordano;

S. 479. A bill for the relief of Carmela LaGalia;

S. 480. A bill for the relief of Mr. Migirdic Civan; and

S. 481. A bill for the relief of Fabio Costantino; to the Committee on the Judiciary.

By Mr. PELL (for himself and Mr. TOWERS):

S. 482. A bill to establish a commission to study the usage, customs, and laws relating to the flag of the United States; to the Committee on the Judiciary.

(The remarks of Mr. PELL when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. KENNEDY:

S. 483. A bill to amend the Military Selective Service Act of 1967 to provide for a fair and random system of selecting persons for induction into military service, to provide for the uniform application of Selective Service policies, to raise the incidence of volunteers in military service, and for other purposes; to the Committee on Armed Services.

(The remarks of Mr. KENNEDY when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. HATFIELD (for himself, Mr. CHURCH, Mr. CRANSTON, Mr. MCGOVERN, and Mr. PROXMIRE):

S. J. Res. 20. Joint resolution repealing the Military Selective Service Act of 1967; to the Committee on Armed Services.

(The remarks of Mr. HATFIELD when he introduced the joint resolution appear below under the appropriate heading.)

By Mr. ANDERSON (for himself, Mr. METCALF, Mr. MCGOVERN, Mr. BURDICK, Mr. MOSS, Mr. FANNIN, Mr. MONTOYA, and Mr. GRAVEL):

S.J. Res. 21. Joint resolution to provide for the appropriation of funds to assist school districts adjoining or in the proximity of Indian reservations, to construct elementary and secondary schools and to provide proper housing and educational opportunities for Indian children attending these public schools; to the Committee on Interior and Insular Affairs.

S. 432—INTRODUCTION OF A BILL AUTHORIZING THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF THE PROPOSED SALMON FALLS DIVISION, UPPER SNAKE RIVER RECLAMATION PROJECT

Mr. JORDAN of Idaho. Mr. President, on behalf of myself and my distinguished colleague Senator CHURCH of Idaho, we introduce for appropriate reference, a bill to authorize the construction, operation, and maintenance of the proposed Salmon Falls Division, Upper Snake River reclamation project, Idaho, as described in the Secretary of the Interior's feasibility report on the project, House Document No. 91–359.

The lands of the Salmon Falls Division lie on the south side of the Snake River in southern Idaho. The landowners have been struggling for many years to wrest a living from these fertile but water deficient lands. Their immediate neighbors, whose lands are served by the Twin Falls canal system, have enjoyed the prosperity and socioeconomic benefits of a highly successful irrigation project. The plan of development proposed by the Bureau of Reclamation would offer a similar irrigation water supply to the lands of the Salmon Falls Division, which lie adjacent to but higher than the Twin Falls Canal.

The problem in this area was primarily one of finding an adequate source of water and a means of delivering it to the land. The landowners have attempted to provide their own facilities to irrigate these lands. They have drilled wells and utilized the limited surface runoff to the maximum extent, but the water supply is both inadequate and undependable, and very severe shortages, especially of late-season water, occur nearly every year.

The Snake River in southern Idaho is one of the Nation's most intensively used streams. The natural regimen of the river has been extensively altered by operation of storage reservoirs which conserve spring floodflows for irrigation season use. Only in years of above-normal runoff are there flows in the river which are surplus to existing water rights and needs. In normal years and dry years the natural and regulated flows of this reach of the Snake River are completely appropriated.

However, north of the river, under the Snake River plain, lies an enormous and productive ground water aquifer, easily capable of providing all the water needed to supplement the existing works in the Salmon Falls area so that the lands may realize their full productive capacity. The Bureau's plan would include a pumping plant near Milner Dam on the Snake River, a main canal and distribution system, and an auxiliary well field. Water would come from three major sources: existing ground water and surface water facilities within the service area; Snake River flows, when available, with regulation in existing reservoirs; and ground water pumping from an auxiliary well field to the extent needed each year to supplement the other sources.

The Secretary of the Interior's feasibility report suggests that the auxiliary well field might be developed in the North Side Canal Co.'s irrigated area north of the river to make the water required for the Salmon Falls Division available in the Snake River. The pumped water could be delivered to the North Side canals and laterals, thus reducing the quantity of water the company would need to divert from the Snake River and making that quantity of water available for use by Salmon Falls Division. Section 5 of the bill is designed to provide absolute guarantees of protection to the rights and interests of the water users if this plan for exchange of water is adopted. If it should prove to be too difficult to obtain the agreement of the North Side Canal Co.'s landowners to this plan, the Bureau's studies of alternative plans indicate that other well fields can be developed to accomplish the same purposes at no greater construction cost than the recommended plan.

The Salmon Falls Division would enhance the ecologic and environmental resources of the area. The parched lands naturally support only desert-type vegetation, and the limited use of the land under present conditions is not conducive to social and recreational activities or to desirable living conditions.

The idle lands provide some favorable habitat for upland game and birds. The plan would improve wildlife conditions by developing nonirrigable areas with small water impoundments, protective vegetation, and other habitat enhancement measures.

The landowners are practically unanimous in their support for this reclamation project, and in their willingness to operate and maintain the system when it is finished and to pay as much as they can toward the construction costs. I am very proud of these people for their industry, persistence, and patience over the years as they have tried to develop their lands and to force the desert to produce.

They deserve all the help we can give them.

I hope the Congress will see fit to enact this legislation during this session. It will provide an effective use of a land and water resource, thereby contributing to the well-being of the local, regional, and State economy and enhancing the environment. It has a favorable benefit-cost ratio, even under today's stringent criteria, and the reimbursable costs will be repaid by the beneficiaries with financial assistance from revenues derived from the Federal Columbia River power system as provided by law.

The PRESIDING OFFICER (Mr. CHILES). The bill will be received and appropriately referred.

The bill (S. 432) to authorize the Secretary of the Interior to construct, operate, and maintain the Salmon Falls Division, Upper Snake project, Idaho, and for other purposes, introduced by Mr. JORDAN of Idaho (for himself and Mr. CHURCH), was received, read twice by its title and referred to the Committee on Interior and Insular Affairs.

Mr. CHURCH. Mr. President, I join my colleague from Idaho (Mr. JORDAN) in introducing a bill to authorize the Secretary of the Interior to construct, operate, and maintain the Salmon Falls Division of the Upper Snake River reclamation project.

The proposed Salmon Falls Division is located south of the Snake River in the vicinity of Twin Falls, Idaho.

Lands in the project have been farmed for many years. The Salmon tract area of the project was developed for irrigation under the Carey Act and first received irrigation water in 1910. Unfortunately, the project area has always suffered from an insufficient water supply. Records show that the existing Salmon River Canal Co., in spite of repeated and costly measures to conserve water and develop new supplies, has never had an adequate supply for its entire service area, and in a great many years less than half of the area can be adequately served.

The proposed Salmon Falls Division offers the only hope of developing a full water supply. The present supplies of the Salmon River Canal Co. would be augmented under the project plan by additional surface supplies from the Snake River and a tributary and, in times of severe shortages, through the development of ground water sources.

When a similar bill was introduced in the last Congress, concern was expressed by some of the local people, and in the comments of the Bureau of the Budget as well, about the proposal in the plan to exchange groundwater supplies for surface water now being used by irrigators north of the Snake River. Additional studies by the Bureau of Reclamation have shown that a feasible project plan can be developed without the exchange arrangement. In view of this further information the Office of Management and Budget stated that it has no objection to enactment of the bill. I am confident that the project will receive widespread local support as well.

The existing irrigation supplies to 49,400 acres will be supplemented and full supplies will be provided to 14,700 acres. The project will also offer an opportunity to enhance the habitat for upland game birds. The costs of fish and wildlife measures would be shared by the Idaho Fish and Game Department.

The Bureau of Reclamation's studies show that the plan is technically feasible and that the irrigation costs can be returned to the Treasury in full from water user payments and available hydroelectric power revenues as required by law. The project has a ratio of total benefits to costs of 2.31 to 1.00.

The economy of the project area is basically agricultural. The important communities of the area are heavily dependent upon farm produce processing plants. Irrigation is an essential factor in balanced operations, and the Salmon Falls Division will help to stabilize and expand this rural area's economic base.

Mr. President, I hope my colleagues will recognize the benefits which accrue to the Nation from the ability of small cities and rural areas to absorb population growth. I urge them to support sound development programs such as this, and hope that this measure will receive speedy and favorable action by the Senate.

S. 434—INTRODUCTION OF A BILL TO ESTABLISH A NATIONAL INSTITUTE OF EDUCATION, AND FOR OTHER PURPOSES

Mr. PROUTY. Mr. President, it is a pleasure for me as the ranking minority member of the Education Subcommittee to introduce today my first education bill during the 92d session of Congress. In doing so, I join with the President in again proposing that we establish a National Institute of Education. Those who join with me as cosponsors are Senators DOMINICK, GRIFFIN, JAVITS, PACKWOOD, SAXBE, SCOTT, and SCHWEIKER.

During March of last year, the President delivered an address calling for education reform. Among the recommendations he made at that time, was one calling for the establishment of a National Institute of Education to carry on research and development. In support of the President, I was proud to sponsor legislation that would authorize the creation of such an agency. A number of the members of the Education Subcommittee joined me then and I hope that all will do so now.

Unfortunately, action was not taken on that bill last year, even though response to this idea was quite favorable. Therefore, I am again requesting my colleagues to join in support of this measure. I do so with increased conviction that we need a centralized agency to carry out the education research that can revitalize our educational system. At the present time, our research efforts in education are fragmented and there is no focal point or coordinating body to effectively utilize what little work is being done in this area. With the creation of a unified agency related to the Office of Education, I believe we can expand our activities in educational research and, more importantly, utilize the results in a better manner.

Last year the President noted that we spent less than one-half of 1 percent of our education budget on research compared with 5 percent of our health budget and 10 percent of our defense budget. Since then, there has been little improvement. However, there has been substantive analysis of the ways in which a National Institute of Education could improve the situation. Such an analysis was conducted as a special study by the Office of Education. The final report of that study is due January 31 of this year.

Although plans for a National Institute must continually change to reflect new needs, even the preliminary findings and recommendations are helpful.

The report spells out in clear language four major areas of concern to the Institute. These are: First, pressing educational problems such as compensatory education; second, basic education R. & D.; third, education techniques and practice; and, fourth, research coordination and dissemination of information.

The need for a special agency organized to handle these concerns is also addressed in the report. We have a formal education system comprised of nearly 20,000 school districts and 2,500 institutions of higher education. Although each of these independent operational units is dependent upon new ideas and techniques for continual growth, there is no centralized source of such information or authority. Within many of these units independent attempts are made to attack the problem. However, coordination of operating programs is difficult and overall planning for long-term objectives is practically impossible. Within the Office of Education itself, research efforts are also somewhat fragmented. There is also room for better coordination with research activities conducted in other agencies.

The need is as the President stated it last year—our educational institutions "need an objective national body to evaluate new departures in teaching that are being conducted here and abroad and a means of disseminating information about projects that show promise."

I am convinced that the National Institute proposed in this bill can do the job. It would be able to conduct basic and applied research in-house with a staff nucleus of interdisciplinary experts. Present problems of insufficient staff resources would be relieved by giving the Director special authority to hire and compensate staff exempt from civil service regulations in accordance with models established by NIH and NSF. It would also conduct a major portion of its research by contract with universities, nonprofit institutions, and other organizations. It would also coordinate activities with other agencies and help set priorities for research and experimentation.

The internal structure of the Institute as envisioned in the study would reflect these program areas by consisting of three main directorates paralleling objectives one through three.

Even though such projections are only tentative, they indicate how existing

fragmented efforts could be more efficiently united.

Overall, the agency would assume responsibility for research activities now conducted by the National Center for R. & D. in the Office of Education. As a separate agency, the NIE would complement the operational programs run by the Office of Education. Led by an executive level V Director, the NIE would have a distinct organizational identity to enhance its visibility and flexibility. Coordination with OE would be assured by delegating responsibility for the NIE within HEW to the Commissioners of Education. A National Advisory Council of distinguished scientists, educators, and laymen would also insure that educational research in the Institutes achieves a high level of sophistication and efficiency consistent with its goals.

Mr. President, it is a great tragedy that there is still so much we do not know about the learning process itself. Education is the key to equal opportunity and to an open democracy. We cannot tolerate continual inefficiency and timelags in knitting new ideas and techniques into practice. We need to concentrate our efforts on improvement of the educational system and money alone will not help. As we increase our research expenditures in the future, we must be sure to have a mechanism capable of absorbing and directing this growth. I believe the National Institute of Education proposed can help us to take these steps forward. I ask unanimous consent at this time to have the bill, a section-by-section analysis, and other material relating to the bill included in the RECORD after my remarks.

The PRESIDING OFFICER (Mr. CHILES). The bill will be received and appropriately referred; and, without objection, the bill and section-by-section analysis and other material relating to the bill will be printed in the RECORD.

The bill (S. 434) to establish a National Institute of Education, and for other purposes, introduced by Mr. PROUTY, for himself and other Senators, was received, read twice by its title, referred to the Committee on Labor and Public Welfare and ordered to be printed in the RECORD, as follows:

S. 434

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Institute of Education Act".

FINDINGS AND DECLARATION OF POLICY

SEC. 2. The Congress hereby declares it to be the policy of the United States to provide to every person an equal opportunity to receive an education of high quality regardless of his race, color, religion, sex, national origin, or economic status. Although the American educational system has pursued this objective, it has not attained it. Inequalities of opportunity to receive high quality education remain pronounced. To achieve equality will require far more dependable knowledge about the processes of learning and education than now exists or can be expected from present research and experimentation in this field. While the direction of the education system remains primarily the responsibility of State and local governments, the Federal Government has a clear responsibility to provide leadership in the conduct and support of scientific inquiry into the educational process. The purpose of this Act is to establish a National Institute of Education to conduct and support educational research, and disseminate educational research findings throughout the Nation.

ESTABLISHMENT OF NATIONAL INSTITUTE OF EDUCATION

SEC. 3. (a) There is established in the Department of Health, Education, and Welfare a National Institute of Education (hereinafter referred to as the "Institute"). The Institute shall be headed by a Director who shall be appointed by the President with the advice and consent of the Senate. The Director shall perform such duties as are prescribed by the Secretary of Health, Education, and Welfare (hereinafter referred to as the "Secretary").

(b) Section 5316 of title 5, United States Code, relating to positions in Level V of the Executive Schedule, is amended by adding the following paragraph at the end thereof: "Director, National Institute of Education, Department of Health, Education, and Welfare."

FUNCTIONS OF THE INSTITUTE

SEC. 4. The Secretary, through the Institute, shall conduct educational research; collect and disseminate the findings of educational research; train individuals in educational research; assist and foster such research, collection, dissemination, or training through grants, or technical assistance to, or jointly financed cooperative arrangements with, public or private organizations, institutions, agencies, or individuals; promote the coordination of such research and research support within the Federal Government; and may construct or provide (by grant or otherwise) for such facilities as he determines may be required to accomplish such purposes. As used in this Act the term "educational research" includes research, planning, surveys, evaluations, investigations, experiments, developments, and demonstrations in the field of education.

EMPLOYMENT OF PERSONNEL

SEC. 5. The Secretary may appoint and compensate without regard to the provisions of title 5, United States Code, governing appointments in the competitive service and chapter 51 and subchapter III of chapter 53 of such title, relating to classification and general schedule rates, such technical and professional personnel as he deems necessary to accomplish the functions of the Institute.

NATIONAL ADVISORY COUNCIL ON EDUCATIONAL RESEARCH AND DEVELOPMENT

SEC. 6. (a) The President shall appoint a National Advisory Council on Educational Research and Development which shall—

(1) review and advise the Secretary and the Director on the status of educational research in the United States, and present to the Secretary such recommendations as it may deem appropriate for the strengthening of such research and the improvement of methods of collecting and disseminating the findings of educational research;

(2) advise the Secretary and the Director of the Institute on the development of programs to be carried out by the Institute and on matters of general policy arising in the administration of this Act;

(3) conduct such studies as may be necessary to fulfill its functions under this section; and

(4) prepare an annual report to the Secretary on the current status and needs of educational research in the United States, which the Secretary shall transmit to the President with such recommendations as he may make.

(b) The Council shall be appointed by the President without regard to the civil service laws and shall consist of 15 members appointed for terms of three years; except that (1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (2) the terms of office of the members first taking office shall begin upon enactment of the Act, and shall expire as designated at the time of appointment, five at the end of three years, five at the end of two years, and five at the end of the first year. One of such members shall be designated by the President as Chairman. Members of the Council who are not regular full-time employees of the United States shall, while serving on the business of the Council, be entitled to receive compensation at rates to be determined by the Secretary, but not exceeding the per diem equivalent for GS–18 for each day so engaged, including travel time and, while so serving away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently. The Director of the Institute shall also serve on the Council ex officio.

(c) The Secretary shall provide to the Council such professional, clerical, and other assistance as may be required to carry out its functions.

(d) The Council is authorized, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and general schedule pay rates, to employ and fix the compensation of such personnel as may be necessary to carry out its functions.

The Council is further authorized to obtain services in accordance with the provisions of section 3109 of title 5, United States Code, and it may enter into contracts for the conduct of studies and other activities necessary to the discharge of its duties.

GENERAL PROVISIONS

SEC. 7. (a) In administering the provisions of this Act, the Secretary is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public or nonprofit private agency or institution, in accordance with agreements between the Secretary and the head thereof, on a reimbursable basis or otherwise.

(b) Payments under this Act to any individual or to any organization, institution, or agency may be made in installments, and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

(c) The Secretary is authorized to accept gifts to the Institute and to apply them to carry out his functions under this Act; and is similarly authorized to accept voluntary and uncompensated services, notwithstanding the provisions of section 3679(b) of the Revised Statutes (31 U.S.C. 665(b)).

(d) Funds available under this Act shall be available for transfer to any other Federal department or agency (including constituent agencies of the Department of Health, Education, and Welfare) for use (in accordance with an interagency agreement) by such agency (alone or in combination with funds of that agency) for purposes for which such transferred funds could be otherwise expended by the Secretary under this Act, and the Secretary is likewise authorized to accept and expend funds of any other Federal agency for use under this Act.

(e) All laborers and mechanics employed by contractors or subcontractors on all construction projects assisted under this Act shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a–276a–

5). The Secretary of Labor shall have with respect to the labor standards specified in this section the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z–15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276(c)).

APPROPRIATIONS AUTHORIZED

SEC. 8. There are authorized to be appropriated for the fiscal year ending June 30, 1972 and for each fiscal year thereafter, such sums as may be necessary to carry out this Act, which shall remain available until expended.

The material submitted by Mr. PROUTY is as follows:

SECTION-BY-SECTION ANALYSIS OF NATIONAL INSTITUTE OF EDUCATION ACT

SECTION 1. SHORT TITLE

Section 1 of the bill provides that this legislation may be designated by the short title of "National Institute of Education Act".

SECTION 2. FINDINGS AND DECLARATION OF POLICY

Section 2 declares it to be the policy of the United States to provide to every person an equal opportunity to receive an education of high quality regardless of race, color, religion, sex, national origin, or social class. In order to further this purpose the bill would establish the National Institute of Education to conduct and support educational research, and disseminate educational research findings throughout the Nation.

SECTION 3. ESTABLISHMENT OF NATIONAL INSTITUTE OF EDUCATION

Section 3 would establish a National Institute of Education within the Department of Health, Education, and Welfare, under a level V Director appointed by the President with the advice and consent of the Senate.

SECTION 4. FUNCTIONS OF THE INSTITUTE

Section 4 would direct the Secretary, acting through the Institute, to conduct, and collect and disseminate the findings of, educational research (defined to include research, planning, surveys, evaluations, investigations, developments, and demonstrations in the field of education); to train individuals in such research; to aid such research through grants to, or other appropriate arrangements with, public or private organizations or individuals; and to promote the coordination of educational research and research support within the Federal Government. The section would also authorize the Secretary to construct or provide for the construction of facilities required to accomplish the bill's purposes. The Secretary may procure through appropriate contract any of the functions (such as conduct of research) that the section would instruct him to perform directly.

SECTION 5. EMPLOYMENT OF PERSONNEL

Section 5 would authorize the Secretary to appoint and compensate, without regard to the civil service and classification laws, such technical and professional personnel as he deems necessary to accomplish the functions of the Institute. The provision is modeled upon 42 U.S.C. 1873(a), which provides a similar authority to the Director of the National Science Foundation. It is contemplated that one way the Secretary will make use of this authority is to appoint persons of distinguished qualifications in the field of education, or in a field having application to education or research, as Fellows of the National Institute of Education.

SECTION 6. NATIONAL ADVISORY COUNCIL ON EDUCATIONAL RESEARCH AND DEVELOPMENT

This section would provide for the establishment of a National Advisory Council on Educational Research and Development. The Council would advise the Secretary and the Director of the Institute on the status of educational research in the United States, and present appropriate recommendations to the Secretary with respect thereto, as well as advise the Secretary and the Director on the development of programs to be carried out by the Institute and on matters of general policy arising in the administration of the bill. The Council would also prepare an annual report to the Secretary on the current status and needs of educational research in the United States, which the Secretary would transmit, with his recommendations, to the President.

SECTION 7. GENERAL PROVISIONS

Section 7 contains general administrative provisions which include authority in the Secretary to utilize the services and facilities of the Federal Government and of public or non-profit private agencies or institutions, authority to accept gifts, and a provision making the Davis-Bacon Act applicable to construction projects assisted under the bill.

SECTION 8. APPROPRIATIONS AUTHORIZED

The bill would authorize to be appropriated for the fiscal year June 30, 1972, and thereafter, such sums as may be necessary, which would remain available until expended.

NATIONAL INSTITUTE OF EDUCATION ACT

The Act would create a high level new agency in the Department of HEW devoted to research and development in education: The National Institute of Education. The Institute would have authority to carry out a wide range of research and related activities: research, development, demonstration, dissemination, planning, evaluation, researcher training, construction, and coordination among other agencies. Public and private agencies and individuals of all varieties are eligible for funds.

The bill makes special provision for a high level director and staff:

An Executive level V Director, Presidentially appointed with advice and consent of the Senate;

A staff which may, at the Secretary's discretion, be exempt from regular civil service requirements;

A Presidentially appointed National Advisory Council on Educational Research and Development to advise on policy issues.

Funds available to the Institute could come from several sources:

The authorization of such sums as may be necessary for each fiscal year beginning with FY 1972;

The authority allowing the Secretary to accept gifts to the Institute;

The authority allowing transfer of funds from other Federal agencies to the Institute. The Institute may also transfer its funds to other agencies for the purposes of the Act.

THE NATIONAL INSTITUTE OF EDUCATION

In March 1970, the President called for the creation of a National Institute of Education as a "focus for educational research and experimentation in the United States." Pointing to the pressing need for reform and revitalization in American education, the President declared, "As a first step toward reform, we need a coherent approach to research and experimentation. Local schools need an objective national body to evaluate new departures in teachings that are being conducted here and abroad and a means of disseminating information about projects that show promise."

Our system of educational research and development has produced a number of important breakthroughs affecting the state of education. And yet research and development in education has never received enough attention to make it the full partner for progress our schools need so poignantly. In comparison to health research for example, it has commanded meager resources and recruited but a small community of researchers.

Since 1959, the Nation has spent less than $1 billion on educational research—and $14 billion on health research.

Today research and development receives barely three percent of the education dollar—and 4.6 percent of the health dollar.

In 1968, the number of man-years devoted to research and development came to 5,390 in education—and 59,500 in health.

The number of researchers working on education is only four or five thousand—and 30,000 receive support from the National Institutes of Health.

Insufficient resources and personnel have not been the only hindrances to a vigorous educational research and development effort. Education researchers have traditionally been associated with psychology, sociology, and the like—few have been drawn from a range of other disciplines now understood to have particular relevance to education—physiology, chemistry, computer sciences, statistics, etc. Education research has been concentrated too heavily on a few university campuses—most of it has been conducted in some 200 such institutions. Very little has emerged from other kinds of institutions.

Finally, education research has lacked the leadership of its own national agency with high visibility and favored institutional status. The creation of a National Institute of Education would place leadership in just that kind of agency.

The Institute would have power to carry on a broad range of research and development activities, including most of those now carried out in the Office of Education's National Center for Educational Research and Development. The new agency would be placed within the Department of HEW as an entity separate from the Office of Education. Although responsibility for it would be delegated to the Commissioner of Education for coordination purposes, the Institute's distinct organizational identity would permit it special visibility and flexibility.

The Institute would be led by an Executive level V director, to be appointed by the President and confirmed by the Senate. A National Advisory Council on Educational Research and Development, also Presidentially appointed, would bring together prominent representatives of education, research, science, business, and the public to advise the Director on Institute policy.

The Director would have special authority to hire and compensate staff exempt from civil service regulations. This would permit the Institute to evolve the kind of special staffing patterns other outstanding reasearch and development agencies such as National Science Foundation and the National Institutes of Health have found so successful in attracting top researchers. For example, this civil service exemption will allow distinguished scholars and educators whose permanent career commitments are to universities or school systems to serve at the Institute on a short-term basis.

Most of the activities now vested in National Center for Educational Research and Development would be the complete responsibility of the Institute. The NIE would take responsibility for basic research and development, research and development centers and regional education laboratories, researcher training, and experimental schools. In addition to these activities, the NIE would conduct a small portion of in-house research. And the new agency would devote more resources to exploring radically new approaches to education's critical problems. The Office of Education would probably retain responsibility for education, policy research relating to OE programs, statistical gathering, some demonstration, and a share of dissemination activities serving both agencies.

An increase in funds for educational research and development would accompany establishment of the NIE. $90 million is now spent under the Cooperative Research Act. In FY 1973, the first year of the Institute's full operation, the agency's budget is expected to begin at $150 million rising to about $250 million in five years.

In conclusion, the NIE will have special qualities enabling it to exert leadership for a more vigorous and effective educational research and development system. Its high level directorship will allow it particularly distinguished leadership. Its personnel authority and separation from the Office of Education will allow the Institute flexibility in evolving patterns of staffing and operation suited to a successful research and development agency. And its visibility as a new and distinct agency will help it to draw national attention to itself and, in the process, to progress in educational research.

Undoubtedly, these changes will come gradually, quietly; we cannot ask more. Without taking the giant forward step of creating a National Institute of Education, we can expect little impetus for far-reaching improvements in the capacities of educational research and development, and in our capacity to find better methods to educate Americans.

S. 436—INTRODUCTION OF A BILL TO ALLOW A TAX CREDIT AGAINST INCOME TAX TO INDIVIDUALS FOR CERTAIN EXPENSES INCURRED IN PROVIDING HIGHER EDUCATION

Mr. HOLLINGS. Mr. President, the future of America is, I believe, directly dependent upon the education of its citizens. As our population grows, more and more demands are made for an educated people to meet the challenges of our complex society. As our standard of living increases, more and more people are demanding to be educated. But our Nation faces one of the greatest financial anomolies of our time. Although more people need to be educated and want to be educated, we do not have the financial wherewithal to accomplish it.

College age students throughout our Nation are faced with the prospect of not being able to pursue higher education because their parents simply cannot afford the financial burden; banks are not granting educational loans because they can get better interest rates elsewhere, and the cost of education continues to soar. The cost of education will continue to grow. As high as college expenses are at the present, the amount to cover tuition and fees now covers, on the average, only one-third of the total instructional cost for 1 year at a private college and only one-fourth of these costs at a public college.

Clearly, without endowments, public funds, contributions from alumni and private foundations, most of our institutions of higher learning would be financially bankrupt. Long overdue pay increases for college professors and instructors and the rising cost of constructing new buildings increase total cost factors. The increasing number of high school graduates from lower income brackets are demanding a college education, which in turn absorbs immense amounts in the form of scholarships and loans. While private donations are rising, they still do not meet the demand. In 1969, three out of every four colleges raised their tuition to meet these costs. The institutions cannot possibly absorb the greater share of these costs. Consequently, parents and students must shoulder the burden of these educational expenses.

Crippling inflation has in many cases wiped out long-term savings plans of parents for the college education of their children. High interest rates and tight money preclude adequate student loan programs. In my own State of South Carolina there are 56,000 students enrolled in higher education, which is 3,000 higher than the year before. I have literally hundreds of letters in my files from students and parents complaining that they will not be able to continue their education without the benefit of some financial assistance. I am sure that this experience is true throughout the Nation. The most frightening fact, in reality, is that educational costs are spiraling above the normal increases in the cost of living, and higher than average wage earner's salary.

Today I am reintroducing a bill which I feel offers a realistic step in solving some of the financial problems relating to higher education. It is clearly within our national means to achieve. This bill would embody the elements of tax reform and relief by permitting a tax credit for money spent on higher education. It would have the merit of removing some of the demands on existing Federal and private loan, grant, and scholarship programs. I do not believe that strong argument will be found against the proposition that the future of America rests in the minds and abilities of her youth. If this country, through its economic policies, permits a condition to exist which precludes college education even to middle-income families, we have taken a backward step in preparing for our future. To those who would argue that such a plan would cut the Federal budget as another expenditure, I would suggest to them that it is an investment we cannot afford to ignore. Although we have over 8 million people enrolled in institutions of higher learning, at this present minute there are literally hundreds of thousands more who would like to be so engaged but are financially precluded. Certainly the likelihood of a young man or woman attending college is directly related to family income. On the other hand, when the family is faced with the prospect of spending in excess of $15,000 for a 4-year education per child, it is unrealistic to imagine that a population can continue to maintain the staggering financial burden for college education.

Mr. President, unless we take such measures to adequately prepare today's youth for tomorrow's leadership, we will be depriving our Nation of the substance that has helped to make this Nation great. It is incumbent upon the Congress to not only recognize the problem, but affirmatively act to solve it.

The PRESIDING OFFICER (Mr. CHILES). The bill will be received and appropriately referred.

The bill (S. 436) to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education, introduced by Mr. HOLLINGS, was received, read twice by its title, and referred to the Committee on Finance.

S. 438—INTRODUCTION OF A BILL TO AMEND THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

Mr. HOLLINGS. Mr. President, I am introducing a proposal similar to one which I introduced last session (S. 4096), but which the Senate was not able to consider owing to shortness of time. My proposal is for a simplification of the manner in which public eating places notify patrons when they serve margarine which is colored yellow. This involves a small, but, I believe, useful change in the Federal Food, Drug, and Cosmetic Act, one which will benefit all parties concerned.

The present law requires that an eating place do two things to notify patrons when it is serving yellow margarine. It must post a sign on the wall or make a statement in the menu, and it must identify each serving by appropriate labeling or by a triangular shape.

I know of no other law, Federal or State, which requires such a double notification. Single notification should be ample. My bill, like that of the last session, would simply require that any single one of three forms of notice must be followed.

Margarine has become an established food in the American diet. Per person consumption of margarine is estimated by the Department of Agriculture to reach 11 pounds this year; that of butter, 5 pounds. One reason for the increasing need for and use of margarine is that butter consumption has been generally decreasing as our dairy farmers have found better markets for their milk in fluid milk, cheese, and ice cream. Another reason is that butter is price supported and is, therefore, not actively competitive with margarine in the consumer market. The average retail prices of margarine and butter in principal cities for the period January–November 1970 is reported by the Bureau of Labor Statistics to have been 30 cents and 87 cents, respectively.

Certainly, we all take pride in the growth of our modern dairy industry. It is one of our basic agricultural enterprises. Milk is one of the basic foods used by man. My proposal in no way is intended to burden the marketing of dairy products. I believe it is a step toward easier and, therefore, improved compliance and enforcement of the margarine notice law.

The status of margarine is vastly different now from what it was when the existing law was enacted in 1950. Margarine has become the leading table spread, used by most American families. In recent years, it has drawn the recommendation of many physicians for certain dietary purposes. At the same time, many more Americans than ever before are taking their meals out. The American restaurant business is preparing and serving a larger proportion than ever before of the meals Americans consume.

The double notice in the Federal law stems from a desire in Congress to assure that patrons would be informed as to whether they were receiving margarine or butter. Some prefer one, some the other, and the aim was to inform. However, the double notice has been difficult to enforce. Undoubtedly, many restaurant managers have been confused by it. It is an unnecessarily complicated way of achieving the object of notification. As such, it is a burden on those eating places which for one reason or another may wish to make margarine available to patrons. To the extent that it discourages eating places from making this particular food available to patrons who desire it, it is burdensome to consumers. It cannot be said that the Federal double notice has been very successful.

We are in an era of increasing consideration of consumer protection. During the past several years Congress has considered much labeling legislation and has approved important changes in our laws. Not once has any one suggested double labeling or double notice for any product. It does not make sense. On the contrary, a real objective has been to seek the greatest possible uniformity between Federal and State laws, so as to make consumer information simpler to provide and easier for consumers to use.

In this respect the double notification requirement for margarine is not uniform. It is obsolete. Most States have a legal requirement in this specific area and must have found some single form of notice sufficient. Several, in the course of making basic changes in their margarine laws after the old Federal taxes were removed in 1950, as a subordinate consideration and mainly for legislative convenience adopted the double requirement. But most States saw no reason to do so. The result is an even greater complication of one area of consumer protection law.

The enforcement agency, the Food and Drug Administration, in a hearing on August 10, 1970 by the House Interstate and Foreign Commerce Committee on a similar proposal, (H.R. 12061) concurred with the single notice change. Indeed, the agency is seeking to encourage States to enforce this part of the Federal law as a part of its effort to improve enforcement generally. The result is that most States find they must enforce the Federal double requirement on top of their own single requirement.

My bill would initiate simplification at the Federal level. I am sure that those States with single notice will be helped in their enforcement by this change, and that those with double notification will feel freer to go to single notification if they believe this will be advantageous to consumers.

The bill I am introducing differs from the one I introduced last session in one particular: it allows the restaurant manager to use any one of three notices—wall sign, menu notice, or identification of serving. It does not include the option to use, also, triangle-shaped servings. I am dropping the triangles in concurrence with the decision of the House.

I recognize that there are some who wish to expand the area of the Federal law to extend notification to other products. I am sure such proposals will receive careful consideration. However, my proposal is concerned only with margarine, and I urge it be kept separate and distinct, and on its own merits. The margarine law, itself, should not be modified to include other products. It is a very special law, and there are basic differences between margarine and other products which are generally classed as nondairy or imitation.

First. Margarine is a food with a long-established Federal definition and standard of identity. The products usually referred to as nondairy or imitation have no such legal basis. Margarine is in law and in modern acceptance not nondairy or imitation but margarine or oleomargarine. This is an important distinction in consumer law and should be maintained.

Second. Margarine is a staple food in wide use for many years. Its form, packaging, and functions are relatively simple and clearcut. The terms "nondairy" or "imitation" are blanket terms to cover a considerable variety of products. They are completely different from margarine in form and function. Their consumption importance is not comparable.

Third. Margarine notification is well founded in Federal and in most State laws. The product itself is the subject of special laws in most States which spell out labeling, packaging, composition, and other aspects in detail. There is no such comparable body of regulatory law for these and other products. State laws in this area are difficult to rationalize in a uniform sense; they appear to range from outright prohibitions to ordinary regulatory measures. Perhaps this subject deserves more study before any Federal legislation is enacted. At any event, to bracket such products with margarine in Federal law is to introduce complexity and possibly confusion.

For these reasons I earnestly urge those who wish to propose regulation of these other products to keep them separate from the margarine law. They will receive careful consideration as a separate subject, which indeed they are.

This bill is a simple, technical change which has three objectives: First, to provide better consumer protection by making the law easier to comply with and to enforce, second, to simplify in one respect the burden of regulations on our expanding and important eating-out industry, and third, to encourage uniformity in Federal and State regulation in this area.

Mr. President, I ask unanimous consent that certain portions of Report No. 91–1526 issued September 29, 1970, from the House Committee on Interstate and Foreign Commerce concerning H.R. 12061 be printed in the RECORD, together with the bill I now introduce.

The PRESIDING OFFICER (Mr. CHILES). The bill will be received and appropriately referred; and, without objection, the bill and portions of the report will be printed in the RECORD.

The bill (S. 438) to amend the Federal Food, Drug, and Cosmetic Act, and for other purposes, introduced by Mr. HOLLINGS, was received, read twice by its title, referred to the Commitee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 438

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 407(c) of the Federal Food, Drug, and Cosmetic Act, as amended (21 U.S.C. 347(c)), is amended by deleting the language thereof and substituting the following:

"(c) No person shall serve colored oleomargarine or colored margarine at a public eating place, whether or not any charge is made therefor, unless (1) a notice that oleomargarine or margarine is served is displayed prominently and conspicuously in such place and in such manner as to render it likely to be read and understood by the ordinary individual being served in such eating place, or (2) a notice that oleomargarine or margarine is served is printed or is otherwise set forth on the menu in type or lettering not smaller than that normally used to designate the serving of other food items, or (3) each separate serving bears or is accompanied by labeling identifying it as oleomargarine or margarine."

The material presented by Mr. HOLLINGS is as follows:

OLEOMARGARINE IDENTIFICATION IN PUBLIC EATING PLACES

The Committee on Interstate and Foreign Commerce, to whom was referred the bill (H.R. 12061) to amend the Federal Food, Drug, and Cosmetic Act, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Page 2, beginning on line 8, strike out ", or (4) each separate serving thereof is triangular in shape".

PURPOSE OF LEGISLATION

The purpose of this legislation is to provide for adequate notice to patrons of public eating places that colored oleomargarine is being served.

CHANGES IN EXISTING LAW

Under the existing provisions of Section 407(c) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 237(c)), a public eating place is required to give dual notice that colored oleomargarine is being served. (1) The restaurant must display either a conspicuous sign stating that colored margarine is served or have a statement on the menu to that effect, and (2) the establishment must also mark each individual serving of colored oleomargarine or cut each individual serving into triangular shapes.

The bill does not eliminate the Federal requirement of notification; it merely simplifies the required notification by replacing the present dual-notice requirement with a single-notice requirement.

COMMITTEE AMENDMENT

Your committee agrees that simplification of the notice requirement that colored oleomargarine is being served to customers in a public eating place is desirable. The present requirement of dual notice makes enforcement unnecessarily complicated and is not needed to adequately inform customers. It is also hoped that simplification of the Federal requirement will encourage uniformity among the various State laws on this subject.

The bill, as introduced, would have required a single notice to customers by any one of the four methods set forth in existing law. In the course of its deliberations, however, your committee concluded that servings of colored oleomargarine in triangular shape would not alone serve as adequate notice to the customer that oleomargarine was being served. Therefore, your committee amended

the bill to remove the fourth alternative type of notice.

The bill, as amended, provides that the notice to the customer that the eating establishment is serving colored oleomargarine should be given by any one of three methods: (1) a notice displayed prominently and conspicuously in the eating establishment and in such manner as to be likely read and understood; or (2) a notice on the menu set forth in type or lettering not smaller than that normally used to designate the serving of other food items; or (3) a label on each separate serving identifying it as oleomargarine.

HEARINGS

Hearings were conducted by the Subcommittee on Public Health and Welfare on August 10, 1970. All interested persons were given an opportunity to be heard and a number of additional statements in support of this legislation were filed for the record. All witnesses who testified or who submitted statements supported this legislation.

AGENCY REPORTS

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., February 10, 1970.

Hon. HARLEY O. STAGGERS,
Chairman, Committee on Interstate and Foreign Commerce, House of Representatives.

DEAR MR. CHAIRMAN: This is in reply to your request of June 13, 1969, for a report on H.R. 12061, a bill "To amend the Federal Food, Drug, and Cosmetic Act, and for other purposes."

This Department recommends that the bill be passed.

The bill provides for the identification of colored oleomargarine, when served at a public eating place, by:

1. A prominently displayed notice;
2. A notice on each menu;
3. A notice on each individual serving; or
4. Cutting individual servings into triangular shapes.

The present act requires identifying colored oleomargarine served in restaurants by:

1. A prominently displayed notice or a notice on each menu; and
2. A notice on each individual serving or by cutting individual servings into triangular shapes.

The bill would allow restaurants to use any one of the four identification options. We feel this is adequate to protect the public from being misled or deceived.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

J. PHIL CAMPBELL,
Under Secretary.

EXECUTIVE OFFICE OF THE PRESIDENT, BUREAU OF THE BUDGET,
Washington, D.C., February 4, 1970.

Hon. HARLEY O. STAGGERS,
Chairman, Committee on Interstate and Foreign Commerce, House of Representatives, Rayburn House Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: This in in response to your request for the views of the Bureau of the Budget on H.R. 12061, a bill "To amend the Federal Food, Drug, and Cosmetic Act, and for other purposes."

The bill would permit restaurants to give notice that oleomargarine is being served by one of four alternatives: (1) displaying a conspicuous notice; (2) printing a notice on the menu; (3) identifying each separate serving with a label; or (4) serving each portion in triangular shape. Section 407(c) of the Federal Food, Drug, and Cosmetic Act presently requires that notice be given by one of the first two alternatives and additionally by one of the second two alternatives.

Reports on H.R. 12061 are being forwarded to your committee by the Department of Agriculture, Commerce, and Health, Education, and Welfare.

In its report HEW indicates that any of the first three alternatives should adequately protect the consumer. It recommends, however, against the inclusion of the fourth alternative since it doubts that this option alone sufficiently informs the customer that he is being served oleomargarine.

We concur generally in the views of the Department of Health, Education, and Welfare on the bill.

Sincerely yours,

WILFRED H. ROMMEL,
Assistant Director for Legislative Reference.

DEPARTMENT OF COMMERCE,
OFFICE OF GENERAL COUNSEL,
Washington, D.C., March 23, 1970.

Hon. HARLEY O. STAGGERS,
Chairman, Committee on Interstate and Foreign Commerce, House of Representatives, Rayburn House Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: This is in further reply to your request for the views of this Department with respect to H.R. 12061, a bill to amend the Federal Food, Drug, and Cosmetic Act, and for other purposes.

H.R. 12061 would amend the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 347(c), as amended); that act presently requires the server to identify colored oleomargarine or margarine served at a public eating place by following two of the four identification methods specified in the act. Either a notice that oleomargarine or margarine is served must be prominently and conspicuously displayed or this information must be printed on the menu. In addition, the margarine or oleomargarine must either be labeled as such or be served in a triangular pat shape. These provisions were enacted as part of the so-called 1950 oleomargarine amendments to the Federal Food, Drug, and Cosmetic Act to protect the consumer from having margarine substituted for butter with no identification of the substitution provided (U.S. v. 856 cases, labeled "Demi", D.C.N.Y., 1966, 254 F. Supp. 57). H.R. 12061 would require a server to comply with only one of these four provisions, rather than a combination of two of the four.

The Department of Commerce has no objection in the enactment of H.R. 12061.

We understand that there is less concern today than previously as to the need for identifying oleomargarine and margarine in a public eating place. The use of margarine has reached an increasingly high degree of acceptance by the consuming public because of such considerations as price, improvement in the product, and the belief that margarine has a lower cholesterol count than butter.

The extent to which public eating places would choose to use the triangular shape for margarine pats as the sole means of identification is difficult to determine. (This is the only one of the four alternatives that does not identify margarine in writing.) Consumers, as yet, may not be generally aware that the triangular shape of pats signifies margarine.

On balance, however, we believe that requiring notification by any of the four alternatives should afford reasonable protection to those persons who wish to know if margarine rather than butter is being served.

We have been advised by the Bureau of the Budget that there would be no objection to the submission of this report from the standpoint of the administration's program.

Sincerely,

JAMES T. LYNN,
General Counsel.

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
Washington, D.C., February 20, 1970.

Hon. HARLEY O. STAGGERS,
Chairman, Committee on Interstate and Foreign Commerce, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This letter is in response to your request of June 13, 1969, for a report on H.R. 12061, a bill "To amend the Federal Food, Drug, and Cosmetic Act" concerning the serving of oleomargarine in public eating places.

This bill would provide that no person shall serve colored oleomargarine or colored margarine at a public eating place, regardless of whether there is a charge, unless (1) a notice that oleomargarine or margarine is served is displayed conspicuously, or (2) a notice that oleomargarine or margarine is served as set forth in the menu in type not smaller than that used to list other food items, or (3) each separate serving bears or is accompanied by labeling identifying it as oleomargarine or margarine, or (4) each separate serving is triangular in shape.

Section 407 of the Federal Food, Drug, and Cosmetic Act presently requires a dual notice to restaurant customers that margarine is served. A restaurant may use either a conspicuous sign or a menu statement, in conjunction with either serving portions with labeling identifying the article as margarine or serving portions which are triangular in shape.

H.R. 12061 would amend the Act to permit restaurants to choose any one of the four ways stated above to give notice that margarine is served, rather than the two options now required.

We would have no objection to amending the Act to require only a single notice in restaurants that margarine is served. A prominently displayed sign, a conspicuous notice in the menu, or labeling stamped on or accompanying individual portions should adequately protect the customer against deception. However, we would recommend against inclusion of the fourth option, i.e., serving individual portions which are triangular in shape. We doubt that this option alone sufficiently informs the customer that he is being served margarine.

We are advised by the Bureau of the Budget that there is no objection to presentation of this report from the standpoint of the Administration program.

Sincerely,

ROBERT H. FINCH,
Secretary.

S. 440—INTRODUCTION OF A BILL TO INCREASE EARNINGS ALLOWED WITHOUT PENALTY TO SOCIAL SECURITY BENEFITS

Mr. CHILES. Mr. President, my face-to-face contact with many thousands of people in my home State of Florida, a State with a large number of retirees, has strongly reinforced my conviction that we must increase the amount of money an individual may earn without being penalized on his social security payments. I am convinced this situation has reached the critical stage for our elderly citizens. Therefore, I am introducing today a bill which would allow an annuitant to earn $3,000 per year, as compared to the present amount of only $1,680, without suffering deduction from his benefits. I would hope we could act expeditiously on this matter in the interest of our senior citizens.

It seems to me that our present requirements severely discourage people

from working who want to work and need to work. It is difficult, if not impossible, for our retirees to exist on their small fixed incomes. It is not fair to ask them to forfeit the social security benefits they have earned; it is not fair to suffer the indignity of living without even the necessities. We cannot ignore the fact that while these people have only small fixed incomes, today's living costs continue to spiral.

Another factor of almost equal importance is that these restrictions on social security earnings are causing us to lose valuable talents that could benefit business and industry and discourage the concept of self-sufficiency, a concept we should be encouraging in every possible way.

Mr. President, the bill I am introducing is intended to at least ease these conditions. It is little enough that we allow our elderly to work at an honest job and earn up to $250 per month without losing some of their social security benefits. It is my sincere and earnest hope that this legislation will gain necessary attention from and action by my colleagues to provide deserved relief for our senior citizens.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 440) to amend title II of the Social Security Act to increase the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title, introduced by Mr. CHILES, was received, read twice by its title and referred to the Committee on Finance.

S. 446—INTRODUCTION OF A BILL TO ESTABLISH THE NATIONAL ADVISORY COMMITTEE ON THE OCEANS AND ATMOSPHERE

Mr. HOLLINGS. Mr. President, I am introducing today a bill to establish a National Advisory Committee on the Oceans and Atmosphere. This bill would establish a committee of 21 members, to be appointed by the President and drawn from State and local government, industry, science, and other appropriate areas. Members would serve 3-year terms. The committee would undertake a continuing review of marine and atmospheric science and service programs of the United States, advising the Secretary of Commerce with respect to the program's purpose of the National Oceanic and Atmospheric Administration. My bill calls for an annual report to the President assessing the status of the Nation's marine and atmospheric activities. And if the President requests, other reports may be submitted by the Committee from time to time.

Mr. President, the National Oceanic and Atmospheric Administration was established pursuant to Reorganization Plan No. 4 of 1970, and came into effect on October 3, 1970. NOAA brings together the principal civilian agencies of the Federal Government involved with increasing our knowledge and use of the marine environment and its resources. While the recommendation for such an agency originated with the Commission on Marine Science, Engineering, and Resources, it is to the special credit of the Nixon administration that they saw the worth of the recommendation and took the action to put it into effect.

In submitting his Reorganization Plan No. 4, the President recognized the importance of establishing an advisory group to NOAA. The President stated that, upon approval of Reorganization Plan No. 4 he would request the Secretary of Commerce to establish a National Advisory Committee on the Oceans and the Atmosphere. Those of us in the Senate and the House of Representatives who have been supporting the efforts to create a strong national oceanic and atmospheric program have felt that the Advisory Committee should have a statutory foundation, and that the members of the committee should be appointed by the President in order to attract men of the highest caliber and professional qualifications. The bill that I introduce has been endorsed by the administration. It has been drafted in a spirit of bipartisan cooperation to insure the enactment of legislation that will fulfill the recommendations of the Commission on Marine Science, Engineering, and Resources and of President Nixon.

Mr. President, this Nation's involvement in the oceans is a partnership between many elements of government, both Federal, State, and local, of industry, conservation interests, and many other private organizations. Each is contributing substantially to the fulfillment of the promise of the oceans, each has a significant role to play in the future. The National Advisory Committee will provide a mechanism for interchange of views between the Federal Government and the broad national marine community. Periodic appointment of new members at 3-year intervals will insure that fresh ideas are available to the Secretary of Commerce and to the National Oceanic and Atmospheric Administration. The establishment of NOAA and the Advisory Committee is a first step toward a coordinated national oceanic and atmospheric program which promises to pay great dividends for the United States.

The PRESIDING OFFICER (Mr. CHILES). The bill will be received and appropriately referred.

The bill (S. 446) to establish the National Advisory Committee on the Oceans and Atmosphere, introduced by Mr. HOLLINGS, was received, read twice by its title, and referred to the Committee on Commerce.

S. 453—INTRODUCTION OF A BILL TO ACCORD TO THE TRUST TERRITORY OF THE PACIFIC ISLANDS THE SAME TARIFF TREATMENT AS IS PROVIDED FOR INSULAR POSSESSIONS

Mr. INOUYE. Mr. President, the neglect of our responsibilities to the citizens of the Trust Territory of the Pacific Islands has been a shameful chapter in our history. Their welfare has been entrusted to the United States, but except for recent periods of concern, their needs have been ignored and forgotten.

We have a special obligation to the inhabitants of the Trust Territory of the Pacific. Under a United Nations mandate, we are responsible for the welfare of the people there. Many, if not most, Americans are probably unaware that the United States even has a trusteeship for this vast area. Fewer still know that we have not fulfilled our fiduciary responsibilities in a manner that befits the wealthiest and most powerful nation in the world. The economy of the scattered islands is poorly developed, as are educational and sanitation facilities.

As a first step to remedy that situation, I am today introducing a bill to exempt most goods of the trust territory from the tariffs and duties now imposed on such goods entering the United States from this area. American Samoa, Guam, and the Virgin Islands currently enjoy tariff preferences for the entry of their goods into the United States. A proposal to treat the trust territory similarly has been made in previous Congresses but has always failed to be enacted. Equal treatment for the people of the trust territory is long overdue, and I urge expeditious consideration of this bill.

The trust territory has few duties, and these apply only to specific commodities such as tobacco, liquors, and petroleum. Of the $13,572,052 imported into the trust territory in fiscal year 1968, the American share was approximately 50 percent. Trade is not a one-way street, and reciprocal treatment of trust territory products is only just.

Concern in the past has been expressed about the possibility that tariff preference areas will become an assembly point for foreign produced goods, thereby giving them an advantageous position in the American market. To prevent this, the bill would provide for a 50 percent foreign materials limitation on the duty free goods imported into the United States. Similar restrictions exist on goods imported from Guam and the Virgin Islands.

We can demonstrate our intent to fulfill our obligation to the people of these islands and to end the neglect which has marred our past relationship. The time to act is now.

The PRESIDING OFFICER (Mr. CHILES). The bill will be received and appropriately referred.

The bill (S. 453) to amend the Tariff Schedules of the United States to accord to the Trust Territory of the Pacific Islands the same tariff treatment as is provided for insular possessions of the United States introduced by Mr. INOUYE, was received, read twice by its title and referred to the Committee on Finance.

S. 455—INTRODUCTION OF A BILL TO ALLOW A DEDUCTION FROM GROSS INCOME FOR CERTAIN EXPENSES INCURRED IN THE ADOPTION OF A CHILD

Mr. INOUYE. Mr. President, today I am introducing for appropriate reference a bill that would permit a taxpayer who adopts a child to receive a deduction from gross income for the medical, legal, and other expenses incurred in the adoption process to a maximum of $1,000.

This bill is being introduced to equalize tax treatment of parents who expend funds in having children. Natural parents are allowed a deduction on all medical expenses in having a baby. However, a taxpayer who adopts a child may not treat his expenses in a similar manner. Enactment of this bill would only be a matter of equity.

Under this bill, the taxpayer may deduct up to $1,000 for expenses incurred in accordance with applicable State or Federal laws. These include social or adoption agency fees, court costs, attorney's fees, and other necessary expenses. In some cases these costs can be prohibitive; 10 percent of income is not unusual. For young families these expenses can be sufficient to deter adoption since they usually face other financial obligations.

In addition to equitable tax treatment, this bill would also have the desirable effect of encouraging adoptions. On the whole, the number of adoptions lags behind the number of children available. This problem is particularly serious among minority groups. By increasing the number of adoptions, we can also relieve city and State adoption agencies of the high costs of raising a child in foster homes or institutions.

This measure is a companion bill to that introduced by Representative CLEMENT ZABLOCKI. The bill has received the endorsement of numerous adoption agencies throughout the Nation. I hope that Congress gives this bill serious study and favorable consideration in this session.

The PRESIDING OFFICER (Mr. CHILES). The bill will be received and appropriately referred.

The bill (S. 455) to amend the Internal Revenue Code of 1954 to allow a deduction from gross income for social agency, legal, and related expenses incurred in connection with the adoption of a child by the taxpayer, introduced by Mr. INOUYE, was received, read by its title, and referred to the Committee on Finance.

S. 460, S. 461, AND S. 462—INTRODUCTION OF BILLS RELATING TO THE TERRITORY OF GUAM

Mr. INOUYE. Mr. President, the territory of Guam has been a U.S. possession since 1898 and became an organized, unincorporated territory in 1950, when Congress enacted the Guam Organic Act. At that time Guamanians became U.S. citizens and were granted certain powers of self-government. A 21-member unicameral legislature biennially elected at large, passes laws on local matters. However, Guam does not have a Representative in the U.S. Congress, although it does have an official, elected representative to serve as a liaison between the people of the territory and the Congress. In November 1970 the citizens of Guam voted for their first popularly elected Governor and Lieutenant Governor.

All these events have been evidence of the growing political maturity of Guam. I am happy to see that increasing attention and assistance are given to Guam, but the people of Guam are still being denied the benefit of a number of laws which other citizens of the United States enjoy. The people of Hawaii can understand well the difficulties which Guamanians face, for we also labored for many years under the burdens placed upon us as inhabitants of a territory.

Today I am introducing three bills to correct a number of inequities Guam's citizens face. The first bill would provide for a Territorial Deputy to represent Guam in the House of Representatives. The Deputy must be 25 or older, a qualified voter of Guam, a resident of the territory for at least 5 years prior to the election. Furthermore, he may not be a candidate for any other office at the election in which he seeks election as Deputy and may not have been convicted of a felony unless he has received a pardon. Guam's Deputy would receive the same privileges of the Resident Commissioner for Puerto Rico except for staff size and staff salaries. I believe that it is only just for citizens of the United States to have representation in the Congress which passes the fundamental laws by which their lives are governed.

My second bill would extend to Guam the provisions of the Davis-Bacon Act. This act provides that laborers and mechanics employed on the construction or repair of public buildings of the United States and the District of Columbia be paid what is known as the prevailing wage in the area. This bill would include the territory of Guam under the coverage of this act. When both Hawaii and Alaska were territories, the provisions of the Davis-Bacon Act were extended to them in June 1940. The workingmen of Guam deserve no less consideration from the Congress.

My third bill would include Guam under the national unemployment compensation program that is administered by the Federal Government. Hawaii and Alaska benefited from this act at the start of the program. I have received a petition from the 10th Guam Legislature requesting that Guam be included under this program. The cost of this measure to the Federal Government will be minimal since the employers and employees of Guam would pay into the fund and benefits would not be received until 2 years after the date of the first collections.

I hope that the Congress will move rapidly to consider these long overdue bills.

The PRESIDING OFFICER (Mr. CHILES). The bills will be received and appropriately referred.

The bills were received, read twice by their titles and referred as follows:

S. 460. A bill to provide that the unincorporated territory of Guam shall be represented in Congress by a Territorial Deputy to the House of Representatives; to the Committee on Interior and Insular Affairs.

S. 461. A bill to require the payment of prevailing rates of wages on Federal public works on Guam; to the Committee on Labor and Public Welfare.

S. 462. A bill to include Guam within the purview of the Federal Unemployment Tax Act and related provisions of the Social Security Act; to the Committee on Finance.

S. 473—INTRODUCTION OF A BILL TO EXTEND THE AUTOMOBILE DISCLOSURE ACT TO THE TERRITORIES AND POSSESSIONS OF THE UNITED STATES

Mr. INOUYE. Mr. President, today I am reintroducing a bill to extend the provisions of the Automobile Disclosure Act to the territories and possessions of the United States: the Trust Territory of the Pacific Islands; American Samoa; Guam; the Virgin Islands; and Puerto Rico.

The Automobile Disclosure Act of 1958 requires the manufacturer of a new automobile, prior to the delivery of any new automobile, to attach a label to the windshield of the automobile with certain price data concerning the particular automobile. One required piece of information, for example, is the suggested retail price of the automobile. Other information includes the suggested retail price of optional equipment and shipping costs. This law has been in effect since 1958 for all 50 States and the District of Columbia. The bill that I am introducing today would extend this labeling requirement to those cars sold in the U.S. territories and possessions.

Many residents of these noncontiguous territories have contacted me to urge that such legislation be adopted. The legislature of Guam has adopted a resolution requesting the Congress to extend the provisions of this Automobile Disclosure Act to Guam. The Governors of the Commonwealth of Puerto Rico and the Virgin Islands have also expressed to me their support of the legislation.

Last year the Committee on Commerce received a favorable report from the Department of Transportation, which endorsed the objective of the legislation.

I believe that the citizens of these areas are entitled to the same protection and information as their counterparts in the 50 States. Although no action was taken in 1970, I hope that my bill will receive expeditious action in the current Congress.

The PRESIDING OFFICER (Mr. CHILES). The bill will be received and appropriately referred.

The bill (S. 473) to amend the Automobile Information Disclosure Act to make its provisions applicable to the possessions of the United States, introduced by Mr. INOUYE, was received, read twice by its title and referred to the Committee on Commerce.

S. 476—INTRODUCTION OF THE DRUG IDENTIFICATION ACT OF 1971

Mr. NELSON. Mr. President, today I am reintroducing legislation which I first proposed in October of 1969, to establish a uniform coding system for all prescription drugs to make immediate identification of a drug possible in cases of accidental or intentional overdose.

This measure was introduced in the 91st Congress as S. 3096. Prior to this first introduction such a plan had been endorsed by the then Secretary of Health, Education, and Welfare, Robert Finch,

after he had reviewed a blue ribbon report on prescription drugs.

I am now happy to see that this concept was also specifically endorsed by President Nixon in his first special message to the 92d Congress on January 26, 1971. It is my hope that these and other bipartisan expressions on behalf of this legislation, combined with the widespread public support which exists for the concept of drug identification, will insure that this subject receives early consideration in the new Congress.

Immediate identification of a drug could mean the difference between life and death when a young child or mentally disturbed person takes an accidental or intentional overdose.

Symbols and numbers should be imprinted on each and every drug today to tell what drug it is, who made it and what strength it is.

The National Drug Identification Act would require all prescription drugs—tablets and capsules—to bear a specific designation assigned by the U.S. Department of Health, Education, and Welfare to indicate the name of the drug, the name of the manufacturer, the dosage and the manufacturer's lot number.

With an identifying code on every tablet and capsule, proper treatment or antidote could be administered without delay in case of an overdose.

The tremendous increase in the number of different drugs now being dispensed to the American public clearly points to the need for a national system of drug identification. When different dosage forms are included in the count, the number of prescription drugs now available comes to approximately 21,000.

The code system which I am proposing would make it possible for a physician to identify a drug prescribed by another physician in a different city or State and could help in avoiding potential errors or substitution in medication.

Hospitals and nursing homes would benefit by being able to collect already distributed but unconsumed drugs and return them to their pharmacies for future use.

Several large pharmaceutical companies have already initiated coding systems by stamping designations on individual tablets and capsules.

Drug firms could use the coding system to facilitate the recall of unsafe or ineffective drugs, as well as improving information on sales, marketing, and standardizing designations for prepaid plans, insurance claims, welfare programs, and data processing.

Under this plan, a comprehensive drug code index would be compiled by the Department of Health, Education, and Welfare and distributed to hospitals, nursing homes, poison control centers, State and local health departments, physicians, and pharmacists. The Department has already begun implementation of a voluntary drug code system, which could form the basis for this expanded drug identification plan.

I ask unanimous consent that the bill be printed in the RECORD.

The PRESIDING OFFICER (Mr. CHILES). The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 476) A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to provide for an identification system for prescription drugs for human use, introduced by Mr. NELSON, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 476

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Drug Identification Act of 1971."

DECLARATION OF POLICY

SEC. 2. For the purpose of protecting the public health the Congress hereby finds and declares that there is a vital need to provide for the ready identification of prescription drugs in order to facilitate drug recalls and prevent drug mixups. Identification of drugs is also necessary so that the proper treatment when such drugs are accidentally ingested. Clear and distinct coding of prescription drugs in interstate commerce without the corresponding identification of drugs in intrastate commerce would seriously depress and burden interstate commerce in drugs. Therefore the Congress further finds and declares that the identification of drugs in intrastate commerce is necessary to make the identification of drugs in interstate commerce effective.

SEC. 3. The Federal Food, Drug, and Cosmetic Act is amended by inserting after section 503 the following new section:

"IDENTIFICATION CODE FOR PRESCRIPTION DRUGS

"SEC. 504. (a) All drugs subject to section 503(b)(1) of this Act shall individually bear a logotype, symbol, or other identifying mark which shall be conspicuously and legibly placed on such drug and clearly identifying the manufacturer, compounder, processor, or other source of such drug. Such manufacturer, compounder, processor, or other source of such drugs shall register such logotype, symbol, or other identifying mark with the Secretary. The Secretary may refuse to register or revoke such registration if such logotype, symbol, or other identifying mark does not, in the opinion of the Secretary, clearly identify the source of such drug.

"(b) In order to prevent drug mixups, facilitate drug recalls, and provide for the ready identification of drugs accidentally ingested by children so that the proper antidote or treatment can be quickly administered, all drugs subject to section 503(b)(1) of this Act shall individually bear in a conspicuous manner, a code, which if known, would show the identity of the particular drug, and the strength (dosage form) of such drug. Such code shall use only numbers or letters (or any combination thereof) in accordance with regulations which the Secretary is hereby authorized to promulgate.

"(c) The Secretary may, pursuant to regulations, establish a uniform code or system of coding for the purposes of this section and may require registration and advance approval of a code prior to its use in accordance with this section.

"(d) The Secretary may, pursuant to regulation, when he deems it to be in the public interest, require that the code also identify the particular lot from which the drug was manufactured in addition to the information required in subsection (b) of this section.

"(e) The manufacturer (or other source) of a drug subject to section 503(b)(1) of this Act shall make available upon request to all persons licensed to administer or dispense such drugs an index of the code required pursuant to this section which shall list the drugs, strength (dosage form) or any other information the code may be required to identify pursuant to this section which such numbers, letters (or combination thereof) represent.

"(f) The index to the code required to be made available shall identify the trade name and established name (as defined in section 502(e)(2) of this Act) of the drug together with the applicable code numbers, letters or combination thereof.

"(g) Registration of a logotype, symbol, or other identifying mark, or an identification code (including coding for manufacturing lot numbers) as required pursuant to this section or regulations promulgated under this section shall be registered (together with an index to such code as required pursuant to subsection (e) of this section) with the Secretary as an appendix to the registration required under section 510 of this Act, unless the Secretary shall designate otherwise.

"(h) No person shall manufacture, process, sell, deliver, or otherwise dispose of any drug subject to section 503(b)(1) of this Act which does not bear (1) a logotype, symbol, or other identifying mark which is properly registered with the Secretary pursuant to subsection (a) of this section, and (2) a code of numbers, letters (or any combination thereof) which shall identify the source, name, and manufacturing lot number of such drug as required under this section.

"(i) No person shall manufacture, process, sell, deliver, or otherwise dispose of any drug which is marked with a code, if the numbers, letters (or combinations thereof) which are used do not correspond with the designation for such product in the index of such code.

"(j) The Secretary shall exempt from the operation of this section (1) drugs in liquid or ointment form and (2) any other drugs or class of drugs if it is impracticable for such drug to bear an identifying mark or code because of the size, composition, or other relevant aspect of such drug: *Provided,* That no exemption shall be granted under this section if, in the opinion of the Secretary, such exemptions would be inconsistent with the protection of the public health.

"(k) The Secretary may authorize manufacturers, compounders, and processors of drugs subject to section 503(b)(1) of this Act to comply with this section by placing the logotype, symbol, or other identifying mark and the coding required by this section on individual packets or packages containing no more than one capsule or tablet.

SEC. 4. (a) Section 301 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 331) is amended by adding at the end thereof the following:

"(r) The manufacture, compounding, processing, sale, delivery, or other disposition of a drug in violation of section 504."

(b) Section 502 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 352) is amended by adding at the end thereof the following:

"(p) If it is a drug subject to section 503(b)(1) of this Act and fails to bear a logotype, symbol, or other identifying mark or an identification code in accordance with the provisions of section 504 of this Act."

SEC. 5. Section 301(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 331(0)) is amended by inserting "(1)" immediately after "(o)" and adding at the end thereof the following:

"(2) In the case of a drug subject to section 503(b)(1) of this Act which is distributed or offered for sale in interstate commerce, the failure of the manufacturer, packer, or distributor thereof to maintain for transmittal, or to transmit, to any person licensed by applicable State law to admin-

ister or dispense such drug a copy of an index to the code required pursuant to section 504 of this Act, if such person has made a written request for such index."

S. 477—INTRODUCTION OF A BILL RELATING TO TRANSFER OF LAND BETWEEN THE STATE OF TEXAS AND THE DEPARTMENT OF THE ARMY

Mr. COOK. Mr. President, on behalf of the Senator from Texas (Mr. TOWER), I am introducing a bill to give authority to the Secretary of the Army to transfer certain land in the city of El Paso, Tex., to the State of Texas. I ask unanimous consent that a statement, prepared by the Senator from Texas (Mr. TOWER) be printed in the RECORD, together with a letter from Mr. Harry B. Kelton, Director, Texas National Guard Armory Board, explaining this transaction.

The PRESIDING OFFICER (Mr. CASE). The bill will be received and appropriately referred; and, without objection, the statement and letter will be printed in the RECORD.

The bill (S. 477) to authorize the Secretary of the Army, or his designee, to convey to the State of Texas certain lands at the Fort Bliss Military Reservation in exchange for certain other lands, introduced by Mr. COOK (for Mr. TOWER), was received, read twice by its title, and referred to the Committee on Armed Services.

The statement and letter are as follows:

STATEMENT BY MR. TOWER ON TRANSFER OF LAND BETWEEN THE STATE OF TEXAS AND THE DEPARTMENT OF THE ARMY

Mr. President, I am sponsoring today a measure which would give authority to the Secretary of the Army to transfer certain land in the City of El Paso, Texas, constituting part of Fort Bliss, to the State of Texas in return for a similar piece of land near the Fort Bliss area. I have been assured that this language is agreed upon by the Secretary of the Army and the proper authorities in the State of Texas. The terms of the transfer are succinctly stated in the measure, and the needs of the United States Army are adequately safeguarded.

This measure is designed to improve the facilities and the capabilities of Fort Bliss, the Texas National Guard, as well as the City of El Paso itself. This measure has been preagreed to by the concerned parties, and it is my hope that the Senate will be able to proceed to an early consideration of this request. I thank the Senators for their attention.

TEXAS NATIONAL GUARD
ARMORY BOARD,
Austin, Tex., December 18, 1970.

Re: Request for Land Exchange, Fort Bliss, Texas

Hon. JOHN TOWER,
United States Senate,
Washington, D.C.

DEAR SENATOR TOWER: On 15 July 1970, the Commanding General, Fort Bliss, initiated a request, which has been forwarded through military channels to the Secretary of the Army, concerning an exchange of land consisting of 20 acres on Fort Bliss for some 18.275 acres of property owned by this Board in near downtown El Paso, adjacent to Fort Bliss.

It is our understanding all intermediate headquarters have approved the exchange and the matter is being held in the office, Chief of Engineers, pending approval of Congressional Armed Services Committees (since the values of the lands exceed $50,000.00).

This is to request your assistance in expediting the forwarding and early Congressional consideration of the land exchange in view of the fact that we have plans approved for the construction of a new armory on one of the two sites, depending on the Committees' actions, and expect Federal matching construction funds in the immediate future. See attached copy of National Guard Bureau letter.

Incidentally, the 18.275 acres the Army would acquire from this Board is a part of a 25-acre tract, and the remaining six acres are to be conveyed to the City of El Paso for an important City-State-Federal freeway. If the exchange is not considered favorably, and it would then become necessary to build the armory on the present site, this Board may be forced to require the City to provide a very expensive access to the freeway before it would agree to the highway conveyance.

It has been our experience in matters of this urgency that interest usually is generated by a Congressional inquiry. Therefore, this is to suggest contact with the office, Chief of Engineers, as mentioned above.

Thanking you in advance, I am

Sincerely yours,

HARRY B. KELTON,
Director.

SENATE JOINT RESOLUTION 20—INTRODUCTION OF A JOINT RESOLUTION TO REPEAL THE MILITARY SELECTIVE SERVICE ACT OF 1967

Mr. HATFIELD. Mr. President, yesterday I introduced legislation which if passed would repeal the Military Selective Service Act of 1967. However, there was a misprint in the legislation, so I would like at this time to reintroduce the joint resolution in its correct form. In order that there be as little misunderstanding as possible, I ask unanimous consent that the proposal be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER (Mr. CHILES). The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 20) repealing the Military Selective Service Act of 1967, introduced by Mr. HATFIELD (for himself and other Senators), was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the RECORD, as follows:

S.J. RES. 20

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Military Selective Service Act of 1967, as amended, is repealed effective December 31, 1971.

ADDITIONAL COSPONSORS OF A BILL

S. 31

At the request of the Senator from Wisconsin (Mr. NELSON) the names of the Senator from Minnesota (Mr. HUMPHREY) and the Senator from Connecticut (Mr. RIBICOFF) were added as cosponsors of S. 31, to provide during times of high unemployment for programs of public service employment for unemployed persons, to assist States and local communities in providing needed public services, and for other purposes.

SENATE RESOLUTION 20—SUBMISSION OF A RESOLUTION TO APPOINT MINORITY MEMBERS TO THE STANDING COMMITTEES

Mr. SCOTT submitted a resolution (S. Res. 20) to appoint minority Members to the standing committees, which was considered and agreed to.

(The remarks of Mr. SCOTT when he submitted the resolution appear earlier in the RECORD under the appropriate heading.)

SENATE RESOLUTION 21—ORIGINAL RESOLUTION REPORTED TO PROVIDE ADDITIONAL FUNDS FOR THE COMMITTEE ON POST OFFICE AND CIVIL SERVICE

Mr. MANSFIELD (for Mr. MCGEE), from the Committee on Post Office and Civil Service, reported the following original resolution (S. Res. 21); which was referred to the Committee on Rules and Administration:

S. RES. 21

Resolved, That in holding hearings, reporting such hearings, and making investigations as authorized by sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, the Committee on Post Office and Civil Service, or any subcommittee thereof, is authorized from February 1, 1971, through February 29, 1972, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government Department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such Department or agency

SEC. 2. The expenses of the Committee under this resolution shall not exceed $225,000.

SEC. 3. The Committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 29, 1972.

SEC. 4. Expenses of the Committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the Committee.

SENATE RESOLUTION 22—ORIGINAL RESOLUTION REPORTED AUTHORIZING ADDITIONAL EXPENDITURES BY THE COMMITTEE ON PUBLIC WORKS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that I may be permitted to report on behalf of my able senior colleague (Mr. RANDOLPH) from the Committee on Public Works, a resolution authorizing additional expenditures by the Committee on Public Works for inquiries and investigations.

The PRESIDING OFFICER (Mr. CHILES). The report will be received.

The resolution (S. Res. 22), which reads as follows, was referred to the Committee on Rules and Administration:

S. RES. 22

Resolved, That, in holding hearings, reporting such hearings, and making investigations as authorized by sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, in accordance with its jurisdiction under Rule XXV of the Stand-

ing Rules of the Senate, the Committee on Public Works, or any subcommittee thereof, is authorized from February 1, 1971, through February 29, 1972, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

SEC. 2. The expenses of the committee under this resolution shall not exceed $600,000, of which amount not to exceed $32,000 shall be available for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202 (i) of the Legislative Reorganization Act as amended).

SEC. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 29th, 1972.

SEC. 4. Expenses of the Committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the Chairman of the Committee.

SENATE RESOLUTION 23—SUBMISSION OF A RESOLUTION CONTINUING, AND AUTHORIZING ADDITIONAL EXPENDITURES BY, THE SELECT COMMITTEE ON NUTRITION AND HUMAN NEEDS

Mr. McGOVERN. Mr. President, I send to the desk a resolution authorizing expenditures and continuing the Select Committee on Nutrition and Human Needs. Yesterday the select committee voted unanimously, by a vote of 9 to 0, to offer this resolution.

In order to expedite consideration of the resolution, I have conferred with the chairman and the ranking minority member of the Committee on Labor and Public Welfare. With their approval, and without establishing a precedent under the procedures of the Senate, and with clearance of the leadership on both sides, I ask unanimous consent that the resolution be referred directly to the Committee on Rules and Administration.

The PRESIDING OFFICER (Mr. CHILES) Is there objection? Without objection, it is so ordered.

The resolution (S. Res. 23), which reads as follows, was referred to the Committee on Rules and Administration, by unanimous consent:

S. RES. 23

Resolved, That the Select Committee on Nutrition and Human Needs, established by S. Res. 281, Ninetieth Congress, agreed to on July 30, 1968, as amended and supplemented, is hereby extended through February 29, 1972.

SEC. 2. (a) In studying matters pertaining to the lack of food, medical assistance, and other related necessities of life and health, the Select Committee on Nutrition and Human Needs is authorized from February 1, 1971, through February 29, 1972, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, (3) to subpena witnesses and documents, (4) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel, information, and facilities of any such department or agency, (5) to procure the temporary services (not in excess of one year) or intermittent services of individual consultants, or organizations thereof, in the same manner and under the same conditions as a standing committee of the Senate may procure such services under section 202(i) of the Legislative Reorganization Act of 1946, (6) to interview employees of the Federal, State, and local governments and other individuals, and (7) to take depositions and other testimony.

(b) The minority shall receive fair consideration in the appointment of staff personnel pursuant to this resolution. Such personnel assigned to the minority shall be accorded equitable treatment with respect to the fixing of salary rates, the assignment of facilities, and the accessibility of committee records.

SEC. 3. The expenses of the committee under this resolution shall not exceed $280,000, of which amount not to exceed $10,000 shall be available for the procurement of the services of individual consultants or organization thereof.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

SENATE RESOLUTION 24—ORIGINAL RESOLUTION REPORTED AUTHORIZING ADDITIONAL EXPENDITURES BY THE COMMITTEE ON THE DISTRICT OF COLUMBIA FOR INQUIRIES AND INVESTIGATIONS

Mr. EAGLETON, from the Committee on the District of Columbia, reported the following original resolution (S. Res. 24); which was referred to the Committee on Rules and Administration:

S. RES. 24

Resolved, That, in holding hearings, reporting such hearings, and making investigations as authorized by sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, the Committee on the District of Columbia, or any subcommittee thereof, is authorized from February 1, 1971, through February 29, 1972, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

SEC. 2. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 29, 1972.

SEC. 3. Expenses of the committee under this resolution, which shall not exceed $155,850, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

SENATE RESOLUTION 25—SUBMISSION OF A RESOLUTION AUTHORIZING ADDITIONAL EXPENDITURES BY THE COMMITTEE ON COMMERCE FOR INQUIRIES AND INVESTIGATIONS

Mr. HART (for Mr. MAGNUSON) submitted the following resolution (S. Res. 25); which was referred to the Committee on Commerce:

S. RES. 25

Resolved, That, in holding hearings, reporting such hearings, and making investigations as authorized by sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, the Committee on Commerce, or any subcommittee thereof, is authorized from February 1, 1971, through February 29, 1972, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

SEC. 2. The expenses of the committee under this resolution shall not exceed $———, of which amount (1) not to exceed $——— shall be available for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $——— shall be available for the training of the professional staff of such committee, or any subcommittee thereof (under procedures specified by section 202(j) of such Act).

SEC. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 29, 1972.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

SENATE RESOLUTION 26—SUBMISSION OF A RESOLUTION TO PROVIDE FOR A STUDY OF MATTERS PERTAINING TO FOREIGN POLICY OF THE UNITED STATES BY THE COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT submitted the following resolution (S. Res. 26); which was referred to the Committee on Foreign Relations:

S. RES. 26

Resolved, That, in holding hearings, reporting such hearings, and making investigations as authorized by sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, the Committee on Foreign Relations, or any subcommittee thereof, is authorized from February 1, 1971, through February 29, 1972, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

SEC. 2. The expenses of the committee under this resolution shall not exceed $———, of which amount (1) not to exceed $——— shall be available for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202 (i) of the Legislative Reorganization Act of 1946, as amended); and (2) not to exceed $——— shall be available for the training of the professional staff of such committee, or any subcommittee thereof (under procedures specified by section 202(j) of such Act).

SEC. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 29, 1972.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

SENATE RESOLUTION 27—SUBMISSION OF A RESOLUTION CONTINUING, AND AUTHORIZING ADDITIONAL EXPENDITURE BY, THE SPECIAL COMMITTEE ON AGING

Mr. CHURCH submitted the following resolution (S. Res. 27); which was referred to the Committee on Rules and Administration:

S. RES. 27

Resolved, That the Special Committee on Aging, established by S. Res. 33, Eighty-seventh Congress, agreed to on February 13, 1961, as amended and supplemented, is hereby extended through February 29, 1972.

SEC. 2. (a) The committee shall make a full and complete study and investigation of any and all matters pertaining to problems and opportunities of older people, including but not limited to, problems and opportunities of maintaining health, of assuring adequate income, of finding employment, of engaging in productive and rewarding activity, of securing proper housing, and when necessary, of obtaining care or assistance. No proposed legislation shall be referred to such committee, and such committee shall not have power to report by bill or otherwise have legislative jurisdiction.

(b) A majority of the members of the committee or any subcommittee thereof shall constitute a quorum for the transaction of business, except that a lesser number, to be fixed by the committee, shall constitute a quorum for the purpose of taking sworn testimony.

SEC. 3. (a) For purposes of this resolution, the committee is authorized from February 1, 1971, through February 29, 1972, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to hold hearings, (3) to sit and act at any time or place during the sessions, recesses, and adjournment periods of the Senate, (4) to require by subpena or otherwise the attendance of witnesses and the production of correspondence, books, papers, and documents, (5) to administer oaths, (6) to take testimony orally or by deposition, (7) to employ personnel, (8) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel, information, and facilities of any such department or agency, and (9) to procure the temporary services (not in excess of one year) or intermittent services of individual consultants, or organizations thereof, in the same manner and under the same conditions as a standing committee of the Senate may procure such services under section 202(i) of the Legislative Reorganization Act of 1946.

(b) The minority shall receive fair consideration in the appointment of staff personnel pursuant to this resolution. Such personnel assigned to the minority shall be accorded equitable treatment with respect to the fixing of salary rates, the assignment of facilities, and the accessibility of committee records.

SEC. 4. The expenses of the committee under this resolution shall not exceed $380,000, of which amount not to exceed $17,000 shall be available for the procurement of the services of individual consultants or organizations thereof.

SEC. 5. The committee shall report the results of its study and investigation, together with such recommendations as it may deem advisable, to the Senate at the earliest practicable date, but not later than February 29, 1972. The committee shall cease to exist at the close of business on February 29, 1972.

SEC. 6. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

SENATE RESOLUTION 28—SUBMISSION OF A RESOLUTION AUTHORIZING ADDITIONAL EXPENDITURES BY THE COMMITTEE ON RULES AND ADMINISTRATION FOR A STUDY OF MATTERS RELATING TO PRIVILEGES AND ELECTIONS

Mr. BYRD of West Virginia (for Mr. CANNON) submitted a resolution (S. Res. 28), authorizing additional expenditures by the Committee on Rules and Administration for a study of matters relating to privileges and elections, which was referred to the Committee on Rules and Administration.

(The remarks of Mr. BYRD of West Virginia when he submitted the resolution appear later in the RECORD under the appropriate heading.)

EXTENSION OF PERIOD FOR TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, how much time remains under the previous order for the transaction of routine morning business?

The PRESIDING OFFICER. About 2 minutes.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the period for the transaction of routine morning business, with statements therein limited to 3 minutes, be extended for an additional 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION FOR SENATORS TO SUBMIT NAMES OF COSPONSORS OF BILLS AND RESOLUTIONS AT THE DESK

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, for the remainder of the first session of the 92d Congress, all Senators may be authorized to submit names of cosponsors of bills and resolutions at the desk without having to make such request from the floor.

The PRESIDING OFFICER (Mr. CHILES). Is there objection? The Chair hears none, and it is so ordered.

ORDER FOR RECOGNITION OF MAJORITY LEADER AND MINORITY LEADER IN EACH DAILY SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that during the remainder of the first session of the 92d Congress, immediately following disposition of the reading of the Journal in each daily session there be 3 minutes set aside for the recognition of the majority leader and 3 minutes set aside for the recognition of the minority leader, or those acting on their behalf, if they so desire, prior to the recognition of other Senators.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, my request anent recognition of the majority and minority leaders at the beginning of each daily session is made with their approval.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. McGOVERN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS OF SENATORS

APOLLO 14

Mr. COTTON. Mr. President, on Sunday, the attention of all the world will be focused again on Cape Kennedy, where three courageous American astronauts will be rocketed into orbit aboard Apollo 14 for a flight to the moon.

The prayers and hopes of people everywhere go with Navy Capt. Alan B. Shepard, Navy Comdr. Edgar D. Mitchell, and Air Force Maj. Stuart A. Roosa, who are privileged to embark upon one of mankind's greatest adventures. All of the preparations and all of the scientific knowledge in the world cannot take away from the fact that they do this at great personal risk.

I feel certain that the State of Texas and the community of Hereford are, indeed, proud of their native son, Commander Mitchell.

I am equally confident that the State of Colorado is as proud of Major Roosa, the man from Durango.

And finally, this I can convey with absolute assurance. There are no bounds to the pride the State of New Hampshire and the community of Derry have in Alan Shepard.

That is the subject to which I will address myself today.

It is an appropriate quirk of destiny that New Hampshire, which opened the gate to American independence 200 years ago, also provided the native son who opened the whole universe to these United States. Alan Shepard was the Nation's first man in space. On May 5, 1961, he soared into the atmosphere aboard Freedom 7, a vehicle which, by today's standards, probably is considered horse and buggy. His ride was a short one—15 minutes—and he traveled only 302 miles.

He exclaimed: "Boy, what a ride!"

As months passed and space science and space vehicles became more sophisticated, Americans wondered what had become of Alan Shepard. They were disturbed to learn that he had developed an ear infection and had been sidelined. There were reports that he never would fly in a space vehicle again. Somehow, it seemed he deserved more than that.

They can tell you something about persistence in the Granite State—and Alan Shepard is a true native son. For 9 productive but painfully frustrating years, the man who had pioneered space for the Nation stayed with the program, contributing to other flights from the ground but biding his time in an often forlorn hope of one more space journey. He became America's oldest astronaut.

Now Alan Shepard's impossible dream is about to come true. His health has returned and on Sunday he will be in command of Apollo 14—destination, the moon. If I may echo his own comment made 9 years ago,

Boy, what a ride!

Today, on behalf of the State of New Hampshire—and all America—I salute Alan Shepard, a man whose dedication and determination inspire the world.

My hopes for smooth sailing go out to Apollo 14 and its crew and I join in earnest prayer for their safe return.

THE CALIFORNIA RURAL LEGAL ASSISTANCE PROGRAM

Mr. MANSFIELD. Mr. President, the decision on whether the California rural legal assistance program is to continue is imminent. I believe that the record of this organization and the services that have been provided to the rural poor by it have been described as exemplary by members of the California bar. When the legal services program was established by the Congress, its purpose was to provide the same type of legal assistance to the poor which can be readily afforded by the rich. There should be no inhibition on the part of those providing these services as to the type of case they may bring to protect the rights of the poor; this should be especially true if a State agency is abridging the rights of an individual and an appropriate civil remedy is available; if the wealthy could under the circumstance bring a civil action against the State, the poor should have that remedy as well. The California rural legal assistance program on occasion has provided such a service.

I strongly urge and hope that a decision will be made by the administration to continue to provide these services and to fund the California rural legal assistance program. At a time when the institutions of our society are being questioned by a growing segment of the population, it is organizations such as the legal services program which bring a new dimension of viability to our legal institutions. To deny that added dimension at this time can only be considered regressive.

THE PRESIDENT'S BUDGET PENTAGON SPENDING

Mr. HART. Mr. President, while the President's budget which we received today may include several innovations, it appears to be business as usual when it comes to Pentagon spending.

Those who might have thought the Nation was approaching a turn of the corner of military spending will find little to encourage them in the new budget.

The administration seeks $77.5 billion in Pentagon-related spending—up about $1 billion.

Equally disturbing, the administration request for new Pentagon spending authority—authority which influences spending in future years—is up about $6 billion to $80 billion.

We will be told that as a percentage of the total budget, Pentagon spending is decreasing, and that in light of inflation, the Pentagon budget request for an increase is modest indeed.

Those arguments would have more merit if all our pressing domestic needs were being met. That, of course, is not the case.

Those arguments would have more merit if the Nation did not possess already an overkill capacity and if there had not been so many cases of waste involved in the process of creating that overkill.

Those arguments would have more merit if the Nation were not in the process of winding down its costly military involvement in Southeast Asia—at least I pray that is still our policy.

It now appears that any "peace bonus" resulting from our withdrawal from Southeast Asia is going into the Pentagon rather than the domestic budget. In other words, the $1 billion increase in the overall Pentagon budget represents only a portion of the increase in non-Vietnam Pentagon spending.

And the argument that inflation justifies an increase in the Pentagon budget might have more merit if Pentagon spending were not so inflationary.

Speaking of the proposed budget deficit, the President said:

The full employment budget idea is in the nature of a self-fulfilling prophecy: By operating as if we were at full employment, we will help to bring about that full employment.

I have no argument with that statement, but the concept of self-fulfilling prophecies should not be used selectively.

The contention that inflation justifies an increase in Pentagon spending also is an idea in the nature of a self-fulfilling prophecy: By continuing to expand Pentagon spending we continue to expand the most inflationary type of Government spending which in turn creates a new justification for an inflation-induced increase in the Pentagon budget next year.

Mr. President, just in terms of the economy, a dollar spent on Pentagon hardware adds a dollar to the economy but no goods or services to the marketplace.

A dollar spent on education helps prepare people for more productive employment; a dollar spent on renewal of our cities and our housing adds to a community's tax base; a dollar spent on improving the delivery of health care helps reduce the soaring cost of medical care.

Those are the areas into which we should put any Vietnam "peace bonus" and an even greater percentage of our resources.

Certainly we need an adequate Pentagon budget, but in determining the scope of such a budget, Congress should study the Pentagon requests as closely as it will study revenue-sharing proposals. Many of us intend to do just that.

LEGAL SERVICES FOR THE POOR

Mr. ALLOTT. Mr. President, among the many problems which have made people—in the President's words—"fed up" with Government are problems associated with misguided and sometimes illegal activities by persons involved in providing federally sponsored legal services for the poor. Fortunately, the Nixon doctrine for domestic affairs, outlined eloquently in the President's state of the Union address, points to the real source of the problem and to the most promising path to a solution.

Mr. President, it is now clear that there is a Nixon doctrine in domestic affairs as well as in foreign affairs.

In both kinds of affairs the purpose of the Nixon doctrine is to place responsibility and power where it belongs—in the hands of the local citizens and their local representatives. In foreign affairs the Nixon doctrine calls for helping determined people to solve their own problems, while avoiding commitments which require the U.S. Government to try the impossible task of solving all problems by itself.

In domestic affairs the Nixon doctrine calls for using Federal resources to enable local governments to solve problems at a local level.

As the President said in the state of the Union address:

The idea that a bureaucratic elite in Washington knows best what is best for people everywhere and that you cannot trust local governments is really a contention that you cannot trust the people to govern themselves.

With this statement, the President stated an enduring theme of Republican philosophy—the doctrine that that government is best which is closest to the people.

Mr. President, I want to urge that special priority be given to applying the Nixon doctrine in domestic affairs to the problem of reorganizing, and thereby improving legal services for the poor.

In Louisiana, in California, in Colorado, and in numerous other States the story is the same. There is a general feeling that the various federally sponsored legal services programs are not serving the poor with maximum efficiency.

From every region in this Nation come reports that the efforts of some legal services offices are being misdirected, and sometimes used in ways that are patently contrary to the letter and intent of the law.

There is enough smoke of criticism and dissatisfaction to indicate that there is a fire of real abuse in the legal services operation. For this reason I urge the Office of Economic Opportunity to cooperate with Governors and other State and local officials in recasting the legal services programs along lines which reflect the best thinking of those officials who are closest to the problems in particular localities.

It is particularly important that we respect the wisdom and judgments of Governors in this matter. It would be most unfortunate if, with the eloquent words of the President still fresh in our minds, the Federal bureaucracy insisted on ignoring and overriding the recommendations of local officials who have become increasingly exasperated by the inefficiencies and abuses associated with certain facets of the legal services programs.

The central theme of the Nixon doctrine for domestic affairs is that it is time for the Federal Government to stop dictating and start listening to and learning from local leaders. I suggest that the place to begin applying the Nixon doctrine is in dealing with federally sponsored legal services.

SENATOR KENNEDY RESPONDS TO 1972 BUDGET PROPOSAL

Mr. KENNEDY. Mr. President, the hallmark of the new budget is the shadow of the 1972 election which hangs over it. In this case, at least, political necessity seems to be the mother of economic invention. The full employment budget is the result, and it represents an abject surrender of the game plan we have heard so much about in the last 2 years.

In fact, with only a $0.1 billion difference between proposed spending and full employment receipts, the President is pushing the concept of the full employment budget to the limit of its logic. The threat of a new round of inflation has become more ominous, and there is special urgency now in our repeated calls in Congress for the administration to adopt a realistic program of voluntary wage and price restraints.

I am also concerned over the harsh way in which the budget treats some of our most important domestic programs. Predictably, defense spending is reverting to its old upward habit. Vital urban programs are being cut to make way for revenue sharing. There is no move toward an innovative job and employment program. And, even the $1 billion increase proposed for health programs is an empty promise when we realize that the vast majority of the funds will go for uncontrollable costs in medicare and medicaid, instead of into realistic health reform.

I look forward to analyzing the details of the budget, but I am apprehensive that our important priorities are not being met.

DR. ROBERT M. WHITE

Mr. HOLLINGS. Mr. President, yesterday the President submitted the nominations of Dr. Robert M. White to be Administrator of the newly formed National Oceanic and Atmospheric Administration, Mr. Howard W. Pollock, former Congressman from Alaska to be Deputy Administrator of NOAA, and Dr. John W. Townsend, Jr., to be the Associate Administrator of NOAA.

I need not repeat to this body how important the oceans are to the United States. I have spoken about it frequently in the past year as we have tried to foster marine programs and strengthen our Federal administration of those programs. I am particularly pleased that the President has nominated Dr. White to be the first Administrator of the National Oceanic and Atmospheric Administration, and I want to compliment the President on his wise choice. Dr. White joined the Government as head of the Weather Bureau when my distinguished friend Luther Hodges was the Secretary of Commerce. When the Weather Bureau, the Coast and Geodetic Survey, and the Central Radio Propagation Laboratory were reorganized in 1965 to become the Environmental Science Services Administration, Dr. White was named its first Administrator. And an excellent Administrator he proved to be. As a member of the Commission on Marine Science, Engineering, and Resources he performed distinguished service, devoting long hours and providing much of the energy that led to that excellent blueprint for the future of marine programs, "Our Nation and the Sea." I wish to announce that the Committee on Commerce will hold confirmation hearings on these three nominations, as well as on that of Dr. James Wakelin to be Assistant Secretary of Commerce for Science and Technology, on Tuesday, February 9, beginning at 11 a.m.

Mr. President, the President has made a superb choice in nominating Dr. Robert White to be the first Administrator of NOAA. Now I hope the Administration will support Dr. White's budgetary requests for a strong, innovative program of marine science and services.

THE 53D ANNIVERSARY OBSERVANCE OF THE INDEPENDENCE OF THE UKRAINE

Mr. DOMINICK. Mr. President, despite the suffering and subjugation which resulted from World War I, it was a time for countries such as the Ukraine to break the chains which had held numerous nationality groups under alien regimes in their homelands in eastern and central Europe. On January 22, 1918, the Russian czar was overthrown, and the Ukrainian leaders proclaimed their independence, bringing into existence the Ukrainian National Republic.

From its beginning, the new Republic was faced with serious threats and difficulties, the most severe of these being the Communist government in the Kremlin. Freedom for the 40 million Ukrainians was short-lived, as they were soon beset with a series of invasions and raids on their rich natural resources from Germany, Austria-Hungary, France, Poland, and finally the Soviet Union. In November 1922, the Republic bowed to Russian control, and since that time, the country has been effectively sealed off from the main stream of the world. Today, the desire for independence survives through the efforts of the Congress of the Organization of Ukrainian Nationalists who are celebrating the 53d anniversary of the independence of the Ukraine.

It is hard for those of us who live in a free land to believe that such examples of colonialism and subjugation of nationalities can exist. To Americans, suppression and colonialism have become anachronistic terms in an enlightened age. Yet the Ukrainian struggle for independence demonstrates vividly the plight of many of our Eastern European neighbors.

No government can turn its back on the denial of human rights to any people or nation, nor can we remain indifferent as we see native cultures, languages, and intellectual leadership systematically eradicated. For this reason, I am glad to join with my colleagues in saluting the courage and drive of the Ukrainian people who still celebrate their brief rise to independence in hopes that once again they may realize their goal of freedom.

URBAN COALITION PREPARES ALTERNATIVE NATIONAL BUDGET

Mr. PROXMIRE. Mr. President, this morning we have received the President's budget message. It is a very comprehensive message which will require careful study. I am sure we will have many questions about it and doubtless some disagreements.

FULL EMPLOYMENT BUDGET CONCEPT

There is one respect in which we already know that the President's budget accepts a concept which economists and the Joint Economic Committee have been advocating for over 2 decades. This is in its use of the full employment budget concept as an analytic tool. For some 20 years or more, the Joint Economic Committee has urged the use of a full employment budget concept. By this is meant the examination of revenues and expenditures as they would be if the economy were at full employment. This year these estimates have been included in the budget document. This is an important step forward. One of its main features is that it places a ceiling on expenditures.

This week the Joint Economic Committee heard testimony regarding another document which I consider historic. Mr. Sol Linowitz, the chairman of the National Urban Coalition, appeared before the committee and described the alternative budget formulation which the coalition is preparing. In preparing this document, the coalition has consulted with urban leaders throughout the country and found out what they think our budget priorities should be. Their full budget document will be available in a week or two.

When the Urban Coalition's budget becomes available, we will have for the first time an explicit and carefully spelled out alternative to the President's budget. This is precisely the type of framework for choice which the Joint Economic Committee has worked so hard to promote through its extensive studies of national priorities. This framework will enable us to choose systematically between alternative patterns for use of limited Federal resources. This will be an immense help in promoting an orderly annual assessment of our spending priorities.

DEFENSE CUT ADVOCATED

The main outlines of the Urban Coalition's budget are included in Mr. Linowitz' testimony this week before the Joint Economic Committee. He projects both our needs and our resources for 5 years ahead. One important conclusion that he reaches is that a $20 billion cut in defense spending is both possible and desirable within the next 5 years. The Urban Coalition did not pick this number out of a hat. It was developed in consultation with outstanding experts, including several former high Defense De-

partment officials. Their assessment of our real national security requirements will be invaluable.

I ask unanimous consent to have Mr. Linowitz' testimony before the Joint Economic Committee printed in the RECORD. I hope every Member of Congress will study it, and I hope every Member of Congress will also obtain and study the Urban Coalition's full budget when it becomes available.

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

STATEMENT OF SOL M. LINOWITZ

Mr. Chairman, I welcome this opportunity to appear before your Committee and to participate in the Committee's continuing efforts to discover more democratic and rational procedures for making public choices. Your hearings have helped stimulate a long overdue reexamination of the ways in which we govern ourselves.

The dominant theme to emerge from the recent period of American critical self-analysis has been the call for a systematic formulation of national priorities. Increasingly, it has been recognized that rational government decision-making is impossible without clearly stated goals and priorities to guide resource allocation.

From its inception in the riot-torn summer of 1967, the National Urban Coalition emphasized this need for explicit consideration of where we wish to go as a nation. The Coalition's original statement of purpose expressed the conviction that reordered national priorities were a prerequisite to the achievement of the Coalition's principal objectives: the restoration of America's deteriorating cities and the reunification of our divided society.

More than three years have elapsed since that declaration. Both the Johnson and Nixon Administrations have endorsed the call for an open and systematic review of the nation's priorities. And the great majority of public interest organizations in this country have reaffirmed those endorsements.

But very little has happened.

Instead of producing reordered national priorities, this avalanche of talk has produced more talk.

Instead of becoming a guide to new public decision-making processes, the call for new priorities has become a fashionable cliche.

Everyone has been quick to brandish the phrase "reorder national priorities" when pressed about his or her program for solving America's problems. But no one has yet demonstrated how to transform this slogan into substantive public policy changes.

Our failure to move beyond rhetoric stems from repeated attempts to define national goals in the abstract rather than in terms of the public resources required to achieve those goals. Resources are limited; choices must be made; and priorities are therefore necessary.

In short, if future talk of new priorities is to serve as more than balm for social conscience, we must apply it to our single most important instrument for relating goals to scarce resources: the national budget.

Defining national priorities without reference to the national budget is like trying to interpret a constitution without reference to the institution it is to govern. Nothing is left but platitudes, empty rhetoric which everyone accepts but which has no real meaning.

Confusing the demand for change with the substance of change leads to a politics of incantation. It is a politics that relies on the repetition of general demands rather than concrete plans for allocating public resources to produce desired social change.

And not surprisingly, the result has been the frustration, disillusionment and despair we have witnessed in recent years.

To escape this rhetorical dead end, the National Urban Coalition embarked on a project never before attempted by a non-governmental organization—the effort to construct a comprehensive alternative federal budget matching revenue and expenditures for each of the next five years.

Our main purpose was to demonstrate how resources would have to be reallocated both within the federal budget and between the private and public sectors to accomplish our goal of making the cities better places in which to live.

But this was not our sole purpose for undertaking this ambitious project. We also wanted to focus attention on two fundamental flaws in the present budget-making process which interfere with the re-ordering of national priorities.

The first is what might best be called the "let's-see-what-we-gave-them - last - year-and-give-them-a-little-more-this-year" approach. Encrusted in the fragmented committee system of Congress, this approach to marking up each successive federal budget makes major resource reallocations by the legislative branch virtually impossible. Congress today can do little more than tinker with bits and pieces of the budget handed to it by the Administration.

The second flaw is the lack of public participation in the budget process.

Both the executive branch's federal budget proposal and the Congress' appropriations response are written behind closed doors. America's most important public decisions are reached in secret—implying that the public is either not sufficiently competent or trustworthy to have a say in such critical national choices.

Recent opinion polls published by Louis Harris reveal that the American public, in fact, does hold views which ought to play a prominent part in setting public priorities.

For example, 61% of all Americans would like to see less federal money spent for national defense and the space program; only 14% want more resources devoted to these areas. Yet spending for both is expected to increase in the President's forthcoming budget.

Twice as many Americans oppose cutting funds for anti-poverty programs than favor cuts. Yet there are indications that there may be sizeable cutbacks in the war on poverty.

Why then should public officials be surprised at the fact that a growing number of citizens feel alienated from their government?

In composing its alternative federal budget, the Urban Coalition sought to demonstrate on a microcosmic level how the budget process could be opened to broad public participation.

Our constituents—the members of the Coalition—were actively involved every step of the way. They initiated, rejected, revised and reexamined. No goal or concommitant allocation of resources was adopted without their careful scrutiny. Draft after draft was discussed at length with leaders representing business, labor, local government. Blacks, Mexican-Americans, American Indians, White ethnic groups, religion, education, youth, women, local Urban Coalitions, and social-welfare organizations. On January 11, the National Urban Coalition Steering Committee culminated these months of deliberation by approving a statement of national priorities setting forth six major goals to pursue between now and 1976:

To achieve full employment with a high level of economic growth and reasonable price stability—all of our other policy goals depend upon it.

To provide all citizens with an equal opportunity to participate in American society and in the shaping of governmental decisions affecting their lives.

To guarantee that no American will go without the basic necessities: food, shelter, health care, a healthy environment, personal safety, and an adequate income.

To rectify the imbalance in revenues between the federal government and state-and-local government.

To assure adequate national security against military threats from abroad.

To meet our obligations to assist in the economic development of the world's lesser developed nations.

Within the next two weeks the complete version of this alternative budget will be ready for release. I would be pleased to provide a copy to the Committee at that time for possible inclusion in the record.

One central fact emerged from this budget-writing experience: *proposals for solving major national problems are useless unless advanced in the context of the realities of the American economy and the federal budget.*

For example, everyone concedes that the financial plight of our states and cities is a critical national problem: projections of the 1975 gap between state and local expenditure needs for providing high quality services and expected revenues range as high as $100 billion. And nearly everyone is prepared to place the provision of additional revenue to eliminate that gap high on the list of national priorities.

But unless this commendable "wish" to rescue our states and cities is followed by concrete proposals for reallocating public resources, nothing is accomplished. This, I might add, is why we have so little to show for our urban restoration efforts in recent years other than volumes of rhetoric and broken promises.

There are a number of possible strategies for filling this revenue gap expected by 1975. President Nixon suggested the broad outlines of one approach in his State of the Union message last Friday. He proposed a 25 percent increase in present federal aid to states and localities, with $5 billion of the total $7 billion in the form of "no-strings-attached" shared revenue distributed to states primarily on the basis of population.

Final judgment on the proposal will have to await the announcement of more details. The President's suggestions, properly structured, could provide an important element in a federal effort to fill the present revenue gap. I would like to outline briefly a more comprehensive strategy for the next five years based on the Coalition's alternative federal budget. For in order to deal with the fiscal problems of the states and cities on more than a piecemeal basis, a multi-year approach is necessary.

Economic growth is the first prerequisite of our strategy. If the economy returns to a full employment level by 1973 and stays there, state and local tax revenue under existing laws will increase by $6 billion a year as a result of increased corporate and personal income. As you know, state and local tax revenue registered no growth in 1970 as a result of the stagnating national economy.

Second, shifting certain present state and local expenditure responsibilities to the federal level would reduce the gap substantially. State and local spending for welfare and Medicaid will reach approximately $30 billion by 1975. Our alternative federal budget proposes a cash assistance program and a National Health Insurance program to replace the present welfare system and Medicaid respectively. Both of these programs would be financed entirely by the federal government.

This shifting of responsibilities would cut the revenue gap $30 billion by 1975.

Third, we believe the federal government can and should expand its grant-in-aid pro-

grams to the states and localities. Subtracting current federal expenditures for welfare and Medicaid—programs whose costs would be absorbed in the future by our cash assistance and National Health Insurance proposals—federal grants-in-aid now total $19 billion.

Our budget calls for increasing that total to $34 billion by 1975, a proposal which would reduce the projected 1975 revenue gap another $15 billion.

Fourth, a public service employment program such as the one recently vetoed by President Nixon represents another important form of fiscal relief. It would provide states and cities with the funds to train and hire employees needed to staff essential services state and local budgets cannot now support in areas of real demand such as health, education, police protection and pollution control.

We recommend a public service employment program by 1975 of 875,000 jobs at a cost to the federal government of $4 billion.

Implementing all of the above proposals would still leave a sizeable disparity between state and local expenditure needs and revenues in 1975 should the states and localities succeed in substantially increasing the quality of their services.

It is unrealistic to expect Washington to make good whatever difference remains even if federal resources of that magnitude were available. For Congress might understandably be hesitant to turn over huge sums of discretionary federal tax dollars without assuring they contribute to the achievement of nationally defined objectives.

Therefore it is highly probable that restoring fiscal health to state and local governments will require increased revenue-raising efforts by these jurisdictions themselves. The federal government can help and encourage. But it cannot and should not do the job alone.

Accordingly, we are recommending two modest revenue sharing programs which will contribute to bridging the expenditure-revenue gap while providing incentives for states and cities to increase the yields from their own tax base:

The first is a general sharing plan to divide $5 billion in federal revenue among those states with graduated state income taxes. States without such a tax would be ineligible to receive any of these funds. Pass-through provisions to ensure the cities a fair share of the funds also would be mandatory.

The second program is one of general aid to education. It would provide the states and localities with an additional $4 billion by 1975. Like our general sharing plan, this education assistance would be tied to changes in state and local tax practices: under our proposal, states would have to assume at least 55% of combined state and local education costs to be eligible. This would have the dual effect of reducing the pressure on overburdened local property taxes while providing public education a tax base with greater growth potential.

Specifying the forms federal relief could take, however, is only half the task. Any responsible proposal for rescuing our states and cities from their financial duress must include a plan for raising the additional resources required for this fiscal relief as well as for the other expenditure increases we recommend in our budget.

To summarize, this additional revenue could be collected from the following four sources:

First: vigorous national economic growth which would produce additional federal tax revenues of nearly $75 billion between now and 1975.

Second: cuts in existing federal programs such as our recommendations to reduce the military budget $20 billion by 1975 and the agricultural subsidy program by $1 billion.

Third: elimination of inequities in the federal tax system.

And fourth: a federal 10% tax surcharge on personal and corporate income beginning in 1974 which, given our assumptions about economic growth and tax reform, would yield about $17 billion in additional federal revenues by 1975. Imposition of this surcharge would only make sense *after* we had returned to a full-employment economy and *after* reform had rendered the federal income tax graduated in reality as well as in theory.

Mr. Chairman, the content of this strategy is subject to debate. But the process for devising it is not.

Public problems cannot be attacked nationally except in terms of conflicting needs competing for limited resources. At the national level this means defining problems in the context of the entire federal budget; calculating expenditure decisions both in terms of available resources and spending alternatives.

Yet, as this Committee is well aware, Congress lacks a vantage point for such a comprehensive view. For at no time is the federal budget considered in its entirety on Capitol Hill.

Therefore, it is clear that a necessary condition for reordering national priorities must be the creation of appropriate structures in Congress for examining the budget as a whole.

Towards this end, the National Urban Coalition will welcome the opportunity to present our alternative budget in public sessions before the full Appropriations Committee of each house. If the members of this Committee believe it would be helpful to establish this precedent we would be pleased to have your assistance.

LEGAL VIEW OF THE GENOCIDE CONVENTION

Mr. PROXMIRE. Mr. President, on April 2, 1969, Senator J. WILLIAM FULBRIGHT, chairman of the Senate Foreign Relations Committee, indicated that in his view the committee could resume consideration of the Genocide Convention at any time the members wished. He noted:

The committee's disposition may be influenced if the American Bar Association were to recommend ratification.

On December 9, 1969, the Section on Individual Rights and Responsibilities of the American Bar Association, under Chairman Jerome J. Shestack, recommended that the ABA house of delegates enact a resolution calling for the ratification of the Genocide Convention by the Senate. The 41-page report which accompanied the resolution expanded on five major areas:

The Genocide Convention is a document of human liberty consistent with and in furtherance of the American tradition.

An international convention or treaty is the most suitable form of addressing the dangers of genocide.

The Genocide Convention properly focuses both on states, and on individuals.

The Genocide Convention is in all respects consistent with the Constitution, the laws and the ideals of the United States.

The Genocide Convention remains an issue of current importance.

On February 19, 1970, just a few days before the house of delegates of the American Bar Association was to vote on whether to change its position on the subject of ratification, President Nixon requested the Senate to renew its consideration of the Genocide Convention and to grant its advice and consent to ratification. The President asserted:

We should delay no longer in taking the final convincing step which would reaffirm that the United States remains as strongly opposed to the crime of genocide as ever. By giving its advice and consent to ratification of the Convention, the Senate of the United States will demonstrate unequivocally our country's desire to participate in the building of international order based on law and justice.

Secretary of State Rogers, in his report to the President on the Convention, recommended "an understanding to make clear that the U.S. Government understands and construes the words 'mental harm' appearing in article II(9b) of this Convention to mean permanent impairment of mental facilities."

Unfortunately, on February 23, 1970, the American Bar Association house of delegates voted, 130 to 126, to adhere to its 1949 position against Senate ratification of the Genocide Convention.

Meanwhile, the Senate Foreign Relations Committee took action to reconsider the Convention. A special subcommittee of the Genocide Convention, chaired by Senator FRANK CHURCH of Idaho, was appointed on March 20. The subcommittee held hearings on April 24 and April 27, 1970. In addition, hearings were briefly held on May 22, 1970.

It is my intent this morning to answer some of the particular questions and objections presented to the subcommittee as arguments against action on the Convention.

I would first like to quote an observation of my colleague from New York, Senator JAVITS, concerning this matter:

The protection of human rights is indeed a matter of international concern. The United States has shown that it agrees with this view by ratifying the World War II peace treaties, The United Nations Charter, the Slavery Convention of 1926, and more recently the Supplementary Convention on Slavery (1967) and the Supplementary Convention on Refugees (1968).

Charles Yost, U.S. Representative to the United Nations, testifying on April 24, 1970:

It is my strong belief that ratification of the Genocide Convention by the United States would substantially serve our national interest in two ways: First, by its impact on world opinion, and second, by its impact on world law.

It has been argued that under the Genocide Convention individuals as well as persons exercising governmental power would be subject to trial and punishment for offenses which have always been regarded as matters falling within the domestic jurisdiction of the various nations.

George H. Aldrich, Deputy Legal Adviser, Department of State, in a statement presented to the Genocide Convention Committee, replied in part to the above criticism:

I shall direct my comments to the types of acts the Convention deals with and to the ways in which such acts would be tried and punished.

In particular, the Ambassador wished to clear up any misunderstanding regarding extradition.

On the subject of U.S. interpretation and policy as regards extradition, he said:

United States law provides for extradition only when there is an extradition treaty in force. The Convention does not purport to be an extradition treaty. It would require only that the United States provide for extradition for genocide in new extradition treaties which we might negotiate or in revisions of existing extradition treaties.

Mr. Aldrich added that there are no such treaties now in existence in any country; that is, those countries making genocide an extraditable offense. He assured the committee that the United States would not negotiate such treaties until Congress had passed legislation making genocide a crime in the United States because it was our policy not to make an offense extraditable unless it is a crime in both states involved.

Another factor in any decision to negotiate an extradition treaty is whether the judicial process of the other country affords the persons who may be extradited a fair trial. Basic procedural protections have been built into the treaty at the beginning. For example:

(1) any extradition treaty will require the State requesting extradition to produce sufficient evidence to persuade both a United States Court and the Executive that the person sought would be held for trial under United States Law if the offense has been committed here;

(2) any extradition treaty will assure the person sought the right to the remedies and recourses provided by the law of the requested State (for example habeas corpus) and

(3) any extradition treaty will preclude extradition when the person sought is undergoing or has undergone trial in the United States for the same act.

Mr. Aldrich also pointed out that in reference to article VI, on the trying of persons accused of genocide in the state where the act was committed, that—

This provision contemplates the obligation of that State and does not exclude trial by other States having jurisdiction. The negotiating record of the Genocide Convention makes clear, in particular, that trial for acts committed in a foreign country could be held in the State of which the defendant is a national. We believe that the statute implementing the Convention should cover not only acts committed in the territory of the United States, but, in addition, acts committed anywhere by American Nationals.

In the event that a case is presented involving an American national before criminal proceedings have been initiated in the United States, we would reserve discretion to initiate proceedings ourselves, rather than extradite.

Furthermore, in answer to questioning concerning the policy of the Department of State on ratification of the convention and congressional passage of implementing legislation called for in article V of the convention, Mr. Aldrich referred the subcommittee of the intentions of the State Department, as enunciated in a letter to the chairman, Senator FRANK CHURCH, of May 22, 1970, as follows:

It is the Department's intention to recommend to the President that this instrument of ratification to the Genocide Convention not be signed, and if signed not to be deposited, until after implementing legislation for the Convention has been enacted.

The subcommittee chairman, Senator CHURCH, also pointed out some legal precedents which undertook to define and establish an international crime and the obligations assumed by each signatory to pass domestic law that would conform. The Convention of Slavery was cited and the State Department furnished for the record conventions to which the United States is a party and in which the United States has undertaken an international obligation to punish as certain crimes certain actions described therein. These included the four Geneva Conventions on Protection of War Victims (1949); the Convention for the Protection of Whaling (1935); the International Convention for the Prevention of Pollution of the Sea by Oil (1954); and the single Convention on Narcotic Drugs, (1961).

In summary, I would like to add the reply of the American Bar Association's Section of Individual Rights and Responsibilities:

One criticism of the Convention arose out of the possibility that under Article VI, a person accused of genocide could be tried by an international penal tribunal possibly without trial by jury and other safeguards to which a United States citizen is entitled under the Constitution. Again, the answer is simple. No such tribunal has been established. If one were established, parties to the Genocide Convention would have the option whether to accept its jurisdiction or not. For the United States, that option would have to be independently exercised through the Treaty Power, that is only with the advise and consent of the Senate by two-thirds vote.

Lastly, I sincerely doubt that a tribunal of International Law, set up under the auspices of the United Nations, would fail to have safeguards and protections inconsistent with the UN Charter or the Universal Declaration of Human Rights. In this sense, such a tribunal would undoubtedly be consistent with the American legacy of safeguarding each and every individual's sacred rights and liberties.

I again urge this body to ratify this extremely important document. Our failure to do so can only set back the noble concept of international law and world peace.

DEVELOPMENTS IN CAMBODIA

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed in the RECORD a compilation of statements by administration officials relating to developments in Cambodia which was prepared by the Library of Congress at the request of the Committee on Foreign Relations.

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

U.S. POLICY TOWARD CAMBODIA SINCE MARCH 1970

(Statements by President Nixon, Secretary of State Rogers, Secretary of Defense Laird)

1970, PRESIDENT RICHARD NIXON

March 21—News conference:

". . . we have . . . established relations on a temporary basis with the government which has been selected by the Parliament and will continue to deal with that government as long as it appears to be the government of the nation.

". . . we respect Cambodia's neutrality, We would hope that North Vietnam would take that same position in respecting its neutrality. And we hope that whatever government eventually prevails there, that it would recognize that the United States' interest is the protection of its neutrality."

April 30—Address to the Nation:

"Ten days ago . . . I announced a decision to withdraw an additional 150,000 Americans from Vietnam over the next year. I said then that I was making that decision despite our concern over increased enemy activity in Laos, in Cambodia, and in South Vietnam.

". . . I warned that if I concluded that increased enemy activity in any of these areas endangered the lives of Americans remaining in Vietnam, I would not hesitate to take strong and effective measures to deal with that situation.

"Despite that warning, North Vietnam has increased its military aggression in all these areas, and particularly in Cambodia. . . .

"American policy since [1954] has been to scrupuously respect the neutrality of the Cambodian people. . . .

"North Vietnam, however, has not respected that neutrality. . . .

". . . North Vietnam has occupied military sanctuaries all along the Cambodian frontier with South Vietnam . . . They are used for hit and run attacks on American and South Vietnamese forces in South Vietnam. . . .

"For 5 years, neither the United States nor South Vietnam has moved against these enemy sanctuaries because we did not wish to violate the territory of a neutral nation. Even after the Vietnamese Communists began to expand these sanctuaries 4 weeks ago, we counseled patience to our South Vietnamese allies and imposed restraints on our own commanders. . . .

"North Vietnam in the last 2 weeks has stripped away all pretense of respecting the sovereignty or the neutrality of Cambodia. Thousands of their soldiers are invading the country from the sanctuaries; they are encircling the capital of Phnom Penh. Coming from these sanctuaries, as you see here, they have moved into Cambodia and are encircling the capital.

"Cambodia, as a result of this, has sent out a call to the United States, to a number of other nations, for assistance. Because if this enemy effort succeeds, Cambodia would become a vast enemy staging area and a springboard for attacks on South Vietnam along 600 miles of frontier—a refuge where enemy troops could return from combat without fear of retaliation. . . .

"Now confronted with this situation, we have three options.

"First, we can do nothing. Well the ultimate result of that course of action is clear. . . .

"If North Vietnam also occupied this whole band in Cambodia, or the entire country, it would mean that South Vietnam was completely outflanked and the forces of Americans in this area, as well as the South Vietnamese, would be in an untenable military position.

"Our second choice is to provide massive military assistance to Cambodia itself. Now unfortunately, while we deeply sympathize with the plight of 7 million Cambodians whose country is being invaded, massive amounts of military assistance could not be rapidly and effectively utilized by the small Cambodian Army against the immediate threat.

"With other nations, we shall do our best to provide the small arms and other equipment which the Cambodian Army of 40,000 needs and can use for its defense. But the aid we will provide will be limited to the purpose of enabling Cambodia to defend its neutrality and not for the purpose of making it an active belligerent on one side or the other.

"Our third choice is to go to the heart of the trouble. That means cleaning out major

North Vietnamese and Vietcong occupied territories . . .

"Now faced with these three options, this is the decision I have made.

"In cooperation with the armed forces of South Vietnam, attacks are being launched this week to clean out major enemy sanctuaries on the Cambodian-Vietnam border.

"A major responsibility for the ground operations is being assumed by South Vietnamese forces. For example, the attacks in several areas, including the Parrot's Beak that I referred to a moment ago, are exclusively South Vietnamese ground operations under South Vietnamese command with the United States providing air and logistical support. . .

"Tonight, American and South Vietnamese units will attack the headquarters for the entire Communit military operation in South Vietnam. This key control center has been occupied by the North Vietnamese and Vietcong for 5 years in blatant violation of Cambodia's neutrality.

"This is not an invasion of Cambodia. The areas in which these attacks will be launched are completely occupied and controlled by North Vietnamese forces. Our purpose is not to occupy the areas. Once enemy forces are driven out of these sanctuaries and once their military supplies are destroyed, we will withdraw.

"These actions are in no way directed at the security interests of any nation . . .

"We take this action not for the purpose of expanding the war into Cambodia but for the purpose of ending the war in Vietnam and winning the just peace we all desire."

"I know that what I have done will accomplish the goals that they [those who protest] want. It will shorten this war. It will reduce American casualties. It will allow us to go forward with our withdrawal program . . . It will in my opinion serve the cause of a just peace in Vietnam. . . .

"I found that the action that the enemy had taken in Cambodia would leave the 240,000 Americans who would be there a year from now without many combat troops to help defend them, would leave them in an untenable position. That is why I had to act. . . .

Q. "Do the South Vietnamese abide by the same pull-out deadline as you have laid down for the American forces?"

The President. "No, they do not. I would expect that the South Vietnamese would come out approximately at the same time that we do because when we come out our logistical support and air support will also come out with them.

"The action actually is going faster than we had anticipated. The middle of next week the first units, American units, will come out. The end of next week the second group of American units will come out . . . Americans of all kinds, including advisers, will be out of Cambodia by the end of June. . . .

". . . it is my belief, based on what we have accomplished to date, that we have bought at least 6 months and probably 8 months of time for the training of the ARVN, the Army of South Vietnam. We have also saved, I think, hundreds, if not thousands, of Americans . . . by buying time, it means that if the enemy does come back into those sanctuaries next time, the South Vietnamese will be strong enough and well trained enough to handle it alone.

"I should point out too, that they are handling a majority of the assignment now in terms of manpower.

Q. "What is your policy toward Cambodia's future?"

The President. "The United States is, of course, interested in the future of Cambodia. . . . However, the United States, as I indicated in what is called the Guam or Nixon Doctrine, cannot take the responsibility and should not take the responsibility in the future to send American men in to defend the neutrality of countries that are unable to defend themselves.

"In this area, what we have to do is to go down the diplomatic trail . . . [to find] methods through which the neutrality of countries like Cambodia and Laos, who cannot possibly defend themselves, to see that that neutrality is guaranteed without having the intervention of foreign forces."

June 3—Report to the Nation:

". . . Between April 20 and April 30, Communist forces launched a series of attacks against a number of key cities in neutral Cambodia. Their objective was unmistakable—to link together bases they had maintained in Cambodia for 5 years in violation of Cambodian neutrality. . . .

"This posed an unacceptable threat to our remaining forces in South Vietnam. . . .

"I directed that American troops join the South Vietnamese in destroying these major enemy bases along the Cambodian frontier. . . .

"As of today I can report that all of our major military objectives have been achieved. . . .

"General Abrams advises me that 17,000 of the 31,000 Americans who entered Cambodia have already returned to Vietnam. The remainder will return by the end of this month. This includes all American air support, logistics, and military advisory personnel.

"The only remaining American activity in Cambodia after July 1 will be air missions to interdict the movement of enemy troops and material where I find that is necessary to protect the lives and security of our men in South Vietnam.

"Our discussions with the South Vietnamese Government indicate that their primary objective remains the security of South Vietnam, and that their activity in Cambodia in the future—after their withdrawal from the sanctuaries—will be determined by the actions of the enemy in Cambodia.

"When this operation was announced, the critics charged that it would increase American casualties, that it would widen the war, that it would lengthen our involvement, that it might postpone troop withdrawals. But the operation was undertaken for precisely the opposite reasons—and it has had precisely the opposite effect. . . .

". . . Sixty percent of all the troops involved in the Cambodian operations were South Vietnamese. The effectiveness, the skill, the valor with which they fought far exceeded our expectations. Confidence and morale in the South Vietnamese Army has been greatly bolstered. This operation has clearly demonstrated that our Vietnamization program is succeeding. . . .

"Secretary Rogers and I have been particularly encouraged by the resolve of 11 Asian countries at the Djakarta Conference to seek a solution to the problem of Cambodia. Cambodia offers an opportunity for these 11 Asian nations, as well as other countries of the area, to cooperate in supporting the Cambodian Government's effort to maintain Cambodia's neutrality, its independence, and its territorial integrity. We shall do what we can to make it possible for these Asian initiatives to succeed."

June 30—Report by the President:

"Together with the South Vietnamese, the Armed Forces of the United States have just completed successfully the destruction of enemy base areas along the Cambodian-South Vietnam frontier. All American troops have withdrawn from Cambodia on the schedule announced at the start of the operation.

"The allied sweeps into the North Vietnamese and Vietcong base areas along the Cambodian-South Vietnamese border:

Will save American and allied lives in the future;

Will assure that the withdrawal of American troops from South Vietnam can proceed on schedule;

Will enable our program of Vietnamization to continue on its current timetable;

Should enhance the prospects for a just peace. . . .

"In assessing the April 30 decision to move against the North Vietnamese and Viet Cong sanctuaries in Cambodia, four basic facts must be remembered.

"It was North Vietnam—not we—which brought the Vietnam War into Cambodia. . . .

"It was the presence of North Vietnamese troops on Cambodian soil that contributed to the downfall of Prince Sihanouk. . . .

"It was the government appointed by Prince Sihanouk and ratified by the Cambodian National Assembly—not a group of usurpers—which overthrew him with the approval of the National Assembly. . . .

"It was the major expansion of enemy activity in Cambodia that ultimately caused allied troops to end five years of restraint and attack the Communist base areas. . . .

"The prospect suddenly loomed of Cambodia's becoming virtually one large base area for attack anywhere into South Vietnam along the 600 miles of the Cambodian frontier. . . .

"We thus faced a rapidly changing military situation from that which existed on April 20. . . .

"Our military response to the enemy's escalation was measured in every respect. It was a limited operation for a limited period of time with limited objectives. . . .

"We have eliminated an immediate threat to our forces and to the security of South Vietnam—and produced the prospect of fewer American casualties in the future. . . .

"We have ended the concept of Cambodian sanctuaries, immune from attack, upon which the enemy military had relied for five years. . . .

"Now that our ground forces and our logistic and advisory personnel have all been withdrawn, what will be our future policy for Cambodia?

"The following will be the guidelines of our policy in Cambodia:

1. There will be no U.S. ground personnel in Cambodia except for the regular staff of our Embassy in Phnom Penh.

2. There will be no U.S. advisers with Cambodian units.

3. We will conduct—with the approval of the Cambodian Government—air interdiction missions against the enemy efforts to move supplies and personnel through Cambodia toward South Vietnam and to reestablish base areas relevant to the war in Vietnam. We do this to protect our forces in South Vietnam.

4. We will turn over material captured in the base areas in Cambodia to the Cambodian Government to help it defend its neutrality and independence.

5. We will provide military assistance to the Cambodian Government in the form of small arms and relatively unsophisticated equipment in types and quantities suitable for their army. To date we have supplied about $5 million of these items principally in the form of small arms, mortars, trucks, aircraft parts, communications equipment and medical supplies.

6. We will encourage other countries of the region to give diplomatic support to the independence and neutrality of Cambodia. We welcome the efforts of the Djakarta group of countries to mobilize world opinion and encourage Asian cooperation to this end.

7. We will encourage and support the efforts of third countries who wish to furnish Cambodia with troops or material. We applaud the efforts of Asian nations to help Cambodia preserve its neutrality and independence. . . .

"Our understanding of Saigon's intentions is as follows:

1. South Vietnamese forces remain ready to prevent reestablishment of base areas along South Vietnam's frontier.

2. South Vietnamese forces will remain ready to assist in the evacuation of Viet-

namese civilians and to respond selectively to appeals from the Cambodian Government should North Vietnamese aggression make this necessary.

3. Most of these operations will be launched from within South Vietnam. There will be no U.S. air or logistics support. There will not be U.S. advisers on these operations.

4. The great majority of South Vietnamese forces are to leave Cambodia.

5. The primary objective of the South Vietnamese remains Vietnamization within their country. Whatever actions are taken in Cambodia will be consistent with this objective. . . ."

July 1—Television interview:

Q. "Do you feel that you can give categorical assurances now that we will not send ground troops back into Cambodia no matter what?"

The President. "I can say now that we have no plans to send American ground forces into Cambodia. We have no plans to send any advisers into Cambodia. We have plans only to maintain the rather limited diplomatic establishment that we have in Phnom Penh and I see nothing that will change that at this time. . . .

"The President of the United States has no intention to send ground forces back into Cambodia, and I do not believe that there will be any necessity to do so.

"When you say, can I be pinned down to say that under no circumstances would the United States ever do anything, I would not say that, but I will say that our plans do not countenance it, we do not plan on it, and under the circumstances, I believe that the success of the operation which we have undertaken, as well as what the South Vietnamese will be able to do, will make it unnecessary. . . .

"With regard to the South Vietnamese [in Cambodia], I pointed out on April 30th that our air support would stop and there would be no advisers with the South Vietnamese, that any activities of the South Vietnamese after we left would have to be on their own. . . .

"Cambodia is in the same category as Indonesia. It is a neutral country. It is a nonaligned country. We have no treaty with it.

"As far as Cambodia is concerned, our only commitment to Cambodia is the commitment that the United States for 190 years has held to the principle of international law that a country that chooses to be neutral should have its neutrality respected.

"Now that means that we are furnishing, as you know, small arms to them for their own defense. It means that, in addition to that, we are trying to give them the moral support that we can. We are supporting the initiative of the 11 Asian nations who are attempting to stand with that government in its neutrality, but as far as military support, the United States moving forces into Cambodia for the purpose of helping them defend against enemy attack—that we are not required to do under treaty and that we do not intend to do. . . .

". . . I am not as bearish as some commentators have been about the future of Cambodia. If I could digress a moment, I think this is a question that our listeners would be interested in—Cambodia's chances of surviving as a neutral country are infinitely better now than they were on April 30th. And they are better, first, because the North Vietnamese have a 600-mile supply line rather than a 40-mile supply line back to the sanctuaries which we have destroyed.

"They are better, also, because the Cambodian Government has far more support among the people, and the reporters from Phnom Penh generally have reported that. They are better, too, because the Cambodian Government also has support from the 11 Asian nations, representing 300 million people, and I think also they are better for the reason that the South Vietnamese have been very effective when they have taken on the North Vietnamese in the Cambodian area. . . .

". . . we do not plan to go back into Cambodia. We do plan, however, and I will use this power—I am going to use, as I should, the air power of the United States to interdict all flows of men and supplies which I consider are directed toward South Vietnam.

"That is my role of defending American men. . . .

Q. "Mr. President, in view of the Cooper-Church Amendment passed yesterday in the Senate, do you feel now obliged to suspend the negotiations with Thailand about our paying and equipping their troops that they were going to send into Cambodia?"

The President. "Fortunately, our Founding Fathers had great wisdom when they set up two Houses of Congress. . . .

"I think the performance of the Senate over the past seven weeks, going up and down the hill on Cooper-Church, has not particularly distinguished that august body, and the Cooper-Church that came out was not a particularly precise document, and was somewhat ambiguous.

"Now, fortunately, it now goes to the House . . . And I believe that the conference of the Senate and the House, when they consider all of these factors, will first be sure that the power of the President of the United States to protect American forces whenever they come into attack is in no way jeopardized. . . .

"If this [the Cambodian operation] had been what some thought it was, an attempt to expand the war into Cambodia, to launch a war into Cambodia, then of course, I would have gone to the Senate. You can be sure that in my administration we are not going to get involved in any more Vietnams where we do not get the approval of the Congress. I will not do this because I think we need Congressional support for our actions, and I trust we do not have to go to the Congress for that kind of support.

"But when we have this limited, very precise action which was limited in terms of the time, limited in terms of 21 miles as far as we were going to go, and which had for its purpose the protecting of American lives, I had to take the action when I did . . ."

October 7—Address to the Nation:

"When I authorized operations against the enemy sanctuaries in Cambodia last April, I also directed that an intensive effort be launched to develop new approaches for peace in Indochina. . . .

"I am tonight announcing new proposals for peace in Indochina.

"This new peace initiative has been discussed with the Governments of South Vietnam, Laos, and Cambodia. All support it. . . .

"First, I propose that all armed forces throughout Indochina cease firing their weapons and remain in the positions they now hold. . . .

"A cease-fire should encompass not only the fighting in Vietnam but in all of Indochina. Conflicts in this region are closely related. . . .

"A second point of the new initiative for peace is this:

"I propose an Indochina Peace Conference . . . North Vietnamese troops are not only infiltrating, crossing borders and establishing bases in South Vietnam—they are carrying on their aggression in Laos and Cambodia as well.

"An international conference is needed to deal with the conflict in all three states of Indochina. The war in Indochina has been proved to be of one piece; it cannot be cured by treating only one of its areas of outbreak.

"The essential elements of the Geneva Accords of 1954 and 1962 remain valid as a basis for settlement of problems. . . ."

November 18—Message to the Congress Proposing Supplemental Foreign Assistance Appropriations:

"The operations in the Cambodian border sanctuaries in May and June helped assure the continued success of Vietnamization and of our troop withdrawal programs. As we knew at the time would be the case, the operations seriously impaired the enemy's ability to operate in South Vietnam, and contributed to the progress which has reduced our casualties there to the lowest level since 1965. Continuing operations by South Vietnamese and Cambodian forces in the border areas will make possible continued progress.

"Cambodia itself has mobilized its own manpower and resources in defense of its independence and neutrality. . . . It is essential that we supplement Cambodia's own efforts by providing resources which are critically needed to enable it to continue to defend itself. Its ability to do so is a vital element in the continued success of Vietnamization.

"Cambodia's needs have been urgent, and as Congress has been informed, I have directed that funds be transferred from other already severely limited programs to meet these critical needs. I am requesting $100 million to restore funds to such vital programs as those for Taiwan, Greece and Turkey. . . .

"To meet Cambodia's urgent needs for the remainder of this fiscal year, I require that the Congress provide $155 million in new funds to be directly allocated to the Cambodian program. . . ."

December 10—News conference:

Q. ". . . Can you foresee any circumstances whatever under which we would use ground troops in Cambodia?"

The President. "None whatever. . . .

Q. "Mr. President, how do you plan to keep your quarter billion dollar aid program for Cambodia from escalating into a guarantee of the survival of the Cambodian Government?"

The President. "The quarter billion dollar aid program for Cambodia is, in my opinion, probably the best investment in foreign assistance that the United States has made in my political lifetime.

"The Cambodians, a people, 7 million only, neutralists previously, untrained, are tying down 40,000 trained North Vietnamese regulars. If those North Vietnamese weren't in Cambodia, they'd be over killing Americans. That investment of $250 million in small arms of aid to Cambodia so that they can defend themselves against a foreign aggressor—this is no civil war, it has no aspect of a civil war—the dollars we send to Cambodia saves American lives and enables us to bring Americans home. . . ."

1970, SECRETARY OF STATE WILLIAM ROGERS

March 23—News conference:

"In Cambodia we recognize the neutrality, sovereignty and independence of Cambodia. We had nothing to do, directly or indirectly, with the events that transpired in Cambodia. We would hope that the events that transpired in Cambodia will not cause the war to be widened in any way . . . our program in South Vietnam . . . will not be affected by the events in Cambodia. . . ."

Q. "Regarding the neutrality of Cambodia, I believe the policy of the United States still is to sanction American troops going across the border if they are threatened. Does this in any way compromise U.S. respect for the neutrality and sovereignty of Cambodia?"

A. "Not at all; and I don't believe that any troops, since the change of government, have gone into Cambodia. But we respect fully the neutrality of Cambodia and its territorial independence . . . Cambodia has not made any request for military assistance . . . No request has been made, and we don't anticipate that any request will be made. . . ."

Q. "Do you endorse the idea of having the ICC return to Cambodia to check on what is happening?"

A. "Well, we don't endorse it, because this

is a proposal made by Cambodia without any discussion with us or any activity on our part at all. As I say, this is a problem that primarily concerns Cambodia. We do think it is a very sensible idea. . . ."

Q. "Is military aid [to Cambodia] inconsistent with neutrality?"

A. "No, I didn't say that neutrality and aid were inconsistent . . . Cambodia has not requested any such aid and we don't anticipate they will. If they do, we will have to consider it on its merits."

April 18—Speech to the Cornell Alumni Association:

"The rise of Cambodian hostility over the North Vietnamese presence came rapidly and dramatically. Most governments, including ours, were surprised at the ouster of Prince Sihanouk by the Cambodian Parliament. This was an internal Cambodian development . . . the Cambodian government remained committed to a policy of neutrality and did not seek alliance with the West.

"A year ago, before we reestablished diplomatic relations with Cambodia with a small mission, we affirmed publicly our recognition and respect for the 'sovereignty, independence, neutrality, and territorial integrity' of Cambodia within its present frontiers. The policy we expressed toward Cambodia then remains our policy toward Cambodia now . . . We respect recent Cambodian proposals to seek diplomatic measures of protection through United Nations actions and through a return of the International Control Commission established by the 1954 Geneva accords. . . .

"The possibility of overt warfare in Cambodia [has] understandably caused concern among Americans. They ask if the war in Southeast Asia is widening . . . They wonder if this means that the period of American involvement will be lengthened . . . The objective of the Nixon administration is to avoid both these results.

"It is true, of course, that we cannot be indifferent to the military pressures by North Vietnam on the independence and neutrality of Laos and Cambodia. They affect the safety of our own forces in South Vietnam . . . We continue to believe that an ultimate settlement to the Vietnamese war must take Laos and Cambodia into account. However, we are determined not to reverse the long-term direction of our policy toward fostering more self-reliance among Asian states. . . ."

April 25—Speech to American Society of International Law:

". . . The violations of those accords [1954 Geneva accords] by North Vietnam in Laos and Cambodia are explicit, uncontested, open, and without any shred of international sanction. Is it not time for nations which are signatures to international agreements actively to support them?. . . ."

May 3—Television interview:

"The reason [for the Cambodian operation] was to protect the lives and safety of American men fighting in Vietnam . . . It's limited in the extent, purpose and duration . . . We're not going to exceed those limitations of the sanctuaries on the border . . . the purpose is to destroy the sanctuaries themselves . . . The President has made it clear that it's not going to last more than 6 to 8 weeks at the most . . . At that point the American troops and the South Vietnamese troops will withdraw from Cambodia. . . .

"We made every possible effort to get negotiations started in good faith, negotiations dealing with Laos and Cambodia . . . We would hope, now that it's clear that the North Vietnamese have invaded Cambodia and it's clear that we've taken this action, that all states would become interested in discussing what they can do to guarantee the neutrality of Cambodia. . . .

". . . this is a limited action. If we were going to stay in Cambodia on any sort of a permanent condition, permanently, or even of longer duration, then obviously we'd have to have the support of the American people. But I think the American people are going to support the President. . . ."

May 13—News conference:

"What is the policy of the United States Government on South Vietnamese military assistance or cooperation with the Lon Nol government in Cambodia?"

A. "There is some cooperation between the two governments. Naturally, we encourage that. The whole Nixon doctrine as pronounced at Guam is that the Asians should work with each other to take care of their common problems . . . I think there's a limit to what we should say about what South Vietnamese troops are going to do. Originally, it was contemplated that most of the troops would be out of Cambodia by the end of July, but I don't know that I'd want to make a commitment on behalf of the South Vietnamese . . . the American troops will be out of Cambodia by the 1st of July and all the American troops will be out, including advisers. . . .

"I said that if we did that, if we got involved in the support of the present government of Cambodia or any other government, that it would be inconsistent with the policy of the government . . . to withdraw our troops in an orderly way from South Vietman . . . the United States has no intention of getting involved in Cambodia with American troops in support of the present government of Cambodia or any other government of Cambodia. . . .

"Are we concerned if South Vietnam becomes active in Cambodia with their troops, if that will make it more difficult for us to withdraw our troops from South Vietnam . . . Yes, we have made that point to South Vietnam, and they fully understand that. In other words, that is not going to disrupt the Vietnamization program. . . .

Q. "Could you clarify for us the operation off the coast of Cambodia. . . .?"

A. "Its purpose is limited. Its purpose is to intercept shipments of ammunition and supplies to the base areas in Cambodia which would be conducted by the North Vietnamese or the Vietcong. It does not apply to other powers, it applies only to reshipment of supplies and ammunition to sanctuary areas. . . .

"How the Cambodians and the South Vietnamese cooperate in the future is going to have to be worked out between them. Obviously, we will play a role in that; but whatever role we played would not be inconsistent with the policy we have announced, of getting out. . . .

Q. "Are all those American operations, including the coastal patrols, to be stopped, as far as the Cambodian theater of operation is concerned, by the end of June?"

A. "Well, I wouldn't want to say that. I think we've said enough when we've said what we are going to stop.

"Insofar as the riverine operation is concerned, the Americans have not exceeded the 21-mile limit, and we don't intend to.

"Insofar as getting Americans out of the river in Cambodia is concerned, the answer is: 'Yes, that would be included.'

"So far as patrolling international waters is concerned, that's different. I'm not sure what we will do. My guess would be that we will continue. We have had a patrol of international waters all the time—this is just extending it a little bit—so I don't want to make any predictions about that. . . .

Q. "Mr. Secretary, are you ruling out—or not ruling out—U.S. air activity over Cambodia past the June 30 deadline?"

A. "No, I haven't ruled it out at all. We had air activity over Cambodia before the change of the government, and we haven't said anything one way or the other about it.

Q. "And it also seems possible that the air support, however, interdicting the sanctuaries may continue. What about airpower in support of the Cambodian effort?"

A. "Well, that would apply, too. We don't intend to become involved militarily in the support of the Lon Nol government or any other government. . . .

"Now, in terms of assistance, military assistance by way of supplies or otherwise, the President has announced that we are going to provide some assistance consistent with the present authority that we have.

"Obviously, any larger program would require congressional approval. I don't think we have crossed that bridge. We have no present plans to embark on that kind of a program.

Q. "What you're ruling out, only, is that we will not get involved directly, militarily, in supporting the Lon Nol government.

A. "That's correct. . . ."

June 8—"Face the Nation":

"We certainly hope that the government [of Cambodia] doesn't fall; but the President has made it perfectly clear . . . that we will not support the Lon Nol government with U.S. troops. . . .

"It is possible that the war will be fought in a different place and it is possible that it will continue with South Vietnamese forces and Cambodian forces, and even possibly Thai forces, fighting a common enemy. But that doesn't mean that the United States forces will be enmeshed in a combat in Cambodia. . . .

"I think it is interesting that for the first time the countries in the area—Thailand, Cambodia, Laos, and South Viet-Nam—are all working together. . . .

"The South Vietnamese have made it clear that if the enemy tries to return to the sanctuaries, they will reenter the sanctuaries. . . .

"If the government of Cambodia came into Communist hands, it would be an unfavorable development. We would hope that that doesn't happen.

Q. "Would it be 'unacceptable' "?

Secretary Rogers: "No, not unacceptable in the sense that we would use American forces to support the government. . . .

Q. "Then it is irrevocable that there will never again be American troops used in Cambodia, no matter what?"

Secretary Rogers: "There is no intention of using American forces in Cambodia. . . . Our forces are going to be out of Cambodia by June 30. We will have no military people there at all, advisers or anything else. And we have no intention of having any American forces return to Cambodia. Now, South Vietnamese forces may return. The President said we may use air interdiction to protect our forces, but we will not use American forces in Cambodia. If we did, it would enlarge the war, and it might mean that we'd be there on a semi-permanent basis, and we're not going to do that. . . ."

June 9—Statement before House Foreign Affairs Committee:

"The President decided that an attack on the sanctuaries was necessary so that Vietnamization and the withdrawal of our forces from Viet-Nam could proceed. As far as Cambodia is concerned, we want for it what it wants for itself—to be free, sovereign, neutral, and unmolested.

"Our operations, as the President said last Wednesday, have achieved our major military objectives and will facilitate and ensure the success of our overall Viet-Nam policy. I might add that the effectiveness with which the South Vietnamese have fought in Cambodia increases our confidence that Vietnamization is the right course to follow. . . ."

June 25—News conference:

"The President's policy on air interdiction is that at the present time and after our troops leave Cambodia, our Air Force will be used, be permitted to interdict the supply lines and communication lines in Cambodia. . . .

"It is obvious, of course, that there will be times when, in the process of interdicting supply lines or communication lines of the enemy, that that will be of direct benefit to the present government in Cambodia. But I think the main thrust of our policy is to use our Air Force for the purpose of

interdicting supply lines and communication lines to protect Americans in South Viet-Nam.

Q. "Mr. Secretary, I believe yesterday a spokesman for the Cambodian Military Command stated that American fighter bombers were flying missions in direct support of Cambodian forces. Now, was he mistaken, or do I perceive a change in our policy?"

A. ". . . I think that I can see very well why a Cambodian might think it was helpful to the government when we fly those missions.

"But our purpose is to interdict communications and supply lines of the enemy. As I say, that's our purpose. That is our policy. Obviously, it may have a dual benefit; it may serve our purposes and at the same time serve the Cambodian Government. . . .

Q. "Mr. Secretary, you said that the main purpose of American air activity in Cambodia would be to protect American troops in South Viet-Nam. Is it not essential to the security of American troops that the government of Lon Nol, or at least some government not unfriendly totally to the United States, remain in Phnom Penh?"

A. "I'm not sure it's essential, but obviously it's quite helpful if the government in Cambodia is neutralist and if there's stability in Cambodia. . . .

"Obviously, we have a great interest in the welfare of people all over the world, and we are assisting in some ways in Cambodia. But our purpose was not to affect the course of events in Cambodia as far as politics are concerned. . . .

Q. "Mr. Secretary, if it is our policy to desire a neutral or friendly government in Cambodia, are we willing to provide arms and money to keep such a government in power?"

A. "We have encouraged Asian nations to do what they could to help other Asian nations. We are encouraged by the fact that Cambodia, for the first time in many years, has friendly relations and diplomatic relations with all of its neighbors. . . .

"As you know, the United States has provided, and is providing now, assistance to Cambodia. In this fiscal year it's amounted to $7.9 million, and we are now considering the program for next year. We do want to do what we can to support the neutrality of Cambodia, but we want to be sure that it's not done in a manner which suggests that we take over the responsibility militarily to maintain any government in office. We would hope, and we are somewhat encouraged by events, that Cambodia will remain neutral. . . .

Q. "Can you state, Mr. Secretary, that American aircraft or American pilots will not fly close air support for Cambodian units or South Vietnamese units defending Cambodian positions?"

A. "I am not going to make any statement that might limit the use of our airpower except what I have already said. And I don't see any reason why the United States should constantly be put in the position where we tell the enemy exactly what we are going to do. Our policy is as I have stated. And we also have said that we would expect that most of the air flights of that type will be flown by South Vietnamese forces. . . .

Q. "Mr. Secretary, can you tell us the status of negotiations to send Thai troops into Cambodia to support the government?"

A. "Well, Thailand now has that under consideration. Whether they will, and to what extent, and so forth, they haven't made a decision on it yet. So we haven't made any decisions on our support.

"If we support Thai troops in Cambodia, we would have to do it from Cambodian MAP funds. . . ."

July 7—Conference for Editors and Broadcasters:

"Our purpose in Cambodia was limited—to strike the North Vietnamese sanctuaries which were used by the enemy to conduct the war in Viet-Nam and to capture and to destroy his supplies and equipment. . . .

"The military operations in Cambodia, we believe, have succeeded. First, the capacity of the enemy to conduct attacks against our forces in Viet-Nam has been severely damaged. Two, there has been a dramatic increase in the confidence and capability of the South Vietnamese forces. And three, prospects for the Vietnamization program have been increased. . . .

"The North Vietnamese are attempting to use Cambodian territory to reestablish their disrupted lines of supplies and communication to carry on the war in South Viet-Nam. American airpower is being used to frustrate these efforts. President Thieu has said that South Vietnamese forces may continue to engage the enemy in Cambodia; thus—and I think this is a point that should be underscored—thus the enemy can no longer count on a safe haven in Cambodia to attack our forces. . . .

"We are providing limited amounts of small arms to the Cambodians and will continue to provide additional amounts of arms and other equipment to help them maintain their independence and neutrality.

"We support and encourage Cambodia's expressed desire to remain neutral. We have no other objective than to have its neutrality respected by all nations. We have no desire to associate it with SEATO or to seek to have it aligned with ourselves or with anyone else. . . .

"Some have asked if our efforts in Cambodia modified our basic policy in Viet-Nam. The answer is no. We will, of course, adjust our actions in the light of events, and President Nixon has made it clear that if the enemy takes action which endangers our troops, he will respond. But our policy remains constant: We would prefer a negotiated settlement which results in all foreign troops leaving South Viet-Nam. . . .

"The situation in Cambodia has, of course, highlighted the regional aspects of the Viet-Nam war. . . .

"We are continuing to press our effort for negotiations on the problems of Indochina. . . .

"There's nothing about a war that's pleasant, and we have made every effort to avoid any civilian casualties. And certainly in Cambodia we've made very strenuous efforts to be sure that they wouldn't occur.

"But the Government of the United States regrets the whole war. . . .

"We believe . . . that the difference between the future and the past is that in the future they [the Communists] will have to face Cambodian troops, South Vietnamese troops, and possibly interdiction by American airpower—whereas before, they could maintain these sanctuaries with complete safety. They didn't have to concern themselves with the safety of their bases, which probably was an anomaly of warfare. . . .

Q. "If the war goes badly against the present government in Cambodia, and if the Communists win, as they seem to be doing right now, will the United States do nothing except provide air support?"

"I think we've been pleasantly surprised about the stability of the Cambodian Government up to this time, and I would not want to make any prediction about the military future in Cambodia except to say that we are pleased at the way the young people are supporting the present government, the way the intellectuals are supporting the present government, and the way the present government has been able to recruit armed forces. . . .

"We will not send American ground troops into Cambodia again . . . We will use our airpower to interdict the supply lines, the communication lines, but we will not use American ground troops. Our policy, both in Cambodia and South Viet-Nam, is to replace American troops with Asian troops. . . .

"We hope that the present government, or at least a neutral government of Cambodia, continues to survive in Cambodia. . . ."

July 15—News conference:

"In Japan we had a meeting, as I said, with the Ambassadors from 14 nations in the area. . . .

"In the course of my discussions, we had a lot of time to deal with the topic of the future of Cambodia; and although we didn't make direct requests of any government, we did make it clear that we thought that the Asian nations should help the present Government of Cambodia maintain its neutrality. And contrary to some of the stories that I've seen written, I feel quite confident that there will be good results from those discussions.

"I am not at all pessimistic about the prospect of Asian nations assisting Cambodia, because they recognize the importance of the neutrality of Cambodia to the security of that area. . . .

"I think that the success of the incursion in Cambodia, because it contributes to the success of Vietnamization, does increase the probabilities that the enemy, somewhere along the line, will negotiate. . . .

"The South Vietnamese forces are quite strong now. They have well over a million men well equipped, well trained; and now they've—at least to some extent—have proven themselves in Cambodia. And they have a morale that didn't exist at all last year . . . So we think it's quite possible that they can defend themselves against the common enemy. . . .

"I found that the Asian nations . . . realize that the only obstacle to the neutrality of Cambodia is the presence of North Vietnamese troops. . . ."

October 9—News conference:

"We haven't attempted to make any statement about who might attend an Indochina peace conference, because we think it is premature. We do feel that the principal parties are the governments now in power and those who are opposed to them on the battlefield.

"As far as Sihanouk is concerned, he doesn't enter the picture, I think, here. The forces in Cambodia facing the present Government of Cambodia are North Vietnamese. . . ."

October 11—"Issues and Answers":

"Our troops are not going back into Cambodia. President Nixon has made that quite clear. We think that the Cambodian Army and the South Vietnamese Army, working together, can handle any situation that might develop there. . . ."

November 25—Statement before the House Committee on Foreign Affairs:

"Cambodia's involvement in war is the result of events over which that small country has had little control. The North Vietnamese, who had long occupied Cambodia along the border provinces, decided last April to compound their violations of Cambodia's territories by undertaking actions throughout much of the country. This left the Cambodian Government no choice but to defend itself. Realizing this would require a good deal of outside help, the Cambodians reacted initially by submitting to us a request for $400 million in assistance. The aid they asked for would have included many expensive and sophisticated weapons.

"Sympathetic as we were to Cambodia's plight, and much as we realized that what it contemplated doing would contribute to our own goals in Viet-Nam, we did not agree to this approach. We recognized that if we complied with the Cambodian request we might have had to establish a large American presence to go along with the aid. We were concerned that we would be gradually sucked into greater and greater involvement as we had been in Viet-Nam and finally would be pressured into extensive use of ground forces.

"Instead, we decided to use our aid in a totally different way, taking advantage of Cambodia's principal assets: its strong sense of nationalism and patriotic determination to repel the North Vietnamese invaders. Thus it was that our cross-border operations last

spring were limited in time, in area, and in objective. They succeeded in depriving the North Vietnamese of free use of the border-sanctuary areas, and they greatly assisted our troop withdrawal program in Viet-Nam. They also gave the Cambodian Government an opportunity in cooperating with other neighboring nations to establish its own substantial military forces.

"Since last spring, our aid to Cambodia has taken the form of providing weapons and ammunition that the Cambodians are fully capable of using themselves . . . We have no military forces or advisers in Cambodia, nor do we intend to send any.

"The Cambodians have made it clear that they want to do the job themselves. . . .

"But despite a high degree of national unity, Cambodia still lacks the wherewithal to carry on the fight . . . For the immediate future—and particularly in the face of a possible enemy offensive during the coming dry season—additional aid will be urgently needed.

"The $70 million requested for economic assistance is essential to sustain the Cambodian defense effort and is designed only in part to offset the loss of normal export earnings. Cambodia is not creating an elaborate military machine. Rather it is set on keeping in the field units that can be rapidly trained to cope with the North Vietnamese efforts to reestablish supply lines and harass the Cambodian Government wherever possible.

"Over 70 percent of the military assistance request for Cambodia is for ammunition. The remainder will be used for small arms, trucks, a small number of propeller-driven aircraft, communications equipment, river patrol boats, and similar items.

"The United States is not alone in providing help. Military or humanitarian aid has also been forthcoming from neighboring South Viet-Nam and Thailand, and from Australia and Japan. . . .

Our basic objective in Cambodia is to protect Vietnamization and our withdrawal program . . . We believe the best way to gain the objective is to assist—with air support and aid, not military advisers or ground troops—Cambodia's efforts to defend itself. This request for military and economic assistance would do just that. If Cambodia proves unable to withstand North Vietnam's aggression, Vietnamization and the troop withdrawal program will suffer a serious setback . . . In my testimony before Congress last April . . . I stressed our determination to avoid a lasting military presence and a military commitment to the Cambodian government. I made clear that we had no intention of letting Cambodia become, in terms of American involvement, another Vietnam. . . .

"We adhere to those principles. . . .

". . . we feel that the money involved is certainly a small price compared to what we believe is the safety of American lives . . . We have not planned, and we have no present plans for providing, any sophisticated military equipment . . . They are also getting help from South Vietnam, so we believe that they will be able to maintain their armed forces successfully with this help.

"The Cambodians provide intelligence information to the South Vietnamese. And we in turn get that information. Now we still are pursuing a policy which is to prevent Cambodia from being used as a base for attacks against our forces, and in that connection we try to interdict supply lines and communication lines. So from time—and there has never been any hesitation in saying this—we do bomb in Cambodia, and I can see why some Cambodian might have said that he has sent word out to the South Vietnamese about the presence of North Vietnamese troops and later on attacks were made.

"We have no treaty obligation with Cambodia, and we have made no commitment with them . . . we do not plan to build up a large mission in Cambodia. We are going to do it with a modest number of people . . . we are going to do all we can to keep our presence small . . . we are not considering the type of operation that we considered in Vietnam."

December 10—Testimony before Senate Foreign Relations Committee:

"It is my judgment that the incursion into Cambodia has increased the prospects for a negotiated settlement . . . I think the incursion into Cambodia would have increased that incentive. . . .

Q. "When did we first get an urgent request for arms and material from Cambodia?"

A. "It was . . . sometime in March of this year . . . the Cambodian government has reduced the amount that they have requested by a great deal, and they have completely changed the character of the equipment they asked for . . . the request they make is now quite realistic . . . I think it would be a very serious matter for the Cambodian government if this supplemental is not approved . . . But I think the intelligence that we get indicates that the present government is doing quite well . . . this request will undoubtedly be followed by other requests. The magnitude of those requests will depend on events . . . when we ask for military assistance and economic assistance for Cambodia, we certainly do take on some obligation for some continuity.

"We have not taken on any commitment to the government of Cambodia. We have explained to them clearly that any fighting has to be done by the Cambodians and by the South Vietnamese and not by American forces. . . .

"We do not intend to have a MAAG or an aid mission . . . We do not intend to use military advisers. . . .

"What would happen if our troops in any particular spot were imperiled, I wouldn't want to say. That would be up to the President. But I think that, in view of the placement of our troops, that is not likely . . . I don't think we would get deeply involved in Cambodia and certainly not in war unless we send U.S. troops in. . . .

"Some Cambodians will be trained in South Vietnam, but they will be trained largely by the South Vietnamese . . . There will be some training in Thailand. . . ."

1970, SECRETARY OF DEFENSE MELVIN R. LAIRD

May 6—News briefing:

". . . I supported fully the operations to destroy the facilities in the sanctuary areas. I supported the use of Americans as required to carry out this very important mission, which I thought was needed and necessary in order to protect our Vietnamization program and also to reduce the possibility of American casualties. . . .

"In the Parrot's Beak area, gentlemen, it's a little different mission because you have to use tactical air there. You cannot use the B–52s because of the civilian population that's involved. There is no Cambodian population in this other area, it's completely occupied by North Vietnamese and VC forces. When you're in these targets, that sort of operation has to be approved by me. . . .

"Many people fail to realize that we [had] had incursions into the sanctuary areas. These particular incursions started during the month of April and they were carried on an in-and-out basis entirely by the South Vietnamese and by the Army of the Republic of Vietnam forces. As far as going forward with the introducing South Vietnamese and American troops for 7–10 day operations, that particular plan had been worked on and I had presented it to the National Security Council but the National Security Council decision and the Presidential decision to implement the pl..n did not actually take place until Monday evening or Tuesday morning. . .

Q. "Mr. Secretary, was there any amphibious undertaking under consideration regarding Sihanoukville at any time? . . ."

A. "I tell you, we have all sorts of contingency plans. . . .

"I want to make it clear . . . We're not going to become bogged down in these sanctuaries. . . .

Q. "Why didn't you ask Congress for approval for the Cambodian operation before you did it?"

A. "It was not necessary because this Cambodian operation is a part of the Vietnam program. . . .

May 22—Television interview:

". . . the time table which has been set by the President for the withdrawal of American troops from the Cambodian sanctuary operation will be met in every respect. I think it would be a mistake, however, to make a firm time table and establish it here for the Vietnamese forces. I personally feel as Secretary of Defense, if the occasion should arise when the South Vietnamese forces could go into the sanctuary areas at a time when the sanctuaries are rebuilt; when there are North Vietnamese occupying the particular territory, I would recommend that they be used if they so desire. It would be a decision that would be worked out in cooperation with the Cambodian Government and the South Vietnamese . . .

"There will be no American advisors in Cambodia after June 30th. The President has made this clear. This operation has been a great tactical success and it has exceeded the expectations of General Abrams thus far, as far as destroying facilities, uncovering ammunition and food. This was the primary mission from a tactical standpoint . . .

". . . One of the things that had a tremendous influence, I think, on this whole operation has been the successes of the South Vietnamese . . . the morale has been tremendous—the morale buildup—they'll be able to go in-country and strengthen their security efforts within country . . .

"Every American will be out of Cambodia by the 30th of June. We've already reduced the American presence in the sanctuary areas, and the only place they have operated has been in the sanctuary areas—the occupied territory of Cambodia which is occupied by the North Vietnamese . . . The South Vietnamese have had the major responsibility . . .

"I think our primary interest in Cambodia and Laos is the effect that Cambodia and Laos have upon our Vietnamization program and the American presence and the safety and protection of the American troops which are in Vietnam . . .

"As far as rebuilding the Army of Cambodia, this would be a very long process. You cannot go forward in the matter of weeks or months to modernize that particular army. So the problem that we have to look at here is the effect of the North Vietnamese invasion and occupation in certain areas of Laos and certain areas of Cambodia on our Vietnam program . . ."

June 4—"Meet the Press" (with General Earle G. Wheeler, Chief, JCS):

Q. Mr. Chancellor: "Will the South Vietnamese withdraw from Cambodia completely?"

A. Secretary Laird: "I would not anticipate that the South Vietnamese would use the same time table that the United States forces do. However, the South Vietnamese have indicated that they have a primary mission within their country, and I would assume that they would soon be back within their country.

Q. "General, last night the President said, 'The only remaining American activity in Cambodia will be air missions to interdict the movement of enemy troops and material where I,' said the President, 'find this is necessary to protect the lives and security of our forces in South Vietnam.'

"Does that mean helicopter gun ships or B–52s or what is the military prognosis on that?

A. General Wheeler: "I think he was talking primarily, Mr. Chancellor, about the use of fighter-bomber aircraft, or larger aircraft

than the helicopter gun ships. Again, however, I would not like to foreclose on the President's options, because it will depend upon the type of target which would be the better instrument of war to use.

Q. Mr. Chancellor: "Theoretically, sir, a number of people are worried that if a unit of the South Vietnamese Army is in trouble in Cambodia, there might be incalculable pressures on the United States to come to the aid of that unit. Can you foresee that happening in the months or years to come?

A. General Wheeler: "I can only cite what the President said. He said he was going to use air power to interdict the movement of enemy supplies and men within Cambodia, if that proved necessary to protect the lives of American troops. I don't think I could, with propriety, go any further than that, Mr. Chancellor.

Q. Mr. Beecher: "Mr. Laird, I would like to follow up a little bit on that question about American air power in Cambodia against infiltration and supply targets following the withdrawal of our ground troops there at the end of the month.

"May we assume that such air strikes will not be limited to the approximate depth of 21 miles from the Vietnam border that applied to our ground combat forces, but in fact could extend far into Cambodia if the targets are far into Cambodia?

A. Secretary Laird: "We will carry on the best kind of air interdiction campaign we possibly can. Whether that air interdiction can be carried on the best in Laos or in Cambodia is a question that will have to be resolved after the 30th of June, when all Americans will be withdrawn from Cambodia.

Q. Mr. Beecher: "In other words, if I understand you, sir—let me ask this as a question: Should the North Vietnamese establish a new supply system deeper inside Cambodia, might we apply air power there as we have along the Ho Chi Minh Trail in Laos for some time?

A. Secretary Laird: "I think a judgment would have to be made at that time, and I would not want to make that judgment on this program. But it would seem to me that the interdiction might be carried on more reasonably in the Ho Chi Minh Trail because of the few number of choke points that would be involved. But I don't believe that it would serve any useful purpose for us to discuss the specifics of operational orders. These orders will be carried out in the best way that they can be carried out in order to protect Americans that are serving in Vietnam, and the purpose of any air interdiction of supplies or material coming down from North Vietnam through the Ho Chi Minh Trail through Laos into Cambodia, the purpose of any interdiction campaign will be to protect Americans and reduce American casualties, as long as Americans are present in South Vietnam.

Q. Mr. Brandon: "General Wheeler, would you rule out the reentry of American ground troops into Cambodia?

A. General Wheeler: "I would have to, because the President has said that we will withdraw from Cambodia, and while I can't foresee all of the circumstances that might arise in the future, I think his intent is that we will not reenter Cambodia.

Q. Mr. Brandon: "We have also been told that the North Vietnamese are now building up a new sanctuary in South Laos. I wonder how important is it and what you plan to do about it?

A. General Wheeler: "What they are actually doing, Mr. Brandon, is that they are extending the base complexes farther to the north, in a sense, but also farther to the south, and we will take the appropriate action that we have taken against other base areas, both in Laos and in Cambodia. In other words, we will use air power against that sanctuary area, or that base area.

Q. Mr. Brandon: "Only air power?

A. General Wheeler: "That is correct, sir.

Q. Mr. Novak: "Secretary Laird, when you were a Republican Congressman you were very critical of the Democratic Administration for not telling the truth about how much money the war was costing. Could you say how much this Cambodian army—this Cambodian exercise is going to cost, over and above what the Vietnam war was costing otherwise?

A. Secretary Laird: "There will be no additional cost as far as the Vietnam operations are concerned. This is budgeted in the 1970 operational budget for our troop operations within Vietnam. . . .

Q. Mr. Novak: ". . . Do you think they (the South Vietnamese) could have handled the incursion into Cambodia without the help of U.S. troops?

A. Secretary Laird: "No, the operations could not have been carried out as successfully, but I do not want to take away from the South Vietnamese by answering that particular question.

Q. Mr. Novak: ". . . Why do you say it couldn't have been carried out without American troops, since they have done so well?

A. Secretary Laird: "In the Fish Hook area we would have had to move the 25th division or the First Air Cavalry Division because they had the security responsibility opposite that area. So we would have had to move the Americans out and move the South Vietnamese in. It would have been a tremendous logistics problem. . . .

Q. *Mr. Novak:* "Wouldn't the logistical inconvenience have been worth it, considering the political damage done to your Administration at home?

A. *Secretary Laird:* "Personally, I believe that the political damage that you talk about will be non-existent in a few months, because this operation can be judged on the short term tactical successes, which have been tremendous. But the operation really will be judged on the long term strategic successes, and that will be based on the progress towards Vietnamization. . . .

Q. *Mr. Spivak:* ". . . Our operation in Cambodia highlights the importance of having a friendly government there. What will the U.S. do if the government is militarily threatened by the enemy, as it may well be?

A. *Secretary Laird:* "Personally, as Secretary of Defense, I believe that we best keep our eye on the ball, and that is Vietnam. I believe that the success of the Cambodian operation should be judged in terms not of the success of the government in Cambodia, but the success of the Vietnamization program and our withdrawal program. Personally, as Secretary of Defense, I believe that the emphasis must be on the Vietnamization program and not on the rise or fall of any other government.

Q. *Mr. Chancellor:* ". . . What if the Russians are reading the ability of the American President to move in an unpredictable way, a way that the policy planners cannot predict? This was at least part of the Cambodian operation. And if it makes this country have a sort of nervous breakdown, as it went through for a few days after this operation, do you believe that that limits the options of the President for acting in other parts of the world? . . .

A. Secretary Laird: "I first want to say that it never was anticipated by anyone that there would be a Kent State or a Jackson situation developing, and that was indeed an unfortunate tragedy in both cases. But I do feel that the important thing that is being accomplished in this Administration is the establishment of credibility, as far as this war is concerned. And the important judgment will be made on the 30th of June that we meet this deadline, the time that has been set by the President of the United States, just as he has met every other deadline on troop withdrawal. I think this is the important thing in the long run, to restore this credibility, as far as Southeast Asia is concerned, and to move forward towards the Nixon doctrine, which has as its overriding goal the avoidance of this kind of ground involvement in Southeast Asia. . . ."

June 26—Interview by Newsmen:

Q. ". . . has the policy of interdiction and bombing of Cambodia been extended to include the combat air support of both the ARVN and the Cambodian armies in Cambodia?

A. "I made it very clear, as I testified before the Foreign Relations Committee back early in May, a policy that our government would pursue as far as air support was concerned. After the Cambodian operation, which will end as far as Americans are concerned on the ground on June 30, we will carry on an air interdiction campaign and any airpower that is used in Cambodia will be based upon the interdiction of supplies, or personnel, that threaten the Vietnamization program, that threaten Americans, that are engaged in military operations in Vietnam. The primary emphasis will be on the interdiction of supplies, materiel and personnel.

". . . the primary reason for the air activities will be the protection of Americans in South Vietnam, but I would be less than frank or candid with you if there would not be a side effect as far as Cambodian and South Vietnamese troops operating within Cambodia, but the primary reason for the air operations still will be in accordance with the testimony which I gave to the Foreign Relations Committee of the United States' Senate. . . .

Q. "Do you rule out close air support for the Cambodians in the future?

A. "I do not believe that it's good practice as far as military planning is concerned to give flat answers on operating orders as far as the future is concerned. I can assure you, however, that the primary reason will be as I stated before the Foreign Relations Committee, the primary reasons for carrying on air activities in Cambodia, will be the interdiction of supplies and materiel, interdiction of personnel, to protect Americans in Vietnam, to protect our Vietnamization program, to make withdrawals of American troops a continuing process and to reduce American casualties.

". . . the supply routes through Cambodia have had in the past, and could have in the future, an effect as far as our Vietnamization program is concerned, and we will continue to carry on an interdiction campaign in this area in order to protect our Vietnamization program. . . .

Q. ". . . would a Communist takeover of Phnom Penh jeopardize . . . Vietnamization seriously?

A. "We have had periods of time when the supplies coming in through Cambodia were a very serious problem as far as the IV Corps and the III Corps area is concerned, and I would be less than frank with you if I did not indicate that the supplies through Cambodia, coming through Sihanoukville, have had an effect, a very substantial effect, on the war effort in Vietnam, and we are going to do everything we can to see that our interdiction campaign of these supplies and personnel is successful in order to protect our Vietnamization program. . . ."

July 23—Speech:

"As the threat from the Cambodian sanctuaries has been blunted, and as the Vietnamization Program continues to move forward, evidence multiplies that the President's strategy and his doctrine are producing the desired results. Concern for the lives of our servicemen and for their safe return to the United States was the key deciding factor that caused the President to conduct the limited operation in Cambodia. . . ."

August 6—News conference:

Secretary Laird: "I think the situation in Cambodia today is better than I had expected it would be at this time. . . .

"As far as the improvement of the Cam-

bodian Army, I think they have shown good progress. . . .

". . . I am concerned about the use of the sanctuaries, the use of supplying forces that can attack Americans and can jeopardize the Vietnamization program, and our troop withdrawals, and the reduction of American casualties. . . .

". . . I also am concerned about the use of the harbor at Sihanoukville—and the use that was made of that harbor for logistics support operations, both for the VC and the North Vietnamese. It is very important—and it has been of considerable help—to have that avenue of logistics support shut off. I certainly feel it is to the interest of our program in South Vietnam to keep the sanctuaries shut off, to interdict the supplies and personnel, whether they are coming through the opening of the Ho Chi Minh Trail on down through Laos, the use of the Mekong, or efforts to reopen Sihanoukville.

Q. "There has been some rather explicit reporting out of Cambodia that American airplanes are providing direct combat support to the Cambodian troops.

Secretary Laird: ". . . I am not going to discuss operating orders, but I can tell you that we will continue to interdict supplies, personnel and logistic routes. There will be certainly ancillary benefits, too, that will affect Cambodian operations; however, our primary mission, as far as the use of our air—whether it be in the southern part of Cambodia or along the sanctuary areas, or along the river routes—will be interdiction of supplies and personnel. I have been noticing these newspaper stories. I would just direct your attention to when I was hit at Andrews Air Force Base as I came back from my trip to Europe and the NATO meetings. I outlined that policy very clearly at that time. [See June 26 entry]. I have had personal contacts with General Abrams, prior to his going to the hospital, about the use of air interdiction in Cambodia. We are still following that policy.

Q. "Mr. Secretary, I am very much distressed . . . at the difference between the policy that we are told exists and the perfectly obvious implementation of it, and most specifically John Wheeler's story from the scene this morning in great detail . . . That is not interdiction by any stretch of the imagination, sir; that is close air support operations. All the talk between the airplanes and the ground controllers was recorded in this dispatch. How do you square the difference between what is reported by an eye witness with long experience with the stated policy of interdicting only those things which can jeopardize us in the South? This is an operation in a new part of Cambodia. . . .

Secretary Laird: "Well, in that particular area it is very much related to the opening up of the sea area for supplies, etc. I would merely state that the decision was made by the Commanders in the field that it was an important interdiction mission to destroy—I believe, in this case, personnel. But this is a decision which certainly can be made by the commander. COMUSMACV has that authority to interdict personnel and to interdict supplies.

"We have stayed by that authority and he (COMUSMACV) has used that authority. I have no criticism of the use of the authority in Cambodia. I saw one report that every request was adhered to. That certainly is not the case. These interdiction missions are flown when it is felt personnel, or supplies, or the buildup is of sufficient magnitude, or it has an effect upon the overall program which we have in Vietnam.

Q. "But 300 yards in front of ground forces under control of forward ground controller in an OV–10, sir, is not interdiction.

Secretary Laird: "Well, it depends on what you refer to as an interdiction, I think. I believe it is. It is very difficult to get these forces together in large numbers and to get concentrations of supplies. The VC and the North Vietnamese are now following the policy of trying to concentrate their supplies and their buildup of supplies, material and men around population centers. You have to have forward air controllers, so that you can be in a position where you can protect civilians.

"I can assure you that COMUSMACV in his use of this interdiction authority is making every effort, with absolute, positive control, so that civilians will not be involved in any way with the interdiction missions flown by the United States Air Force. I believe that it was wise to use forward air controllers under conditions, such as these, in order to protect the lives of innocent people.

". . . I know that it has been helpful to us as far as our program in Vietnam is concerned. Now as far as giving a factual assessment of its effect on the Cambodian situation, I am sure it has been helpful, but I can't give you a percentage nor give you that kind of a judgment. . . .

". . . MACV's judgment, is based upon its effect upon our operations.

Q. "I'm just trying to find out how serious the military situation was in Cambodia. Could that government have survived without the benefits they received, the side benefits they received from our interdiction?

Secretary Laird: "I would think that this would have helped materially, but I can't make the positive judgment on it and give you percentages. I think, certainly, the ancillary benefits have been helpful from the interdiction campaign.

Q. "Mr. Secretary, are there many cases where they asked for help that they would consider close air support and we denied it to them, because it was not to our benefit to do so?

Secretary Laird: "Yes, of course, there are cases. There are cases where we can't positively control the aircraft where we would be in a position where we would not use them.

Q. "Can you break that down with any kind of percentage basis, of X number, or total number of requests, how many are honored?

Secretary Laird: "I can't give you the percentage. No, but it is a substantial number that aren't, because they don't fit in with our overall guidelines in this area and our overall operations. . . ."

September 2—News conference:

"When I have been asked the questions, even before the Senate Foreign Relations Committee, in early May, whether there would be a limit on the use of airpower in Cambodia and whether the same limit applied to ground forces, I answered that very categorically that there would be no such limit. I just don't believe that anyone can find a case where I've shied away, have not given you complete and full information.

"The number of sorties is a matter which I have not released, and we are not releasing the sortie levels . . . we're using air power in Cambodia to destroy supplies, to destroy buildups, to destroy personnel buildups as well as supply buildups, because we feel that this is important from the standpoint of our activities in Vietnam. I've told you that we have a commitment to Cambodia, our commitment was a free and open commitment, it's $8.9 million in military assistance in Fiscal Year 1970."

Q. "Did you say there was a commitment to Cambodia?"

A. "$8.9 million as far as military assistance, this is a commitment that we have made. It is $40 million of military assistance in Fiscal Year 1971 and that commitment soon after it was made, as soon as I was asked about, I told of that commitment. In addition to that, we have a commitment which has been made on several occasions by the United States, as well as the Soviet Union, to the neutrality of the Government of Cambodia. This was made on April 16, we came out and outlined this commitment through the Australian Ambasador in Phnom Penh. . . .

". . . When I was asked the question of whether we had a military commitment as far as the use of American manpower to Cambodia . . . I answered that question in the negative because as far as military manpower is concerned, we have no commitment there. The SEATO commitment that was implied by the SEATO agreement when the SEATO treaty was signed, that particular military commitment was renounced by the Cambodian Government itself. This is a matter of record. I can go through this and document every statement I have made in regard to Cambodia, Now, when you ask me about sortie rates, I've always said we weren't going to announce the sortie rates. . . ."

October 11—Television interview:

"That question of [Communist] control over that land area is merely a control because the Cambodian Army is not making a challenge in the area. . . .

"[in] the question of control in a standpat, or an inplace cease-fire, I don't think you would find that the North Vietnamese are in a position where they would actually truly control that land area. They are controlling certain sections of the land area because they are not being challenged at the present time except along the Vietnamese border. They are being challenged along the Vietnamese border by South Vietnamese forces and by some Cambodians that have been trained in South Viet-Nam. . . ."

October 12—News briefing:

"Every effort is being made by our forces to interdict supplies and personnel as they move into Laos and as they move within Cambodia. This interdiction campaign is progressing very well and the results have exceeded our expectations. . . ."

Q. "would we consider going back to prevent them [the Cambodian sanctuaries] from building back up"?

A. "The South Vietnamese have come in contact with North Vietnamese operating along the border areas of Cambodia. There have not been substantial movements, however, of North Vietnamese forces and Viet Cong forces into these sanctuary areas. The contact in these areas is being made by the South Vietnamese at the present time and we believe that the South Vietnamese forces can handle the situation very adequately."

November 25—Statement before the House Foreign Affairs Committee:

"The support we have provided them [Cambodia's forces] is directly related to our own interests because Cambodia's ability to defend itself is a vital element in the continued success of Vietnamization. Of particular importance is the fact that the diversion of thousands of North Vietnamese main-force troops to Cambodia has resulted in a sharp drop in U.S. casualties in Military Region III of South Viet-Nam. . . .

"I am firmly convinced that our continued support of Cambodian self-defense is a matter of high priority. As an indication of the urgency of this request, I would mention that 70 percent of the supplemental funds will be used for ammunition. . . ."

November 25—Testimony before the House Committee on Appropriations:

"It is not believed that the increase in military and economic assistance to Cambodia is getting the United States too deeply involved in Cambodia. We have made and are making every effort to restrict our presence and involvement in Cambodia. We have provided military assistance to maximize the capacity of the Cambodians for 'doing it themselves' as envisaged under the Nixon doctrine. As the President explained on June 30, we have no ground personnel in Cambodia except for the staff of the Embassy, which is small, nor do we have any U.S. advisers with Cambodian units. We do conduct air interdiction in a portion of Cambodia,

but this is to protect our forces in South Vietnam. In sum, our aid is designed to give the Cambodians the wherewithal to fight the North Vietnamese, rather than us doing it for them. The Cambodians have shown good morale and great resolve to run their own affairs. . .

"We will conduct—with the approval of the Cambodian Government—air interdiction missions against the enemy efforts to move supplies and personnel through Cambodia toward South Vietnam and to reestablish base areas relevant to the war in Vietnam. We do this to protect our forces in South Vietnam. . . .

"There are approximately 50,000 of the enemy operating in Cambodia. It is of very great importance to our Vietnamization program that the Cambodians have the capability to meet this military force. We are confident that the Cambodians can make the kind of effort that is necessary to protect themselves if we can go forward with this military asistance program.

"At the time of the Cambodian sanctuary operation, in which American forces were involved along with South Vietnam forces, there was a total of about 38 North Vietnamese battalions engaged in that area. Cambodian forces, along with some help from the South Vietnamese forces, are meeting that military challenge at this time. If we are going to continue our troop reductions in Vietnam beyond the May 1 announcement which has already been made by the President of the United States, it is absolutely essential that we keep the enemy's Cambodian logistic supply route to Vietnam closed, particularly the port formerly called Sihanoukville. This has a substantial effect on the protection of the lives of American service personnel, and stability of III and IV Corps as far as Vietnam is concerned.

"Prior to the change of policy by Cambodia and the shutting off of the logistic supply routes, most of the logistic supplies for III and IV corps came in through Cambodia. Closing these routes has been of very great assistance to the forces in Vietnam. It is a real plus as far as providing increased possibilities for further troop reductions in Vietnam are concerned. It is a very small investment to provide this money in the form of military assistance to the forces of Cambodia, when one considers the daily cost of the war in Vietnam, particularly at its high level of 1968 . . ."

December 11—Testimony before the Senate Foreign Relations Committee:

"In Cambodia at the present time, the Cambodian regular forces are tying down over 40,000 regular North Vietnamese forces. In addition to that, they are tying down 10,000 or more VC forces that are operating within their country . . . We believe that when the Cambodian government has the volunteers, but does not have the military equipment they need, it is better for us to equip those volunteers to meet this force than to involve American combat forces. . . .

Q. "If Cambodia is in danger of falling . . . what would you recommend that we do?"

A. "Well the first thing that I would recommend . . . would be to encourage a greater use of South Vietnamese forces should they be requested by the Cambodian government . . . There are no approved contingency plans which contemplate the use of Americans in Cambodia as ground combat forces. . . .

"If you take the situation that existed earlier this year, the air war in Cambodia has decreased. It has substantially increased during the past month as far as the South Vietnamese forces are concerned, but the number of missions flown by U.S. pilots, as compared with South Vietnamese pilots, is much smaller. . . .

"The U.S. Air Force is flying interdiction missions in Cambodia. These interdiction missions are limited to ground concentrations, movement of supplies, et cetera . . . The South Vietnamese are conducting some close air support. We do not have U.S. ground spotters positioning our U.S. Air Force attacks. We have very stringent rules . . . Those rules provide that there will be no use of interdiction missions by the U.S. Air Force near villages or cities where there are concentrations of population . . . If a target involving personnel or logistic supplies is in an area where it can be hit without damage to civilians or populated areas, we do use air power to destroy it. . . .

". . . We have flown interdiction missions in all areas of Cambodia at the request of the Cambodian government. . . .

"The only involvement we have with Cambodia is in the military assistance area, and in the economic area . . . I would assume that we would continue for some period of time to give military assistance and economic assistance, but that is the extent of our involvement. . . ."

1971, SECRETARY OF DEFENSE MELVIN R. LAIRD

January 11—On Arrival at Hickam A.B., Hawaii:

Q. "Mr. Secretary . . . could you give us an idea if in fact, it seems to you that the Communists are switching focus of their offense in South Vietnam to Cambodia?"

Secretary Laird: "I think the enemy threat in South Vietnam is not as great as it was a year ago. The threat in Cambodia remains about the same, but the threat in South Laos has increased considerably during the last twelve months. . . .

". . . members of my party visited Cambodia and reports on the progress being made with the new military assistance program, which has been approved by the Congress by an overwhelming vote, would indicate that the military situation was improving, and that the Cambodians were making some progress with the Military Assistance Program. Of course, it's only had about four weeks to be implemented, but the progress thus far, I believe, is adequate. . . .

Q. "Sir, do you read the Congressional mandate on the non-use of American troops in Cambodia to permit the use of American airpower that you feel is necessary to break the stranglehold on the highways around Phnom Penh?"

Secretary Laird: "Yes, I do. . . .

Q. "Is there going to be an airlift in Phnom Penh?"

Secretary Laird: "There has been an airlift in Phnom Penh. There has been material that has been airlifted. The South Vietnamese have had several airlifts in there, and I would assume that air, waterway, the other means, would be used to deliver the military equipment that has been authorized by the Congress. I think it was a rather substantial development as far as the Congress was concerned, that we had this overwhelming vote in favor of the Military Assistance Program for Southeast Asia. It shows the true application of President Nixon's Guam Doctrine, in which we move from military manpower in Southeast Asia to military assistance. . . ."

January 20—News conference:

"Members of my party, including Admiral Moorer, visited Cambodia. In Cambodia we are seeing the Nixon Doctrine at work. Asian nations are joining together in ground combat against the Communist aggression. These nations are providing the manpower for their own defense. As has been stated repeatedly since the President enunciated the Nixon Doctrine in Guam in 1969, the United States would be and is prepared to provide material assistance and air and sea assistance to our allies and our friends in Asia.

". . . They [the Cambodians] have the support on the ground of their neighbors, the forces of the Republic of Vietnam. The people of Cambodia know that there will be no (American) ground combat forces committed to their country, but they also know—and this is most important—that they have the support of the American people as expressed in the overwhelming vote of the United States Congress in favor of military assistance to that country to help themselves in their defense.

"In short. the United States is fulfilling its pledge under the Nixon Doctrine to assist our friends and allies, but not become involved in ground combat. This is really a case of ground combat personnel, no; military assistance, yes. It is a case of manpower, no; but assistance, yes. . . .

Q. ". . . In June of 1970, Mr. Nixon and others in the White House indicated that there would be an end to combat air support and our logistics support directly in Cambodia once our troops on the ground had left there. This policy seems to have changed in recent weeks. Can you explain what this change in policy is?"

Secretary Laird: " . . . the President said, I believe on June 30, that air support would not be used or not necessary during the termination of those sanctuary operations. This was a correct statement, because the South Vietnamese Air Force at that time felt that they could perform the air support that was needed and necessary to finish up those sanctuary operations prior to the rainy season setting in, which of course terminated that phase of the Cambodian operation as far as the South Vietnamese were concerned.

"We did, however, use air power in Cambodia, and we have continued to use it, although it was not directly related to the South Vietnamese sanctuary operation. We have continued and as the President said in that same statement on June 30, he said we will conduct with the approval of the Cambodian Government—I am paraphrasing this—air operations against enemy forces as they move supplies and personnel through Cambodia towards South Vietnam and reestablish their sanctuary areas.

"I don't want to get into a semantic problem here of what this mission is called, or that mission. I have always called it 'air activities,' 'air support' as far as Cambodia is concerned, and I don't care to get into a question of semantics on that. We will use air power, and as long as I am serving in this job, I will recommend that we use air power to supplement the South Vietnamese forces, as far as the air campaign in South Vietnam, Laos and Cambodia. . . .

"The South Vietnamese will be in a position, as the Cambodians will be in a better position. The South Vietnamese are acquiring the air capability, and the movement that we've made with the transfer of well over 300 helicopters in this last year, I think is significant progress. The progress we are making as far as the fixed wing aircraft is concerned is important. But we are going to supplement as far as air power is concerned.

"I don't want anyone to leave this room with any other understanding. I have outlined that to the Congressional committees. We have this authority. It was spelled out clearly in the Congressional legislation which passed. The authors of the amendments which limit ground combat activities, which I support, and which I will see are lived up to by this Administration and by the Department of Defense.

"We will follow those Congressional mandates. But as far as air and sea activities, the law is very clear that as far as the sanctuaries or as far as protecting the Vietnamization program, protecting American lives, insuring withdrawal, all of these terms are written very emphatically and clearly into the Congressional legislation, which passed in this last session of Congress. We will abide by those Congressional mandates and we are living within those Congressional mandates today. . . .

". . . supplemental air power has been used to supplement the forces of South Viet-

nam . . . the vast majority of all of the supplies that moved into III and IV Corps did originate in that area near the Port of Sihanoukville . . . This route to the sea is important, and every effort will be made to see that it cannot be used as far as a supply route by the enemy.

"The South Vietnamese contrary to some reports went into this area on the ground, and there has been some airlift within the area, which both the South Vietnamese and the United States have provided. There has been air support flown by the South Vietnamese, the Cambodians, and the United States Air Forces, I consider this an important use of air power, and believe that it is important to see that the logistics supply routes and the restocking of the sanctuaries be made as difficult as possible during this very important dry season . . . We have recently received a favorable vote, an overwhelming vote from the House and the United States Senate to support a military assistance program for Cambodia. . . .

Q. "Mr. Secretary, you are talking about the Nixon Doctrine and you are talking about material assistance. Have you broadened it by saying it also includes air assistance and seapower assistance?"

Secretary Laird: ". . . We are making it clear . . . that our assistance will be in the way of material; will be maintained in the form of sea and air power, but that we do not place the reliance on the commitment of ground combat forces that the previous administration did in this area. . . .

Q. "Are you saying that the Nixon Doctrine only precludes the use of ground combat forces, period?"

Secretary Laird: "The Nixon Doctrine applies to building up the strength of our allies in that area and performing the needed and necessary support requirements in order for us to maintain an adequate deterrent as we move towards peace in that area, and it does place the emphasis on the idea of partnership and strength.

Q. "Does that mean an open ended commitment to all countries of the Southeast Asia with the exception that no combat ground troops will be committed there? . . ."

Secretary Laird: ". . . the emphasis shifted away from the reliance on American ground combat forces. We're not using any ground combat forces in Cambodia. And I can assure you that we will not.

Q. ". . . Does this mean that there might be other ground forces introduced? Secondly, does the Nixon Administration feel that no matter what has been said at one time, that it has no right to change its mind and take a different step if the exigencies of the situation demand it and it is not outlawed by Congress?"

Secretary Laird: "I think it is important that we maintain our relationships as clearly as possible and live within the Congressional mandates that we have and we are doing that . . . We are going to do our best here in the Department of Defense and within this Administration to assure that this military assistance program will be carried out as effectively and as efficiently as possible.

"This will require, of course, that we audit the delivery of equipment and ammunition under the military assistance program . . . that audit responsibility will be carried out by our military equipment delivery teams . . . we will keep the military delivery assistance teams at a very minimum level. I think you will probably find that the General Accounting Office will have more people checking it than we do because we are making an all-out effort to keep the military presence, as far as the military delivery teams are concerned, to the absolute minimum.

Q. "Mr. Secretary, is it your contention that if anyone is surprised at the use of helicopter gunships and/or other aircraft, which appear to be providing close air support, that they did not understand properly what you and Secretary Rogers said in your appearance on the Hill when some people got the impression that what you were saying is that you planned to reduce or sharply limit or indeed even ban the American use of close support air power to avoid getting us involved deeper in Cambodia?"

Secretary Laird: "As I have said here before, I don't want to get into the semantics over what we call it. I have called it 'air support.' It's to stop the movement of personnel; to stop the movement of supplies; to put a halt to enemy buildups and to give the kind of air and logistics support that are needed and necessary where the South Vietnamese forces cannot supply it for themselves and the priority first goes to the South Vietnamese forces to use their air asset and, as they are acquiring more and more, they will have more and more responsibility in this area.

". . . If you will read over the 'Meet the Press' statement, with all due apologies to you, in which I was on a program with Senator Church and Senator Goodell, you will find that both of them in interpreting the most restrictive language that had been proposed . . . indicated . . . that that language did not limit air support.

Q. "Mr. Secretary . . . is it a fair inference to conclude that if the South Vietnamese in any operations get in over their heads in the area of transporting troops or supporting them with firepower from the air, that we will help them out?"

Secretary Laird: ". . . I think you will find that we did not give air support as the sanctuary operations closed up, as far as the South Vietnamese were concerned, but we were flying air operations in Cambodia, Laos, South Vietnam. I think there must be a misunderstanding on the part of some over the number of sorties. The number of sorties being flown at the present time, in the last two months, or compared with the sorties flown during the summer of last year, there were more sorties flown last summer than are being flown today in Cambodia. The situation is such that we have de-escalated the war . . .

Q. "Mr. Secretary, have we got ourselves committed to the defense of Cambodia, to the point that if it appeared about to fall because of its importance to the continuation of the Vietnamization program, you might have to consider going to Congress and ask permission for them to use American ground combat troops in Cambodia.

Secretary Laird: "No, there are no such plans. The situation is, first, we are going to make every effort to see that this military assistance program, which was approved by such an overwhelming vote, is successful as far as Cambodia.

"Secondly, and I will repeat this, we will not—and I repeat it again, not—commit U.S. ground combat forces to Cambodia directly or indirectly.

"In the third place, as far as Cambodia is concerned, we are supporting the ARVN in Cambodia with air activities which are designed to prevent the reestablishment of the sanctuary areas and the logistic supply routes into those sanctuary areas.

"It is obvious, I think, that these air and logistic activities help all of the friendly ground forces as far as Cambodia is concerned. But the primary emphasis, as far as we are concerned and as far as our Government is concerned, is that this is being carried on as part of the overall effort to interdict and to stop the flow of enemy forces which would have an opportunity to attack U.S. personnel stationed in Vietnam.

"I recognize that there are those that criticize this position which I take and which is the position of the Administration. But so long as I am Secretary of Defense and have this responsibility, I would much rather endure the criticism than to permit the enemy by an uninhibited flow of supplies and personnel to be in a position where they could inflict casualties and attacks on American military personnel as we continue to remove Americans from South Vietnam.

Q. "You haven't said what we would do if Cambodia falls, Mr. Secretary.

Secretary Laird: "I don't anticipate that Cambodia will fall if our military assistance program is successful. This is a critical period, as I have said earlier. When you go from 30,000 to over 200,000 in the military force, they have the will, they have the desire to meet the enemy, the invaders from the North. I am confident that they will be successful in their efforts. But I want to make it abundantly evident to you, Bill, that there are no ground forces involved and there will be no ground forces involved.

Q. "Mr. Secretary, as I read the President on June 30, he would permit interdiction activity in Cambodia after the withdrawal of our troops, but would preclude both close support and logistic support. As I understand you today, you say that close support and logistic support, however described, are now permitted.

Secretary Laird: "I don't use those terms. I talk about air support. I have always talked about air support.

Q. "That kind of activity, however described, is permitted by two things: One, a definition of what the Nixon Doctrine is really all about; and, two, the fact that the Congress didn't preclude this kind of activity in voting a supplemental and restricting ground combat activity?"

Secretary Laird: "You are correct in both cases. The Congress did not preclude this, and it has always been anticipated by me in all of my testimony that air support would be used.

"The use of helicopter gun ships and the improvements that we have made in the last year on the helicopter gun ship has been important. It's been much more effectively used, and some of the other gun ships are much more effective than they were a year ago as far as stopping logistic movement. . . .

Q. "Do you anticipate that this commitment of air support, as you put it generally, is going to be semi-permanent or for the next several years?"

Secretary Laird: "No, I don't. As a matter of fact, first, we are in this period when the Cambodians are building up their military strength and they are going forward with that program and have made what I believe is good progress for a short six months.

"As far as Phase II of the Vietnamization program which I have discused with all of you many times, that program does take longer than to turn over of the ground combat responsibilities because of the training that is involved. But the South Vietnamese will be in a position where they will not have to call on additional assets in the not too distant future.

"I don't want to give the number of months or the amount of time that's involved in that, because we are not making forecasts or projections in this department as long as I am Secretary of Defense. We make certain statements and we deliver on them, but I am not setting up some target goals that we can't deliver on. I can assure you that the progress is good with that training. As far as fixed wing aircraft is concerned and as far as rotary aircraft, the South Vietnamese are indeed making good progress.

Q. "Does the letter and the spirit of your mandate from the Congress and from the President include U.S. ground forces in Cambodia which are not combat troops? In other words, would your mandate permit the sending of a communications unit or a field hospital or some unit which is not directly combat connected?"

Secretary Laird: "So far as the law is concerned, it would not prohibit that. It does not prohibit of course military assistance delivery

teams. It does not prohibit search and rescue operations. . . .

"The spirit and the letter of the law would be followed and you could do the things that you outlined . . . I don't want to give the impression that we have plans to go beyond the military delivery teams which we will have supervising the programs.

Q. "How many of those will be involved?

Secretary Laird: "The number of people?

Q. "Yes, sir.

Secretary Laird: "The number of people involved at the present time in military delivery—don't hold me to this too closely; three or four on either side, give me a little leeway—is 12.

Q. "As the legislation is drawn, as you are discussing it, do you consider yourself precluded from operating, say, division or regimental level advisers, to the Cambodians and the South Vietnamese operating in Cambodia?"

Secretary Laird: Yes.

Q. "Mr. Secretary, how much more air power are we prepared to use in Cambodia above present levels?"

Secretary Laird: I would doubt that we would get up to the level of last year, but we could. I don't want to be in a position of putting a sortie limitation as far as Cambodia, if that is what you want. I am not going to do that. Because I have told General Abrams that I want him to do everything he can to continue to keep American casualties low.

Q. "Mr. Secretary, does that mean that there are no inhibitions of any kind on the use of American air power in Cambodia?"

Secretary Laird: "I don't care to discuss the operating orders. I have never discussed the operating orders which I have approved in substance. I can only say to you that there are certain protections written into those orders; there are certain controls that are written into those orders."

"ECONOMICS OF AGING" REPORT PRESENTS GRIM FACTS

Mr. WILLIAMS. Mr. President, the Senate Special Committee on Aging has, within recent days, released a report called "Economics of Aging: Toward a Full Share in Abundance."

That report follows a 2-year inquiry during which the committee took more than 2,000 pages of testimony and exhibits. In addition, the committee received eight working papers or information sheets prepared by task forces or individual authors.

It is no exaggeration to say that the committee effort is the most searching congressional evaluation of what might be called the personal economics of aging. Our goal was to show exactly what is happening to individual older Americans who must attempt to live on inadequate, fixed income while expenses of daily living steadily rise. The committee took much testimony, not only from authoritative experts, but from the elderly themselves. Our final report includes extensive excerpts from the testimony of both groups.

To summarize very briefly, the report:

Declares that poverty increased among 65-plus Americans by 200,000 between 1968 and 1969, and by 12,000 for those from ages 60 to 64. For all other age groups, poverty declined by 1.2 million. Older Americans are twice as likely as younger persons to be poor; 4.8 million 65-plus individuals were living in poverty in 1969.

Emphasizes that aged Americans live on less than half the income of those under age 65, despite the stopgap 15-percent social security increase of December 1969.

Reports that a new group of aged poor may be in the making among those now 55 to 59, because one out of every six men now in that age group will be out of the work force by the time he reaches his 65th birthday if present trends continue.

Points out that so-called older workers—those 45 years or older—are hard hit by current unemployment. Since January 1969, the number of jobless men in this age group has jumped from 596,000 to 1,017,000. The report says:

> Their unemployment lasts longer than that of younger workers, and the older person has greater difficulty in finding work at the same pay level after a prolonged layoff.

Describes the problem of the elderly homeowner who finds it increasingly difficult to pay property taxes, including one woman who paid more than half of her total income of $1,958 for taxes and a special assessment. Household costs take about 34 percent of the average retired couple's budget.

Criticizes the forthcoming increase, from $5.30 to $5.60 a month, in the medicare part B premium. The report says that the average health bill in fiscal year 1969 was $692 for a person past age 65, six times that for a youth and 2½ times that for persons from 19 to 64. Medicare pays less than half of the total medical care costs of the elderly.

Warns that inflationary pressures are especially severe on elderly homeowners because of the direct relationship between the local property tax and high-cost local government services.

Among the recommendations made in the report were the following:

That Congress speedily enact the social security amendments adopted by the Senate, modified to include the House-passed provision for financing cost-of-living increases.

That the 92d Congress gives early attention to major changes in social security benefit levels that are needed to provide meaningful economic security for those who retired and to assure that workers retiring in the future will realize their full stake in retirement security.

That serious consideration be given to the use of general revenues in the financing of the social security program, with the share identified through a formula spelled out in the legislation.

That the Federal commitment to the elderly undertaken through the Family Assistance plan be translated into a wholehearted commitment, with 100 percent Federal financing and Federal administration.

Turning to private pensions, the committee recommended that immediate attention be given to the special problem of safeguarding the retirement income of workers who lose their jobs as a result of plant shutdowns, commonly after long service and who—like the deteriorating plants that are first to be shut down—are likely to be middle aged and older.

That the 92d Congress give prompt consideration to legislation—establishing an Institute on Retirement Income. The committee said this Institute is proposed not for the sake of more study or because this committee is uncertain about the need for action, but because such an institute can provide as-yet unavailable information that will help the Congress and the executive branch to make hard decisions on specific, concrete issues.

Reiterating an earlier stand that acceptance of a national health insurance program for all age groups is more likely if medicare is perfected, the committee also suggested that appropriate congressional units consider the possibility of establishing—a task force which will, within a specified time period—such as six months—assemble analyses of various proposals, cost estimates of these proposals, evaluations of the adequacy of existing technical knowledge about sub-proposals designed to increase the efficiency of our health care system, and other issues which will face any legislator who considers national health insurance.

Calls for expansion and improvement of medicare, particularly by including prescription drugs essential for the treatment of the chronically ill, by covering disabled beneficiaries, and by merging parts A—hospital insurance—and B—supplementary medical insurance—and financing the merger through taxes on rising payrolls and general revenues rather than from premiums.

Advises the 92d Congress to retain the provision in the Social Security Act which would require States to have comprehensive medicaid programs by 1977 and that other necessary steps be taken to improve the medicaid program.

Urges that the Age Discrimination in Employment Act of 1967 be fully implemented, and that a middle-aged and older workers employment act be promptly enacted and fully funded.

Renews its recommendation for enactment of legislation establishing an Older Americans Community Service Program.

Declares that problems of the elderly homeowner and renter have now reached emergency proportions, requiring Federal action either directly—in terms of payments to States which provide tax relief for homeowners or renters—or indirectly; that is, aid to education or other high-cost service needs now paid largely by the property tax.

Strongly recommends that we maximize the opportunity provided by the 1971 White House Conference on Aging to develop a basic national policy and the commitment essential to carrying out this policy.

Mr. President, I believe that the preface and the introduction to that report present arguments and conclusions which should reach the attention of Members of the Congress and the general public as well. I ask that they be reprinted at the conclusion of these remarks.

I also ask unanimous consent for publication of three editorials—one from the Evening Bulletin, Philadelphia, one from the Courier-Post, Camden, N.J., and one from the Home News, New Brunswick, N.J.

There being no objection, the material

was ordered to be printed in the RECORD, as follows:

PREFACE

Americans, more, and more, are confronted with issues which cry out for fresh thinking and early solution.

We must concern ourselves about an economy which—while surpassing the trillion dollar mark in gross national product—nevertheless is subject to alarming inflationary pressures and recessionary decline at one and the same time.

We must attempt to "unwind" a war while guarding our security throughout the world.

We must attempt to understand the causes of dissensions which spring up among youth, among minority groups, and even among specialists who look at the same set of facts and arrive at totally differing conclusions about such matters as a supersonic transport airplane or water pollution.

How, then, to catch the attention of the Nation and focus it upon a largely unnoticed crisis which now affects a majority of 20 million persons already aged 65 and over, and which threatens to engulf many more millions now nearing retirement age?

That "unnoticed crisis" springs from generally inadequate retirement income; it is intensified by new demands upon that income; and it is made more desperate by the fact that we have yet to declare a genuine national commitment for dealing with this crisis.

In fact, we as yet seem unprepared to make that commitment, or even to recognize the true dimensions of the crisis.

For 2 years, the United States Senate Special Committee has been at work on an exhaustive inquiry into the "Economics of Aging: Toward a Full Share in Abundance."

Our goal was to make a broad-based evaluation of those public and private programs, social and economic forces and other considerations related in any way to what might be called the *personal* economics of aging.

We wanted to know what is happening, and what will happen, to *individual* Americans who must make the adjustment from employment income to retirement income.

To do that, we had to go far beyond any one program, even one as monumental as Social Security.

We also had to concern ourselves with the promise, and limitations, of the private pension system.

We had to consider the drains on retirement income: illness (Medicare covers less than half the total medical bill of the elderly); the high cost of shelter; the dwindling opportunities for employment even *before* age 60, special consumer needs of the elderly, and much more.

We had to give some thought to special problems of minority groups, but much more intensive attention is still needed here.

To manage so formidable an undertaking, the Committee resorted to two devices.

One was the mobilizing of subcommittees within this Committee to take on individual tasks. Thus, Senator Frank Church, as Chairman of the Subcommittee on Consumer Interests, conducted a hearing on consumer aspects of our subject. Similar hearings, also on specialized aspects of the overall inquiry, were conducted by: Senator Edmund Muskie, Chairman of the Subcommittee on Health (Health Aspects); Senator Frank Moss, Chairman of the Subcommittee on Housing (Homeownership Aspects); and Senator Jennings Randolph, Chairman of the Subcommittee on Employment and Retirement Incomes (Employment Aspects). These hearings, and others conducted on behalf of the full Committee, provided a hearing record of considerable magnitude and depth. To all those who participated as witnesses or as commentators whose views were transmitted by mail,[1] the Committee offers heartfelt thanks.

In addition to dividing the responsibility among subcommittees, the Committee also made intensive use of "working papers" prepared in advance of hearings in order to summarize major facts and to present recommendations by knowledgeable specialists from several fields. These Task Force members, and individual authors of several papers, also have the deep appreciation of this Committee. They were generous with their time and their concern about the issues before the Committee, and they served without fees of any kind. This "honor roll" has the following members:

"Economics of aging: toward a full share in abundance", a working paper prepared by a task force:

Miss Dorothy McCamman, *Consultant on the Economics of Againg, Special Committee on Aging;*

Juanita M. Kreps, Ph. D., *Dean of Women's College, Duke University;*

James H. Schulz, Ph. D., *Associate Professor of Economics, Brandeis University;*

Agnes W. Brewster, *Consultant on Medical Economics;*

Harold L. Sheppard, Ph. D., *Staff Social Scientist, W. E. Upjohn Institute for Employment Research.*

"Health aspects of the economics of aging", a working paper prepared by an advisory committee:

Agnes W. Brewster, *Consultant on Medical Economics;*

S. J. Axelrod, M.D., *Director, Bureau of Public Health Economics, University of Michigan;*

Melvin A. Glasser, *Director, Social Security Department, United Auto Workers;*

Bert Seidman, *Director, Department of Social Security, AFL–CIO.*

"Homeownership aspects of the economics of aging", a fact sheet prepared by:

Herman B. Bortman, *Chief, Research and Statistics, Administration on Aging, Department of Health, Education, and Welfare.*

"Economics of aging in Bergen County", a fact sheet prepared by:

Gladys Ellenbogen, Ph. D., *Professor of Economics, Montclair State College;*

"Social Security for the Aged: International Perspectives", a working paper prepared by: George F. Rohrlich, *Professor of Political Economy and Social Insurance, Temple University School of Business Administration.*

"Employment Aspects of the Economics of Aging", a working paper prepared by the National Council on the Aging's National Institute of Industrial Gerontology: Harold L. Sheppard, Ph. D. (*Upjohn Institute for Employment Research*), *Chairman* Norman Sprague, *Director;* Irma R. Withers, *Deputy Director.*

"Pension Aspects of the Economics of Aging: Present and Future Roles of Private Pensions", a working paper prepared by: James H. Schulz, Ph. D., *Associate Professor of Economics, Brandeis University.*

"The Stake of Today's Workers in Retirement Security", a working paper prepared by: Nelson H. Cruikshank, *President, National Council of Senior Citizens.*

Many of the Economics of Aging working papers were prepared under intense deadline pressure. In almost every case, the preparation of the documents was feasible only because the Committee was fortunate enough to have Miss Dorothy McCamman as consultant for this study. She was on hand when help was needed throughout this entire effort, from beginning to end. In a field to which she has already made many substantial contributions as a staff person within the Executive Branch and as advisor to private organizations, Miss McCamman has now added another major achievement which—it is hoped—will help lead this Nation more quickly to a goal she has long sought: true security for older Americans.

That same goal is sought by this Committee, and—as the following pages declare—that goal is attainable within the early part of this decade.

A clear-cut call to action is advanced in this report. It is in the interest of *every* American, whether now old or far from retirement, to heed that call.

HARRISON A. WILLIAMS, Jr.,
Chairman.

INTRODUCTION

"Aging is not easy to 'sell', to raise high in a list of national priorities. Much of America still looks for the fountain of youth . . . it is true that a minority of the national population is in the later years today—one in ten Americans is an older American. But 70 of every 100 babies born today may expect to live into their 70s . . . and so we truly speak for a majority.

"Let us speak well and loudly".—John B. Martin, U.S. Commissioner of Aging and Special Assistant to the President on Aging, in an address, Denver, Mar. 19, '70.

THE SELLING OF A SOLUTION

If, as is said in the excerpt above, aging is difficult to "sell" as a priority matter for national concern, it is all the more essential for this Committee to declare, as forcefully as it can, that:

Our Nation, during this thirty-fifth anniversary year of the Social Security program, has not yet resolved retirement income problems which severely damage the economic status, morale, and even the health of millions of Americans, including many well above the poverty line,

But that:

It is within the power of this Nation, if it takes full advantage of several unique opportunities during the remaining eleven or so months before the White House Conference on Aging—and in the months immediately following that Conference—to make the 1970's the decade in which this Nation will achieve its declared goal of "an adequate income in retirement in accordance with the American standard of living."[1]

In other words, the "selling of a solution" can be *made* to happen in 1971, and implementation can begin soon after.

As basis for these declarations, the Committee draws upon 2,000 pages of testimony, "working papers" prepared by task forces or individual authors, and from the data or counsel generously provided by dozens of others who have expert knowledge or direct personal association with the problems and programs described.

I. The persistence of crisis

This Committee began its inquiry into the Economics of Aging in December 1968. In the months that followed, during preparation of the first "Working Paper," it became clear that the Committee had an obligation to declare that the retirement income *problem* in the United States had become a retirement income *crisis.*

Not only were more Americans entering into retirement; they were spending more years as retirees because of a trend toward early retirement and because of sharp increases in the number of the "aged elderly," those past age 70. Not only was today's crisis visibly worsening, there was every reason to believe that—in terms of sheer numbers of people affected—it would most certainly be-

[1] Names of witnesses and others who sent statements may be found in the index which appears at the end of this report.

[1] As cited in the Older Americans Act, Public Law 89–73, July 14, 1965.

come even more severe unless major policy changes were made.

In December 1970, this Committee must report that, even with passage of a stop-gap 15 percent Social Security increase late in 1969, the crisis still exists. Details are provided in the next section, but the essential facts are these:

Two years ago, the aged had less than half the income of those under age 65. The same holds true today.

Two years ago, approximately 4.6 million people aged 65 and over lived below poverty levels. In December 1969, the latest date for which statistics are available, that number had *increased* by 200,000—and the number from ages 60–64 had also increased by 12,000: *it was only among these older Americans that the number of people living in poverty rose.*

Two years ago, the Committee received information that an alarming number of workers are retiring before age 65 and accepting reduced Social Security benefits, not because they preferred this form of "retirement", but because they had no choice. They were out of work, ill, or in marginal employment. There is good reason to believe that this trend is not slowing at all, but actually increasing.

Closely related to the trend above is widespread unemployment among workers who are 45 years old or older. Since January 1969, the number of jobless "older workers" has just jumped from 569,000 to 1,017,000. Their unemployment last longer than that of younger workers, and the older person has greater difficulty in finding work at the same pay level after prolonged "layoff." If current labor force participation trends continue, one out of every six men in the 55 to 59 category will no longer be in the work force by the time he reaches his 65th birthday. Ten years ago, this ratio was only one of every eight. *A new group of "aged poor" is in the making.*

Two years ago, this Committee expressed concern about the Medicare Part B Premium, which then cost the elderly $3 a month. It has now been announced that a new increase in 1971 will raise the monthly premium for the Medicare recipient to $5.60, or nearly double the original amount. And yet, the "Economics of Aging" hearing transcripts are crowded with statements on the hardships imposed upon many elderly who cannot really afford to pay any premiums at all.

During those same two years, price inflation for medical care was intense: the index rose from 147.4 in October 1968 to 167.9. Medicare provides less than 50 percent of all health care costs of the elderly; and for some individuals, the costs of uncovered care continue to be catastrophic.

Inflationary pressures in general are far more severe in 1970 than they were in 1968: the overall Consumer Price Index rose from 122.9 in October 1968 to 137.4. For elderly homeowners, the effects of inflation were especially severe because of the direct relationship between high-cost local government services or expenses (education, increases in public employees' salaries, etc.) and the local property tax.

II. Rationale for action in 1971

This report has already declared that the stage could be set in 1971 for early resolution during this decade of our retirement income crisis. That statement is based upon these facts:

Not since early 1960, when this Nation prepared for a White House Conference on Aging, has there been such nationwide interest in older Americans. As 1971 begins, plans are well-advanced for another White House Conference which could—if expressed intentions of the Administration on Aging are fulfilled—be even more incisive and more well-disciplined in terms of focusing upon a limited, but carefully chosen number of issues.

Surely, retirement income is one such issue.

This Committee, in the section which follows, offers specific recommendations which will set the stage for optimum effectiveness of the White House Conference on this issue. These actions would help assure that the White House conferees would grapple with the problems on terms which will help assure solutions in the 1970's.

The President of the United States has, within recent months, received a Task Force Report [2] which recommended revision of the proposed Family Assistance Program to raise all older Americans above the poverty line, far-reaching innovations in the private pension system, and major changes in Social Security. The Committee does not wholly agree with every proposal advanced by the Task Force, but does recognize that its report issues a clear call for action on a scale as yet unattempted in this Nation. The Task Force report builds upon the programs advanced by the President and his two predecessors. It is a major event in the development of a national policy on aging.

Within the Congress, a proposed cost-of-living adjustment mechanism within the Social Security System—sought by both Presidential candidates during the 1968 campaign, sought by the present Administration, sought by many individual and influential legislators—was passed by the House of Representatives. This action alone is a harbinger of more far-reaching actions that could be taken to reform Social Security.

But this Committee urges that the automatic adjustment mechanism have as a base more adequate benefit levels than those advanced in 1969 by the Executive Branch, and that the financing for any such measures be based primarily upon growth of the Social Security trust fund, rather than on additional, regressive taxes upon employee-employer contributions.

Congressional units, and the Executive Branch, have recognized that legislation should be enacted during the 92nd Congress for improvement of private pension coverage. This interest, culmination of several years of close scrutiny of the pension system, could produce additional, and important, impetus in our progress to a national commitment on retirement income.

Even more important than the factors described above is that action *must* be taken early in the 1970's because the problem is so grave.

To those who say that major reform is not possible in a Nation which is fighting a war, inflation, and at least semi-recession at the same time, this Committee points out that it is far more reasonable to assume that we in this Nation will resolve these problems, rather than succumb to them. It is also reasonable to assume that we will resolve them fairly early in this decade.

And therefore it is imperative that we be prepared to act in a spirit of confidence, rather than despair—to have an action plan ready to become reality.

On the pages that follow, several recommendations are made for legislative action. Several proposals are also made for what appear to be fact-finding mechanisms. Actually, the Committee is not calling as much for fact-finding as it is for problem-solving. An "Institute on Retirement Income," for example, is proposed—not for the sake of more "study" or because this Committee is uncertain about the need for action—but because such an institute can provide as-yet unavailable information that will help the Congress and the Executive Branch to make hard decisions on specific, concrete issues.

Here, within our grasp, are ingredients for a solution which now must be "sold" to policy makers within government, to informed persons throguhout the field of aging, no matter what their specialty; to older Americans, and to each young person who will some day find that today's solution for others will be his, too, in fewer years than he thinks. As a first step toward the "selling" of this solution, the Committee now offers its recommendations, followed by two sections in which witnesses and others who contributed to the study are quoted at some length.

[2] "Toward A Brighter Future For the Elderly," The Report of the President's Task Force on the Aging, April 1970.

[From the Philadelphia (Pa.) Evening Bulletin, Jan. 21, 1971]

POVERTY HITS THE AGED

It's not a reassuring picture that the Senate's special committee on aging draws of the income problems of millions of Americans getting up in years—

Inflation digging away at the base of their security; health and hospital costs constantly threatening financial disaster; unemployment depriving many now aged 55 to 59 of the last productive years they have remaining to set aside a nest egg.

According to the commitee, nearly five million persons over 65 are already existing in poverty conditions, and the number is steadily increasing.

Since January, 1969, the number of jobless men 45 and older has doubled to over a million. As bad as unemployment is for the young, it is akin to catastrophe for anyone too old to be easily retrained or too rooted to move where jobs might be available.

The report points out that unemployment for this age group lasts longer than it does for the young. Persons over 45 represented one-third of those out of work longer than 15 weeks and nearly 43 percent of those out of work for more than six months.

Thousands have not only lost work but also pension coverage when plants shut down. They have found it increasingly difficult to keep up premium payments on insurance which they planned as part of their retirement income.

Meanwhile, it has been ascertained that Medicare pays less than half the total medical care costs of the elderly, which averaged $692 during 1969 for a person over 65.

This grim report, two years in the making, should arouse support in Congress for a much-needed hike in Social Security. Sen. Harrison A. Williams Jr., New Jersey Democrat and chairman of the committee, plans to reintroduce his bill upping benefits by 10 percent.

But along with a boost in benefits, Congress might also look into ways of protecting private pension funds when plants fold and workers are caught without a vested interest; some better health insurance plan is overdue, not to mention adequate housing and nursing facilities for the elderly.

Senator Williams called the problems of the aging an "unnoticed crisis." With the report of his committee, the nation is now on notice. The question is, will the crisis be met?

[From the Home News, New Brunswick (N.J.) Jan. 20, 1971]

THE AGED POOR: A NATIONAL CRISIS

After two years of study, a Special Senate Committee on Aging, headed by Sen. Harrison A. Williams Jr. of New Jersey, has issued a report painting a dark and depressing picture of millions of older Americans living in poverty and ill health.

Declaring that "the retirement income problem in the United States has become a retirement income crisis," the report warns that both the number and the proportion of aged poor increased between 1968 and 1969,

with one out of every four Americans 65 and over now forced to live on a poverty-level income.

Senior citizens are especially hard-hit by rising medical costs, still inadequately covered by Medicare, and have suffered greatly because of the economic slowdown. Many older workers and their families have lost "more than their jobs," the report says. "Thousands have also lost their pension coverage—even though they may have worked most of their lives to provide a 'nest egg' for retirement."

While warning that a "new group of aged poor" might be in the making, the report expressed optimism that the 1970s could be "the decade in which this nation will achieve its declared goal of 'an adequate income in retirement in accordance with the American standard of living."

To reach that goal, the report suggested that Congress create an institute on retirement income, urged that a minimum income be set for Americans of all ages and proposed that "serious consideration be given to the use of general revenues in the financing of the Social Security system."

Senator Williams, in a preface to the report, appealed to the 92nd Congress to approve a 10 per cent increase in Social Security in 1971, a measure which died in a conference committee of the 91st Congress.

If this country is to give its older citizens the honor and dignity and security they deserve, more than lip service must be paid to the recommendations of this exhaustive report.

And beyond the obvious moral obligations of society to provide adequately for its senior citizens, the commission members reminded today's young person: "Today's solution for others will be his, too, in fewer years than he thinks."

ECONOMICS OF AGING

A report by the Senate's Special Committee on Aging, headed by New Jersey's Sen. Harrison Williams, has come up with a pretty grim picture of income problems among older Americans.

Coming after a two-year study of the economics of aging, the report finds that poverty increased among Americans over 65 years of age by 200,000 between 1968 and 1969, and by 12,000 for those from ages 60–64. For all other age groups, poverty declined by 1.2 million.

Older Americans are twice as likely as younger persons to be poor.

Aged Americans live on less than half the income of those under age 65, despite the stopgap 15 per cent Social Security increase of December 1969.

Our nation, says the report, has not yet resolved retirement income problems which severely damage the economic status, morale, and even the health of millions of Americans, including many well above the poverty line.

The report presents a clear case in favor of speedy enactment by Congress of the Social Security amendments adopted at the last session by the Senate, modified to include the House-passed provision for financing cost-of-living increases.

Social Security increases early in 1971, are a must.

Sen. Williams, whose record in Washington long has been distinguished by his efforts in behalf of the elderly, also had some pertinent comments on the report.

If there was any doubt about the crying need for Social Security reforms, he said, this report should dispel it.

Williams tells of what he calls the "unnoticed crisis" that springs from generally inadequate retirement income. He says it is intensified by new demands upon that income, and it is made more desperate by the fact that we have yet to declare a genuine national commitment for dealing with the crisis.

The new Congress should look to the Williams committee report for guidance in its determinations on the wide-ranging needs for Social Security reform.

THE TREATMENT OF JEWS IN THE SOVIET UNION

Mr. ALLEN. Mr. President, on Tuesday, December 29, 1970, the Birmingham Post-Herald editorially condemned repression in Russia with particular reference to sentencing two Jews to death for allegedly conspiring to hijack a Soviet airliner in an effort to escape to freedom. It is true, Mr. President, that the death sentences have since been commuted. However, the entire system of repression remains, Soviet secret police remain, firing squads remain, the crude barbarisms of extorted confessions remain, and a repressive system of Communist Party dictatorship remains, and the plight of Russia's unfortunate Jews remain. Mr. President, the editorial deals with these and other related questions. Hopefully, the editorial will serve to refresh our memories on the fundamental nature of Russian communism. It is for this reason that I commend the editorial to the thoughtful consideration of Senators and the public in general. Mr. President, I ask unanimous consent that the editorial be printed in the RECORD.

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

JUDICIAL MURDER IN RUSSIA

Sentencing in Leningrad of two Jews to death and nine other persons to prison camps for allegedly planning to hijack a Soviet airliner is a brutal, repressive act that tells much about the Kremlin's police state.

We utterly oppose aerial hijacking—whether by Soviet Jews, Arab guerrillas, Black Panthers or assorted psychopaths. It is a crime that endangers innocent passengers and deserves to be punished.

But in the Leningrad case no hijacking took place. The worst that can be charged against the 11 defendants, nine of them Jews who wished to emigrate to Israel, is that they plotted to seize a Soviet plane and fly it to Sweden. To put two "Zionists" before a firing squad for that is savagely excessive punishment.

We have no idea if the 11 are even guilty as charged. Naturally, the trial was closed to the foreign press. No trial record has been or will be made public. The Soviets say all 11 "confessed, pleaded guilty and repented their crimes."

That means less than nothing. After a few weeks in the hands of the Soviet secret police, anybody will confess to anything. This is proved by writings ranging from Arthur Koestler's great novel Darkness at Noon to Khrushchev's famous secret speech to the 20th Soviet Communist Party Congress in 1956.

Also, the efficiency with which the KGB rounded up the Leningrad 11 and some 20 other Jews indicates that the police knew about the alleged "plot" all along. It is even possible that a police agent instigated the escape effort: the tradition of police provocations is strong in Russia, going back to Czarist times.

Interestingly, the Leningrad Jews are charged with violating article 64A of the Russian federation criminal code. This makes it treason to flee the country. All we can say is any country that makes it a capital crime to try to leave is not a country, but a concentration camp.

Recently, the Kremlin has been frightened by the stirrings of the more than three million Soviet Jews, many of whom wish to escape from government fostered anti-Semitism in the Soviet Union and go to Israel.

The reaction of the ruling clique of Communist hierarchs, secret police satraps and Soviet army marshals is in the purest tradition of the late despot Stalin: Arrest, beat, exact confessions, stage show trials, execute—and thus terrorize the survivors into docility.

The new repression is not only aimed at Russia's unfortunate Jews. It is also meant to silence non-Jewish dissidents, scientists, writers and intellectuals who have courageously demanded civil rights and the freedom to think and speak.

In Russia there are no independent courts or judges in political cases. The guilty verdict and death sentences in Leningrad were decided by the Communist Politburo. If Mark Dymshits and Eduard Kuznetsov die before a firing squad, mankind will remember that the trigger fingers belonged to Brezhnev, Kosygin and their cohorts.

PRIVATE-SECTOR INVOLVEMENT IN INDIAN AFFAIRS

Mr. KENNEDY. Mr. President, almost a year ago, after the issuance of the final report of the Special Subcommittee on Indian Education, I became interested in the extent of involvement of the private sector, as well as the Federal Government, in Indian affairs. Information on who in the private sector was doing what had never been brought together. Thus I initiated a survey of various private entities so that the Government, the private sector, and American Indians would have a fuller awareness of what the private sector was doing—and could do—to assist the Indian people.

A number of church groups have been extremely active in assisting American Indians and Alaska natives. Sectarian involvement in Indian affairs includes the Bureau of Catholic Indian Missions, the United Presbyterian Church, the National Council of Churches, the American Baptist Home Missions Society, the Episcopal Church, the Methodist Church, the American Friends Service Committee, the Reformed Church in America, and the United Church of Christ. These church organizations expend annually over $8 million on projects relating to Indian affairs.

Foundations have also played an increasingly important role in supporting programs and projects relating to Indians. Last spring I wrote over 120 of the largest foundations asking for a description of past involvement with Indian projects and current plans that were or might be related to Indians. I have compiled a preliminary list of those foundations who have demonstrated or suggested an interest in Indian matters. Category A represents the highest degree of involvement in Indian projects. Category B contains those foundations with limited involvement in the area; and the final category C consists of foundations who indicated an interest in Indian affairs but who have not in the past 5 years been involved in this field. Mr. President, I would like to have this list,

along with brief descriptions of some of the activities of those foundations listed in the first category, printed in the RECORD at the end of my remarks.

A large number of letters come into my office daily concerning American Indians. Many of them contain proposals for programs that need funding. I hope that the list of foundations below will aid these correspondents in finding sources of funding for their projects. Of course, the Federal Government makes a large number of grants for projects relating to Indians and Alaska Natives, generally through the Bureau of Indian Affairs, the Office of Education, the Public Health Service, and the Office of Economic Opportunity. These agencies, whose relevant offices are listed below also, have proved to be valuable resources for funding useful and imaginative proposals.

A number of colleges and universities are also becoming more and more involved with Indian affairs—not through the traditional approach of studying the Indian, but through special studies programs, and community outreach programs. I fully support such efforts and hope that alumni and other funding sources will respond to the needs in this area by supporting these college and university programs.

A few national organizations with general membership, who are involved in promoting and supporting the programs and efforts of native Americans, have played an important role. Their activities should be recognized and applauded, and I have always found them helpful and responsive in matters in which they were involved that are related to my own activities. A listing of these organizations are attached also.

Mr. President, I realize that I have probably inadvertently left certain organizations or offices off my lists. I do not pretend to be presenting an exhaustive and complete survey of those who are involved in Indian matters on a national level. But I hope that this presentation will prove useful in spurring greater involvement in Indian matters by the private sector, and as well in directing Indians, tribes, and groups to those who may be helpful.

I ask unanimous consent to have this material printed in the RECORD.

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

I. FOUNDATION INVOLVEMENT AND INTEREST IN INDIAN AFFAIRS

CATEGORY A—HIGHEST FUNDING

Arrow, Inc., 1346 Connecticut Ave., N.W., Washington, D.C.

William H. Donner Foundation, Inc., Franklin A. Johnson, President, 711 Lincoln Building, 60 East 42d St., New York, N.Y.

The Field Foundation, 100 East 85th St., New York, N.Y.

W. K. Kellogg Foundation, Philip E. Blackerby, President, 400 North Ave., Battle Creek, Mich.

Louis W. and Maud Hill Family Foundation, Robert W. Bonine, Assistant Executive Director, W-975 First National Bank Building, Saint Paul, Minn.

Max C. Fleischmann Foundation, Julius Bergen, Chairman, 405 Union Federal Savings and Loan Assoc. Bldg., 195 South Sierra St., Reno, Nev.

The Luke B. Hancock Foundation, 770 Welch Road, Courtney J. Catron, Chairman of the Board, Palo Alto, Calif.

Carnegie Corp. of New York, Barbara D. Finberg, Executive Associate, 437 Madison Ave., New York, N.Y.

The Ford Foundation, Siobhan Oppenheimer, Program Officer, 320 East 43d St., New York, N.Y.

CATEGORY B—LIMITED INVOLVEMENT

Great Western United Foundation, Michael C. Moore, Program Director; Equitable Building, Denver, Colo.

Humble Oil and Refining Co., Public Affairs Department, Legislative and Political Affairs, Kenneth P. Fountain, Coordinator, P.O. Box 2180, Houston, Tex.

Josiah Macy, Jr. Foundation, 227 Park Ave., New York, N.Y.

Presbyterian Medical Services, P.O. Box 2384, Jack Schacht, Development Director, Santa Fe, N.M.

Wieboldt Foundation, R. M. Johnson, Executive Director, 29 South La Salle St., Chicago, Ill.

New York Foundation, Bernard L. Friedberg, Senior Associate, 4 West 58th St., New York, N.Y.

The Glenmede Trust Co., Allyn R. Bell, Jr., President, 1608 Walnut St., Philadelphia, Pa.

Richard King Mellon Foundation, Elston R. Law, Associate Director, 525 William Penn Pl., Pittsburgh, Pa.

The Arthur Vining Davis Foundation, William R. Wright, Executive Director, Box 2238, Miami, Fla.

Raskob Foundation for Catholic Activities, Inc., Gerard S. Garey, Executive Secretary, 1205 Hotel Du Pont, Wilmington, Del.

The Danforth Foundation, W. David Zimmerman, Vice President, 222 South Central Ave., St. Louis, Mo.

Rama, Inc., Suite 905, The Watergate Office Building, 2600 Virginia Ave. N.W., Washington, D.C.

Rosenberg Foundation, Mrs. Jackson Chance, Executive Director, 210 Post St., San Francisco, Cal.

Joint Foundation Support, Inc., Mrs. Elizabeth W. Troubh, Executive Director, 575 Madison Ave., New York, N.Y.

The New York Community Trust, Miss Isabella H. Sommerhoff, 415 Madison Ave., New York, N.Y.

The Cleveland Foundation, Greater Cleveland Associated Foundation, Seymour Slavin, Foundation Associate, National City Bank Building, Cleveland, Ohio.

The Kresge Foundation, William H. Baldwin, President, 211 Fort St. West, Detroit, Mich.

Boettcher Foundation, John C. Mitchell, Executive Director, 818 Seventeenth St., Denver, Colo.

The Charles E. Merrill Trust, David A. Thomas, Administrator, P.O. Box 488, Ithaca, N.Y.

The San Francisco Foundation, L. A. White, Associate Director, 425 California St., San Francisco, Calif.

Phoebe Waterman Foundation, Inc., 330 Boulevard Building, Richard K. Bennett, 1819 John F. Kennedy Blvd., Philadelphia, Pa.

United States Steel Foundation, Inc., Howard B. Barr, Vice President and Executive Director, 71 Broadway, New York, N.Y.

CATEGORY C: THOSE WITH NO INVOLVEMENT SINCE '65 BUT WITH INTEREST

Lilly Endowment, Inc., Mr. John S. Lynn, General Manager, 914 Merchants Bank Building, Indianapolis, Ind.

The New World Foundation, Mr. Vernon Eagle, Executive Director, 100 East 85th St., New York, N.Y.

El Pomar Foundation, Mr. William Thayer Tutt, President, Broadmoor, Colorado Springs, Colo.

The Louis Calder Foundation, Mr. Reinhold Dreher, Trustee, 10 Rockefeller Plaza, New York, N.Y.

The Andrew W. Mellon Foundation, Mr. Charles S. Hamilton, Jr., President, 140 East 62nd St., New York, N.Y.

Edward John Noble Foundation, Mr. Alger B. Chapman, Executive Director, 32 East 57th St., New York, N.Y.

Independence Foundation, Mr. Robert A. Maes, President, 2500 Philadelphia National Bank Building, Philadelphia 7, Pa.

Alfred P. Sloan Foundation, Mrs. Muriel P. Gaines, Assistant Secretary, 630 Fifth Ave., Rockefeller Center, New York, N.Y.

The Grant Foundation, Inc., Mr. Philip Sapir, Director, 130 East 59th St., New York, N.Y.

Rockefeller Brothers Fund, Dana S. Creel, Office of the President, 30 Rockefeller Plaza, New York, N.Y.

Zale Foundation, Mr. Warren D. Bachelis, Executive Director, 512 South Akard, Dallas, Tex.

Firestone Foundation, Mr. Joseph Thomas, Executive Director, 1225 West Market St., Akron, Ohio.

The Hazen Foundation, Paul J. Braisted, President, 400 Prospect St., New Haven, Conn.

Woodrow Wilson International Center for Scholars, Mr Albert Meisel, Smithsonian Institution Building, Washington, D.C.

Charles Stewart Mott Foundation, Mr. C. S. Harding Mott, 500 Mott Foundation Building, Flint, Mich.

Stern Fund, Mrs Marilyn Klein, 21 East 40th St., New York, N.Y.

DESCRIPTION OF ACTIVITIES OF CATEGORY "A" FOUNDATIONS

ARROW, INC.—A REPORT ON CURRENT PROGRAMS

The programs that Arrow is currently sponsoring reflect our long-standing emphases on the areas of American Indian life that we feel are most crucial and to which we feel we can best make our contribution: management training in all aspects of Indian commuity life, economic development of Indian lands, and assistance to Indian youth.

Though limitations of staff and funds make it impossible to pursue each of these areas fully and constantly, Arrow has made a significant contribution to each. Through cooperation with other organizations, both private and government, and through careful concentration of Arrow's assets in the areas where they will provide maximum returns, we have made noteworthy progress with all our programs.

I. Management training institute program

Management training for Indian leaders, has, to date, been sorely neglected by both private and government groups. Training programs sponsored by the government reach less than 20% of the approximate 2500 elected Indian leaders annually. As the management of, or the potential management of, almost a half million Americans who live on and own 52 million acres of land, Indian leadership is analogous to the "management groups" in private business. And almost all large business groups in the nation, many of which have less resources and potential than the American Indians, have regular training and review sessions. It is widely accepted that these sessions contribute significantly to the efficiency and productivity of businesses.

Training for Indian leaders requires regular workshop sessions in management that are geared to today's American Indian. It requires both knowledge of and sensitivity to the unique forces in Indian community life: isolation of reservation areas, lack of proper communication, and the traditional outlooks of the Indian people. Arrow's Management Training Institute program concentrates on providing training for Indian leaders upon those leaders' requests, utilizing the talents of men and women who have a

good understanding both of management techniques and of the American Indian's way of life.

Since the summer of 1968, Arrow has sponsored fourteen Management Training Institutes covering a wide range of topics. A total of over 275 Indians have participated in them, and each institute has been judged successful by its participants. Following are descriptions of a few of the most important of those sessions. (A complete report on each Institute is available at the Arrow office.)

Indian Elders Management Training Institute, Denver, Colorado. Co-sponsored by The Myrin Institute for Adult Education.

During the course of the Myrin Institute conference on Indian lore, six elderly American Indians, all of whom have held positions of authority within their Tribes, spoke at length with Mr. Sylvester Morey and Dr. Franz Winkler of the Myrin Institute of New York. The elders were asked to speak about their early spiritual training, their people's traditional religious beliefs, and their attitudes toward nature, mankind, and white society. Both Mr. Morey and Dr. Winkler have a deep interest in American Indian life. Mr. Morey has written an article entitled "American Indians and Our Way of Life," in which he suggests that a melange of some seemingly irreconcilable facets of Indian and Anglo life could lead to a healthy, harmonious life style for all American people. The discussions at the Indian Elders' Institute were all recorded, and with the help of Dene Curtis (Cherokee) of the BIA in Washington, they were transcribed. After some editing work on the part of the Myrin Institute and some gathering of biographical data on the elders on the part of Arrow, the 156-page transcript is now ready for publication. Robert L. Bennett has written an introduction to the volume.

Indian Court Judges' Management Training Institutes

The Management Training program for Indian Tribal Court Judges has yielded some particularly exciting results since its inception in June, 1968. At the Washington, D.C. Institute March 26–28, the Judges elected a Board of Directors and incorporated as the National American Indian Court Judges Association (NAICJA). The Washington meeting also afforded the Judges an opportunity to discuss in depth with government agency officials the potential funding available to the Association and to individual courts from the federal government. Representatives of the Law Enforcement Assistance Administration in the Justice Department, the Juvenile Delinquency Office of HEW, and the Federal Judicial Center made lengthy presentations.

At the Denver Institution, May 14–16, the Judges provided substantial information on what they feel their courts need most. That discussion covered everything from judicial robes to expanded staff and facilities and comprehensive probation and parole programs.

During the Albuquerque Institute, June 16–19, each of the Directors of NAICJA led an institute session followed by a discussion period. Fifty-seven court officials from the Albuquerque, Navajo, and Phoenix Areas were in attendance; all requested further information on NAICJA and membership therein. The Custer Institute, held September 12–14, met with similar success. Interest in finding more about and in joining the new Judges' Association was again universal, and Institute sessions were judged extremely educational by the 54 participants. Robert L. Bennett, past Commissioner of Indian Affairs; Gorden Mydland, South Dakota State Attorney General; and James Gamble, professional staff member of the Senate Interior and Insular Affairs Committee, were present at Custer.

A third expanded Indian Judges training institute is being planned for late this year. Invitees to this institute will include members of the Northwest Judges Association. (Arrow's Executive Director and NAICJA members had the opportunity to speak with representatives of the Northwest Judges Association at the National Congress of American Indians convention, held October 6–10 in Albuquerque. At that time, the Northwest group expressed definite interest in working closely with the national Judges' Association as a group.) The next Judges' institute should complete NAICJA's canvass of Indian judges throughout the United States, and prepare the Association for future efforts on a national basis.

NAICJA's emphases are on research, education, and communication, all of which it hopes to foster through the Judges' institutes. Its purpose is to upgrade the tribal court system in the United States through professional advancement and continuing education.

Navajo Agricultural Products Industry Management Training Institute, Farmington, New Mexico—August 14–16, 1969

One of Arrow's most recent Management Training Institutes was for the directors of the Navajo Agricultural Products Industry, an organization that will put to use the resources provided by the Navajo Indian Irrigation Project. Arrow's Executive Director attended the Institute, which included a tour of the Irrigation Project area and of former Arizona Governor Bolack's "B Square" Ranch, a model of agricultural accomplishment in desert regions.

The Navajo Indian Irrigation Project is now 16% complete based on the ratio of funds expended for project cost. When completed, it will place San Juan County, New Mexico among the top thirty counties in the United States in irrigated acreage, and it will bring an improved living standard to an estimated 30,000 Navajos through increased employment.

Members are now being selected to serve on the Board of Directors of the Navajo Agricultural Products Industry, which is a recent offshoot of the Irrigation Project. The Industry seeks to provide sound business management for the development of Navajo Reservation lands to their fullest potential. This will include overseeing the raising, processing, and marketing of produce grown at Navajo, the attraction of industry to the area, and the training of young Navajos in the management of the Industry to assure its self-perpetuation. One of the programs discussed at the Farmington Institute with which Arrow hopes to be helpful in the future is the training of selected representatives of the Industry in desert irrigation and agricultural production techniques. A training mission to Israel has been proposed for approximately six Indians to learn first-hand what the most effective techniques are.

II. Economic Development

"Tools for Training" Project

The ideal of each of Arrow's Management Training Institutes is positive concrete follow-up, especially in the field of economic development. During an Institute held at Idaho State University in Pocatello in 1968, a discussion was held on concrete follow-up at the reservation level. The Institute participants listed a number of ideas for economic development projects which could be initiated and carried through on reservations. A repeated observation of this discussion was that machinery, such as drills, grinders, cutting implements, etc., was needed in order to set up training for any project. Arrow's Director pursued this problem in further talks at Pocatello.

As a result, Arrow obtained donations of tools and machinery that were obsolete by the companies' standards, but still in good working order. The results have been heartening. We have not only distributed a number of tools and tool sets in Indian country, but we have put into motion the "Tools for Training" program sponsored by Arrow.

Operation Mainstream Project

Last fall, at the request of Tony Lincoln, a Navajo economic development official, Arrow negotiated a contract with the Navajo Concentrated Employment Program (under the Navajo Office of Economic Opportunity) to undertake sponsorship of Operation Mainstream. This program is designed to employ, on a short-term basis, Navajos for whom the conventional sources of employment assistance are closed. (Some of this program's participants had never held a permanent job before.)

An Arrow-Operation Mainstream office was set up in Gallup, New Mexico, and Mr. William Collins, Jr., a Navajo, was chosen as Project Director. The projects to which Operation Mainstream enrollees were assigned to assist other Navajos and included clean-up work, remodeling of chapter houses, and assistance in schools and in U.S. Public Health Service hospitals on the Reservation. Enrollees were held in Operation Mainstream projects until a place was found for them in vocational training programs, which in turn availed them of the opportunity to find permanent employment in the area. By last July, when Arrow's contract for Operation Mainstream sponsorship expired, the program was operating at full capacity with approximately seventy-five enrollees per week. It had an all-Navajo staff, including the Project Director, office personnel, and regional project supervisors. Mainstream was transferred to sponsorship by the Navajo Concentrated Employment Program, where it continues to provide the above-mentioned services. Arrow is pleased to have been helpful in getting Mainstream started; we feel that its approach and aims are most important to the Navajo Reservation.

III. Youth

One of Arrow's major interests continues to be in American Indian youth. All Arrow programs are designed to contribute to a better future for Indian people; Indian youth *are* that future.

Summer Youth Work-Experience Program, 1969

The Summer Youth Work-Experience Program has finished its second highly successful year of placing Indian youth in positions in National Parks and Monuments in the Southwest, Dr. Irving Handlin, who spent many hours with the program again this year, has provided us with a lengthy report on the summer of 1969. Through the efforts of Dr. Handlin, Jerry Tuttle (United Pueblo Agency, Albuquerque), Elizabeth Marcus and James Atcitty (Neighborhood Youth Corps), Frank Kowski (Regional Director of the National Park Service), and many others, ninety-four Indian youth were employed this summer, an increase of 50% over last summer. New positions were created for these young people not only with the National Park Service, but also with the General Services Administration and with the U.S. Forest Service, the last two being new to the program this year. Over twenty Indian youth will return with full-time jobs in the National Park Service next summer, as a result of the work they did this year. As during last year's program, this year's employees utilized their talents in a variety of ways. Some, for example, worked on horse patrol, some conducted tours, some gave live demonstrations of Indian craft work, and some took on heavy laborers' tasks.

The fact that the 1969 summer program was even more successful than the 1968 program despite a cut in operating funds speaks highly not only of the program itself but of the dedication of everyone directly involved with it. When there was no money to transport the summer employees to and from the parks, a number of concerned people offered

their own time and gasoline to provide that service. There was volunteer counseling, willing provision of housing for the young people, and a good deal of initiative used in just plain scrounging some needed equipment and supplies.

Suggestions have been made for next year's program, and plans are now being made as well. It is hoped that next year's summer park employees will be better prepared ahead of time to meet the challenges of working away from home with minimal housing and general supplies (although next year's group could hardly be more determined than this year's was to meet those challenges once faced with them). It is also hoped that more individual counseling can be provided for next year's employees and their families. One most interesting prospect for the 1970 program is the initiation of a study on future permanent positions for young Indian people with the U.S. Forest Service.

Supplemental Scholarship Assistance Program, 1969–1970

Arrow has had the privilege of administering scholarship funds in larger amounts this year than in previous years. With funds from several sources, including the Jonathan Winters-Andy Williams benefit performance held last year in Los Angeles, Arrow has so far assisted more than thirty young Indian students with $5900. The scholarship fund from the benefit performance is earmarked for Indians living and/or attending school in California, and is still relatively full at this time. We continue to receive requests for financial assistance and to send our scholarship forms and make evaluations as they are returned. We are limiting our assistance to supplemental scholarships, modest in amounts. In this way we can assist a larger number of students for whom a small grant can make the difference between being able to attend college and not being able to attend.

We have given assistance both on the undergraduate and the graduate level, to Indian students pursuing studies in law, public health, psychology, art, and a number of other fields. One of our most recent grants was to provide transportation to Albuquerque for two students chosen by the Phoenix Indian School student council, so they could attend the Judges' Association meeting and the National Congress of American Indians conference October 6–10.

Poster Contest, March 11, 1969

At a luncheon held March 11th at the Congressional Hotel in Washington, Arrow presented awards to the four Indian students whose posters were judged the best of 159 entries in the BIA-Arrow sponsored Poster Contest. Robert L. Bennett, then Commissioner of Indian Affairs, Congressmen Ben Reifel and Ed Edmondson, and Mrs. Stewart Udall were on hand to congratulate the winners and help present the awards. The posters were all on the Contest theme, "Discover America With The First Americans." The students had combined ancient Indian motifs and coloring with modern design to produce exceptional artistic work. The awards, all provided by Arrow, included $300 in scholarships.

After the luncheon, the students visited Congressman Ray Madden and Congresswoman Julia Butler Hansen in their offices. Tours of Washington, D. C., and New York City were arranged for the students with the help of Arrow and BIA personnel. The three top prize-winning posters are now being marketed by the BIA; they are available to the general public, as well as to Indian interest organizations who may wish to resell them.

Other Youth Interests, 1969

Arrow continues to maintain its ties with, and interest in, the Council of National Organizations for Children and Youth, and the United States Youth Council.

We continue to work with Ray Sweazey of the Boy Scouts of America on Indian scouting programs. We recently provided scholarship grants of $50 each to four recipients chosen at the Spearfish, South Dakota Twelfth American Indian Tribal Leaders' Conference on Scouting.

A national social sorority with chapters all over the country, is now engaged in a fund-raising campaign, the proceeds of which are to go to Arrow. We have, since last spring, been providing small amounts of assistance to individual families and to several programs with funds raised by the sorority. A portion of the funds raised this year will hopefully be contributed to the Agricultural Products Industry for the study mission to Israel described above.

Keyette International, a branch of the nationwide high school girls' service and scholastic honorary, has recently chosen Arrow, Inc. as its annual social service project. We are now awaiting word from Keyette's social service chairman as to when their fund-raising activities will begin.

Miscellaneous

To the best of our ability Arrow responds to requests from Indians and Indian leadership. A number of requests have been filled such as: (a) An Indian's house with everything in it burned to the ground and there was no insurance. We provided clothing and emergency funds; (b) Several hundred dollars was provided to a Reservation area where heating homes in the winter is a major problem. This money paid for transportation costs and hourly wages to Indians for their services to cut and haul fire-wood to many of the homes, most of which do not have central heating as we know it in the cities; (c) A speaker to provide the Indian point of view was needed at a national sorority convention and Arrow provided the speaker; (d) The Independent Order of Forresters gathered, screened, cleaned and pressed 2,500 lbs. of clothing to be donated to Indians. Arrow arranged for its proper distribution and provided the shipping costs; (e) A local church needed a small amount of money to complete the financing of their summer youth work-camp at the Northern Cheyenne Reservation, Arrow provided the needed supplemental finances; (f) Arrow participated in the President's Commission on Human Rights meeting; (g) is now participating in preliminary planning meetings to prepare for its role in the 1970 White House Conference on Children and Youth; and (h) Arrow is considering ways in which to be of assistance to Indians who have relocated to urban areas.

Finances

Unlike many Foundations—such as Ford and Rockefeller—Arrow does not have a fixed or certain source of income. All Arrow money must be raised either through appeals for contributions or through proposals to Foundations, government agencies, or individuals for grants usually for specific projects. Your Executive Director has been and continues to provide both the fund raising and the program organization and administration services. Therefore, you can understand when I express my appreciation to each of you for having assisted in one way or another during 1969. Nancy—now Mrs. Nancy Tune—has provided us with excellent help during this year but she will be leaving in December to locate in the San Francisco area with her husband, Dr. Tune. I will be employing one full and/or two part time Indian assistants in an effort to modernize Arrow's files and records, as well as to carry on our current programs. Hopefully, we will move into somewhat larger quarters in the near future.

The Executor of the Custer Estate in Phoenix is not yet ready to discuss preliminary details of the proposed Custer Library project. However, your Executive Director will be meeting with the bank and their attorneys during the next two months and will have a report about the first of the year. The Executive Director has suggested that the first step be to obtain the preliminary research needed to develop basic definitions, content, direction and alternative location sites for the Custer library. Nor has the Executor made a final report on the gift from Mrs. Sexton. However, funds received from this source, which is now in restricted status by action of the Board, are to be invested in U.S. Treasury Bills and draw 7 percent plus interest. Funds raised through contributions are also to be placed into the reserve fund authorized at the April and May, 1969, Board of Directors meetings, to assure financing for Arrow overhead and administration for the immediate years ahead.

CARNEGIE CORPORATION
OF NEW YORK,
New York, N.Y., May 15, 1970.

Hon. EDWARD M. KENNEDY,
United States Senate,
Washington, D.C.

DEAR SENATOR KENNEDY: Alan Pifer has referred your letter of April 28 (which for some reason did not reach us until May 11) to me for reply because of my particular interest in Indian affairs. We are glad to provide the information necessary for your survey of activity by the private sector in Indian affairs and look forward to receiving a copy of the survey.

The grants that Carnegie Corporation has made for Indian programs since 1965 are:

United Scholarship Service—For a counseling and fellowship program for graduate work for Indian and Spanish-American college students, $150,000—1967.

National Indian Youth Council—For a study and demonstration project in Indian education; grant administered by the Far West Regional Laboratory for Educational Research and Development, $95,000—1967.

Far West Laboratory for Educational Research and Development—For completion of the program in Indian education begun under the auspices of the National Indian Youth Council and transferred, at its request, to the Laboratory. The report of the study is expected to be available in June; we have asked the Laboratory to send you a copy as soon as it is published, $73,800—1968.

National Indian Training and Research Center—For support of the Center's program to develop Indian leadership and to orient those working with Indians to Indian life and culture in order that Indians may improve their educational, social, and economic conditions through self-help programs, full use of the resources available to them, and the stimulation of new resources, $100,000—1969.

Dine, Inc.—For the development of Navajo curriculum materials at Rough Rock Demonstration School, $75,500—1969.

The Corporation is a foundation primarily concerned with education, and our interest in Indians has derived from our interest in the education of the disadvantaged. Our grants reflect our preference for projects that have been developed and conducted by Indians and that have implications and perhaps applications beyond the immediate project. These include an interest in the higher education of Indians to provide leadership, services, and models to their own people, which was the principal reason for our making the grant to the United Scholarship Service, Inc. We do not, as a general policy, make grants for undergraduate scholarships, and even general graduate fellowship support, such as the USS grant, is rare for the Corporation. Grants for graduate study are usually related to specific program developments as, for example, the development of new competencies in early childhood education or medical economics.

We have appreciated your interest in Indian education, for in this area, as in all other Indian programs, the public and pri-

vate sectors need to examine much more carefully our real objectives in Indian affairs and the alternative methods open to us to achieve those goals.

Yours sincerely,

BARBARA D. FINBERG.

WILLIAM H. DONNER FOUNDATION, INC.

Re Formation of an American Indian Scholarship Corporation.

Introduction

1. This memo is designed to ascertain the views of the Board of Trustees on my initiating action to set up, and fund, with other foundations, for a three to five year period, a national organization whose limited purpose would be the award of scholarships, fellowships and research grants to American Indian students and scholars. This item will be on our January Board of Trustees meeting agenda, but I welcome your comments beforehand.

Need

2. In the 2½ years of William H. Donner Foundation's interest in Indian affairs, in which $998,500 in grants has been appropriated,* I have observed with dissatisfaction both the national Indian associations and the Bureau of Indian Affairs in their educational work on behalf of Indians. The reasons need not be detailed here, but the fact is that the moneys available to Indians, especially at the graduate and professional level, from both public and private sources, is pitifully small. One reason is lack of effective raising of money for this purpose, and this in turn is partly due to the absence of a nationwide private organization to do so. Of the two national bodies which could do so, one is discredited in the eyes of whites and Indians alike by a propagandistic policy (besides a chief concern for secondary students), the other is solely interested in the secondary level. I am exploring further a third remote possibility, the fledgling National Indian Training and Research Institute.

3. Yet a desperate need for funds lies just ahead—Bureau of Indian Affairs aid now goes to 4,200 undergraduates, yet not over $3,850,000 of federal funds (10 times that of 10 years ago) is available to these students. Only 1.1% is available from BIA, and virtually nothing from other agencies, for graduate students. The dropout rate among Indians is very high, twice the national average, but it is dropping, and so we can see ahead a horde of graduate students, many being responsible older persons with families, whose leadership and skills are sorely needed, but who cannot afford to seek masters and doctors and law degrees. (Estimates are that we have about a dozen practicing Indian lawyers, 15 Ph. D's and Ed. D's, and 30 physicians, in 1969, 241 Indians got bachelor's degrees with BIA aid.) As the BIA seeks more Indians for ranking jobs, the scarcity of the qualified persons will worsen. The present and past Commissioners of Indian Affairs inform me that there is little likelihood of increased BIA funding soon; even now funding undergraduates is by the term, not year, for financial reasons. In a Report to the Commissioner requested by Bob Bennett (December 31, 1968), it is pointed out that little opportunity for urban Indians for academic higher education, contrasted to vocational education, is available (pp. 11, 12, 14, 33). Although the creation of an organization such as is sketched below stretches the immediate resources of the William H. Donner Foundation, I have reluctantly concluded that the need warrants creation of a new body of limited purpose.

A conference of heads of 16 leading university Indian programs, called on December 8 at Albuquerque by the Foundation, clearly showed both a growing academic expertise and interest, and a concern about the Indian talent unable to find financial help in the usual university scholarship programs.

We now have before us proposals from colleges concerning Indian scholarship programs; we have approved two thus far, at Brigham Young University and Wisconsin State University.

Organization and functions

4. The corporation would consist of a Board of Trustees, Executive Director, and a staff of one or two. The trustees would consist of representatives of the sponsoring foundations, the Executive Director, the Commissioner of Indian Affairs, and a minimum of one-third the total membership selected from the Indian community.

The Executive Director, preferably an Indian respected by the tribes, and experienced in student scholarship and financial aid matters, would assay applications, handle grants coordinated with the Bureau of Indian Affairs scholarship efforts, deal with universities, and raise funds. His headquarters should be in the West, probably Albuquerque, which is central to Indian students and is also the site of the Bureau of Indian Affairs' national scholarship office. Details of this entire operation should be developed after consultation on methods with the National Merit Scholarship Corporation, the Woodrow Wilson Foundation, and others.

Finances

5. The William H. Donner Foundation would expect to provide the initial organizing, and a grant of $100,000 p.a. for a minimum of three years, for both scholarship funds and overhead. We would need the cooperation and help of others, such as Mrs. Moses, the Arthur Vining Davis Foundation, the Doris Duke Foundation, and the Hancock Foundation.

Recommendation

6. What I should like at the January Board of Trustees meeting would be an authorization to research further the solution to this problem, with full understanding of costs we might eventually incur.

*1968—$305,000. 1969—$693,500.

THE FIELD FOUNDATION,
New York, N.Y., June 30, 1970.

Senator EDWARD M. KENNEDY,
United States Senate,
Washington, D.C.

DEAR SENATOR KENNEDY: We delayed replying to your inquiry of April 28 until after our June board meeting, knowing that several Indian matters would be on the agenda of that meeting. The attached listing gives, therefore, an up-to-date report of our grants since 1965 and one that is complete through our 1970 fiscal year.

With best regards,

Sincerely,

LESLIE DUNBAR.

THE FIELD FOUNDATION, INC.

Grants for American Indian programs made since October 1, 1964–June 30, 1970

All Indian Pueblo Council, Albuquerque, N. Mex. (with administrative support from NCAI Fund, Washington, D.C.): Toward the Council's community development programs (1966—$24,650; 1967—$25,000; 1968—$25,000; 1969—$25,000; 1970—$25,000), $124,650.

American Indian Development, Boulder, Colo.: To help meet costs of six-week summer workshops for American Indian college students on Indian culture, history and current problems. (1965—$5,000; 1967—$15,000; 1970—contingent $15,000), $35,000.

Bacone College, Bacone, Okla.: For in-service training of faculty at this American Indian college and for on-reservation summer remedial program for its American Indian students, during 18 months beginning 1/1/66, $6,600.

Citizens Advocate Center, Washington, D.C. (with administrative support from Center for Community Change, Washington, D.C.): For the Advocate Center's Indian Task Force Project, which assisted in the preparation and publication of study titled: *Our Brothers' Keeper,* $25,365.

Commission on Indian Affairs of State of New Mexico, Albuquerque, N. Mex. (with administrative support from University of New Mexico Law School, Albuquerque): Toward the Commission's project to help tribes of New Mexico in their programs to reform and strengthen tribal governments (1968—$25,000; 1969—$20,000; 1970—$15,000), $60,000.

Eight Northern Pueblos Organization, Santa Fe, N. Mex. (with administrative support from American Friends Service Committee, Philadelphia, Pa.): Toward cost of the Eight Northern Pueblos Organization's tribal information program, during 1968, $1,500.

National Indian Youth Council, Albuquerque, N. Mex.: For central administrative costs, year beginning 6/1/69, and year beginning 6/1/70, $79,300.

NCAI [National Congress of American Indians] Fund, Washington, D.C.: Grants were made toward establishing the Fund (1965–$10,000) and toward its general support (1966–$45,000; 1967–$46,000; 1968–$40,750), $141,750; Toward legal costs of gaining official tribal status for the Tigua Indians, El Paso, Texas, $3,000.

University of New Mexico Law School, Albuquerque: Toward program planning for the Indian Law Center during 1968, $10,000; toward support of American Indian work carried on by the School's Legal Research Services Department, 1969–70, and 1970–71, $40,000.

Original Cherokee Community Organization, Tahlequah, Okla.: (with administrative support from NCAI Fund, Washington, D.C.): For pilot project in legal education by Stuart Trapp, Esq., $24,600; For support during 1967–68 of OCCO newsletter and other tribal communications, $10,000; Toward general support during 1968–69, $42,584.

Original Cherokee Community Organization, Tahlequah, Okla.: For a legal education program ($29,500) and toward central administrative costs ($13,000) during 1969–70, and 1970–71, $85,000.

Phillips Brooks House Association, Cambridge, Mass.: Toward 1966 costs of American Indian Project and support of American Indian participants, $6,075.

Rough Rock Demonstration School, Ariz. (with administrative support from DINE, Inc., Chinle, Ariz.): Toward prospective deficits of this innovative Navajo Reservation School, occasioned by cutback of federal funds, for academic years 1968–69 ($40,000) and 1969–70 ($30,000), $70,000.

NAACP Legal Defense & Educational Fund, New York, N.Y. Planning grant (in 1969) for an American Indian Legal Defense Fund, $5,000.

United Scholarship Service, Denver, Colo. Studies of child custody laws and welfare administration for Indian clients (1970). $12,400.

Total of grants listed above, $782,824.

MAX C. FLEISCHMANN FOUNDATION,
Reno, Nev., May 11, 1970.

Hon. EDWARD M. KENNEDY,
United States Senate,
Washington, D.C.

DEAR SENATOR KENNEDY: As requested in your letter of April 28th, enclosed you will find our list of grants for the benefit of American Indians and Alaska natives since 1965.

We have no current plans specifically related to Indians, but we do receive applications right along from many minority groups, all of which are considered on their individual merits.

Sincerely yours,

JULIUS BERGEN III,
Chairman.

MAX C. FLEISCHMANN FOUNDATION

Grantee, purpose, and grants since 1965

American Indian Development, Inc., Denver, Colorado: Scholarships for Indian students, $5,000.

Department of Education, State of Nevada, Carson City, Nev.: Indian scholarships $60,000.

Fort Simcoe Area Council, Boy Scouts of America, Yakima, Wash.: For camp improvements (Indian Scouts), $9,060.

Inter-Tribal Council of Nevada. Reno, Nev.: Toward operating expenses (Alcoholism program), $1,600.

Midnight Sun Council, Boy Scouts of America, Fairbanks, Alaska: To support scouting in outlying Alaska native villages, $29,700.

Nevada State Museum, Carson City, Nev.: For Archaeological Study of Pyramid Lake Indian Reservation, which specified that employees be Indians, $89,292.

Reno-Sparks Indian Colony Park Improvement and Beautification Trust Fund, Reno, Nev.: To improve conditions at Reno-Sparks Indian Colony, $37,500.

Total, $241,152.

NOTE.—Additionally, many of our other grants for Nevada high school, Fish & Game and Forestry Scholarship programs, Nevada Hospitals, youth organizations, parks, swimming pools and other recreational projects, have benefited both Indians and non-Indians.

THE FORD FOUNDATION,
New York, N.Y., May 15, 1970.

Hon. EDWARD M. KENNEDY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KENNEDY: Mr. Bundy has requested that I respond to your letter of April 28 regarding Ford Foundation grants in aid of American Indians and Alaskan Natives.

We share your concern for the welfare of all native Americans and have made the following grants to assist efforts by American Indians to strengthen multi-tribal organizations, to encourage cooperation among Indian leaders, to increase awareness of their cultural heritage, and to take greater advantage of educational and economic-development opportunities. The grants are:

1965—University of Alaska, $579,000.

1967—National Indian Youth Council, $27,500.

1966–1970—Leadership Fellow (18 Indians participated—total # fellows—198), $1,500,000.

1968—National Congress of American Indians, $310,000.

Alaska Federation of Natives, $100,000.

Center for the Arts of Indian America, $150,000.

University of Alaska, $56,500.

1969—Citizens Crusade Against Poverty, $38,000.

National Congress of American Indians (American Indians United), $90,000.

1970—Oklahomans for Indian Opportunity, $54,450; Navajo Community College, 250,000; American Indian Historical Society, 52,852; Demonstration in Navajo Education Inc., 100,152; Whatcom Museum of History and Art, 10,000.

I am enclosing press releases announcing these grants which briefly describe the activities of each organization as well as short summaries of those grants which were not announced by our offices. I shall forward releases on the 1970 grants as they become available.

Our current emphasis is on the development of potential Indian leadership—preparing Indians to manage their own affairs both on the reservation and in urban settings. Additionally, we are concerned that all scholarship money available to Indians be utilized.

If I can be of further assistance to you, please do not hesitate to communicate with me further. I look forward to reading a copy of your final report. I am confident that it will prove to be a valuable resource to Indian organizations as well as to those who are active in the field of Indian Affairs.

Sincerely,

SIOBHAN OPPENHEIMER,
Program Officer.

NEWS FROM THE FORD FOUNDATION

New York, Dec. 18—The Ford Foundation today announced grants totaling $654,500 to assist efforts by American Indians to strengthen multi-tribal organizations, to encourage cooperation among Indian leaders, to increase awareness of their cultural heritage, and to take greater advantage of educational and economic-development opportunities. They are:

$310,000 to the National Congress of American Indians Fund, the major national Indian tribal organization, to stimulate economic and community development. (Details follow.)

$100,000 to the Alaska Federation of Natives, a Native-run organization established last year to coordinate efforts of widely dispersed tribes. In Alaska, the term "Natives" includes Indians, Aleuts, and Eskimos—all groups directly or indirectly governed by Federal Indian policies. (Details follow.)

$150,000 to the Center for the Arts of Indian America, to introduce Indian art, literary, and theatrical programs into the curricula of predominantly Indian schools both on and off reservations. (Details follow.)

$38,000 to the Citizens Crusade Against Poverty, for an exchange program between ten American Indian leaders and ten leaders of the Maoris of New Zealand. (Details follow.)

$56,000 to the University of Alaska, for support of the first International Conference on Cross-Cultural Education in the North, to be held in Montreal in August, 1969. (Details follow.)

"The American Indians, beset with staggering problems of unemployment, education, health, and housing, are by any measure, save cultural heritage, the country's most disadvantaged minority group," McGeorge Bundy, president of the Foundation, said today. "Their efforts to overcome their depressed state are growing stronger, and they want more than ever to do things for themselves, rather than to be heavily dependent upon the white majority. The important inter-tribal Indian organizations are evidence of that determination. Our grants are designed to support efforts by American Indians, wherever they live, to enter the mainstream of modern American society without sacrificing—indeed, by capitalizing on and enriching—their own culture and tradition. The assistance seeks to help them implement those desires for self-government, economic independence, educational, cultural, and community development, and enable them to take initiative in shaping new Federal programs offered through the Bureau of Indian Affairs, the Department of Health, Education, and Welfare, and the Office of Economic Opportunity."

The *National Congress of American Indians* includes all of the major U.S. tribes, except the Navajos, and many of the small tribes. It will use the Foundation's grant to strengthen its Washington office, which assists tribes in working with Federal agencies, and to develop a field office in Denver.

The field staff will concentrate its activity on small, generally overlooked tribes. Some of these tribes are recognized as Indian groups by Federal agencies, but have been ineffective in taking advantage of available Federal benefits. Another group consists of tribes not now considered a Federal responsibility, and therefore unable to receive much help; these include "state tribes" and those which have been terminated by Federal action.

The *Alaska Federation of Natives*, organized in 1967 by representatives from twenty regional and community Native associations, will use its Foundation support to strengthen its organizational capacity and expand its efforts to establish a communications network among the various Indian communities through additional field staff and regional meetings. A small portion of the funds will be used for a special project in the Bristol Bay area of western Alaska, where Natives will be trained for work in the building trades.

Of all U.S. Indians, the 50,000 in Alaska live under the worst conditions. The harsh climate, great distance between cities and villages, and higher living costs than in the rest of the United States compound their problems. For example, the incidence of tuberculosis is twenty-five times the rate in other states. Infant mortality is twice as high, and life expectancy is thirty-nine years as compared to sixty-nine. Only 12 per cent of Native children now complete high school. For many, the nearest high school may be located hundreds—or even thousands—of miles from home. Of the few who enter college, only one out of twenty-four can be expected to graduate. Lack of education and job skill training, cultural differences, and isolation help account for the fact that although Natives represent more than 20 per cent of Alaska's population, they hold less than 10 per cent of the jobs. Their unemployment rate is 60 per cent.

The *Center for Arts of Indian America* was organized by cultural leaders in 1965 to promote Indian visual, performing, and literary arts, and to carry those arts to the Indians themselves, who have little access to museums, libraries, theaters, and concert halls.

The Foundation's grant will supplement the center's contract with the Bureau of Indian Affairs to organize and develop cultural programs. A committee of Indians will work with the center's staff on programming in bureau and public elementary and secondary schools in Arizona, New Mexico, and South Dakota. Funds will be used to employ part-time performers, to train Indians as art education and drama specialists for Indian schools, and to provide technical assistance for the preparation of exhibits and displays. The grant will also enable the center to furnish instructional materials and to conduct teacher-training sessions in the schools visited by the exhibits and performers.

The Foundation grant to the *Citizens Crusade Against Poverty* will cover the expenses of an exchange program for ten Indian and ten Maori leaders, representing a cross-section in terms of age, urban and reservation residency, and general philosophy. Each group will spend twenty-eight days visiting reservations, urban centers, and government agencies with a local group leader. At the end of the program, all participants will meet for a two-day evaluation session.

Like the American Indians, the history of the Maoris of New Zealand includes wars fought and lost, land confiscated, and placement on reservations. Since World War II, however, through the passage of legislation and other special measures, the Maoris have virtually achieved equal rights while retaining their racial identity, language, and culture. By the early 1960s, approximately one-third of the Maoris, like their American counterparts, lived in urban areas.

Through the maintenance of tribal governments, U.S. Indians have long had a formal leadership structure, but this has been limited to individual tribes and reservations. There has been little opportunity for leaders to broaden perspectives and to cooperate in confronting common issues. The exchange

program should provide for participants this overview currently lacking in most Indians perceptions of their people and their problems.

The first International Conference on Cross-Cultural Education in the North, cosponsored by the *University of Alaska* and the *Arctic Institute of North America*, will review the common problems and educational programs for Eskimos, Indians, and natives in Alaska, northern Canada, and Greenland. Approximately 100 government administrators, educators, and social scientists will attend the conference, to be held at McGill University, Montreal, in August 1969. Delegates from Canada, Greenland (Denmark), and the United States will participate. Because they have similar northern region problems, educators from the Soviet Union and the Scandinavian countries will also be invited. The Foundation's grant will cover the expenses of eighty delegates and other conference and administrative costs.

Another grant to assist Indian educational development was made by the Foundation in 1967, when the National Indian Youth Council received $27,500 to assist Indian communities in organizing summer programs and intercultural education studies.

Additional summaries of grants to American Indians

Whatcom Museum of History and Art

This $10,000 grant to a museum in Bellingham, Washington is for support of a program encouraging young Lummi boys to learn the fine crafts and associate traditions of their ancestors. The program will run between May 1, 1970 and October 31, 1970. During that time the participants will be instructed in carving and traditions by the two remaining master carvers in the Lummi tribe. The grant is designed to preserve skill and tradition and to thus allow the continuing development of a craft that has been passed down from generation to generation for hundreds of years.

Oklahomans for Indian Opportunity

This $54,450 grant is support for the development of program curriculum and training for the seventy-five OIO-sponsored Indian Youth Councils. The grant has enabled OIO to hire a Curriculum Development Coordinator who will undertake the development of a manual of program options, a program of Indian studies and a training program for Adult Indian Volunteer Council sponsors.

American Indian Historical Society

This grant supported a convocation of Indian professionals and youths this past March at Princeton University for an in-depth exploration of the problems and concerns of American Indians. The conference consisted of small panel discussions wherein specific subjects of concern to Indians were explored in open exchanges of views between the older scholars and established leaders and the students and potential leaders.

This conference provided an all-Indian forum wherein tribal leaders, youth and intellectuals could come together to explore options and design strategies, philosophies and programs against the day that they achieve greater decision and policy making authority.

Navajo Community College

This grant represents initial support to the Navajo Community College for an American Indian Leadership Training and Development Program which will incorporate technical assistance with in-service training techniques. Teams of professionals and student interns will work alongside tribal leaders in actual problem-solving situations in the fields of health, education, housing and economic development. A library consisting of current Indian information, data and materials necessary for long-range planning, as well as Indian training materials, are also planned as components of the program.

National Congress of American Indians—$90,000 grant, in support of urban Indian centers. The program, which will be focused on the development of centers to serve low-income Indians who live in cities of the middle West and far West, will be operated by American Indians-United, a group of forty-nine urban Indian organizations. The centers will conduct activities in education, employment, health, economic development, fund raising, and political participation to improve the status of urban Indians.

Leadership Fellows—a $1.5 million appropriation for a program, begun in 1966, to develop the leadership potential of rural educators by providing them with fellowships for a year of study, travel, observation of innovative school programs, and work with established educational leaders. Fifty-eight young educators have received awards to date under the program.

National Indian Youth Council—$27,500 grant, for a planning staff to develop education programs better adapted to the diverse cultural traditions of the nation's some 300 American Indian tribal groups, in hopes that such programs will reduce the present drop-out rate from conventional public and private (mostly mission) schools of more than 50 percent by grade twelve.

University of Alaska—$579,000 grant, to support the training of teachers for remote rural schools in Alaska, where Aleutian, Eskimo, and Indian children face education problems similar to those of disadvantaged youngsters in other states. The university, in cooperation with the Alaska State Department of Education and the Bureau of Indian Affairs, will use the funds to establish and test a new recruiting and training program for approximately fifty candidates a year. These will attend eight-week summer sessions which will include language training, anthropology, and courses in health and community service. Trainees will also spend time in rural communities working as assistants to specially selected teachers in summer-school programs. The university will set up an educational-service center to supply materials and instruction on new teaching methods.

Demonstration in Navajo Education, Inc.—$110,152 grant, for an internship program at the Rough Rock Demonstration School to train American Indian education leaders.

The grant to *Demonstration in Navajo Education, Inc.* will support an internship program at Rough Rock Demonstration School to prepare American Indians as leaders of elementary and secondary schools on Indian reservations. Rough Rock, near Chinle, Ariz., is a resident school serving 400 children and about 60 adults in the community under a locally elected school board composed exclusively of Indians from the area. The bilingual and bicultural education includes the reading and writing of Navajo, Navajo history and religion, and Navajo Indian crafts. The only school of its kind in the United States, it is jointly funded by the Office of Economic Opportunity and the Bureau of Indian Affairs.

The grant will sppport annually four interns at the sechool who will specialize in curricula, bilingual education, English as a second language, or adult education as well as acquire general leadership and organizational experience.

THE LUKE B. HANCOCK FOUNDATION,
Palo Alto, Calif., May 14, 1970.

Hon. EDWARD M. KENNEDY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KENNEDY: In response to your letter of April 28, 1970, we are enclosing a schedule of grants made in support of various American Indian projects by the Luke B. Hancock Foundation.

The Foundation has been very concerned for a number of years about the plight of the American Indians and has responded to a number of appeals, as noted in the attached schedule. We are particularly proud of the results of the $100,000.00 grant made for economic and social development at the Ft. McDermitt Indian Reservation. The Foundation located an electronic company that was willing to build a branch plant making highly sophisticated electronic components and doing semiconductor subassembly work on the reservation. The company currently has approximately 25 male and female employees and expects to have 80 on the payroll by the end of 1970. Since the Ft. McDermitt Reservation has less than 400 residents, this amount of employment is having a significant economic impact in addition to increasing the morale and outlook of the American Indians.

The Foundation would like to receive a copy of your report when it is available, and congratulate you on focusing in on the American Indian problem.

Sincerely,

COURTNEY J. CATRON,
Chairman of the Board.

THE LUKE B. HANCOCK FOUNDATION

Grants to American Indians 1962–1970

Date, Agency and Amount—[Asterik indicates grants by American Friends Service Committee]

January 1962: A.F.S.C.*–Pyramid Lake Indians, Toward construction of a community center for Paiutes in Nevada, $1,000.

April 1964: A.F.S.C.–Intertribal Friendship House, Oakland, For Youth Worker, $5,500.

April 1965: A.F.S.C.–Intertribal Friendship House, Oakland, For Youth Worker, $5,000.

April 1965: A.F.S.C.–Hoopa Valley Work Camp, Set up teenage camp to repair flood damage of 1964, $2,500.

May 1966: A.F.S.C.–Intertribal Friendship House, Oakland, Toward purchase of their new building, $10,000.

October 1966: ARROW, INC., Washington, D.C., Leadership Training Program, Idaho State University, $2,500.

October 1967: A.F.S.C.–Intertribal Friendship House, Oakland, American Indian Staff leadership training program, $8,212.

October 1967: Inter-Tribal Council of Nevada, Reno: (a) Lovelock Community Building Improvement, $5,000; (b) To establish Arts and Crafts Program, $5,000.

October 1967: ARROW, Inc., Washington, D.C., Leadership Training Program, $2,500.

July 1968: Inter-Tribal Council of Nevada, Reno; Ft. McDermitt Reservation Community Building, $10,000.

October 1968: A.F.S.C.–Intertribal Friendship House, Oakland, American Indian Staff leadership training program, $8,212.

February 1969: ARROW, Inc., Washington, D.C., American Indian Management Training Institutes, $10,000.

April 1969: Inter-Tribal Council of Nevada, Reno, For the social and economic development of Ft. McDermitt Indian Reservation, $100,000.

April 1969: Bureau of Indian Affairs, Stewart Indian School, Stewart, Nevada, For emergency funds to needy orphans and disadvantaged students at the Indian school, $5,000.

April 1970: Humboldt County School District, Nevada, For Teaching aids at Ft. McDermit School, $1,000.

April 1970: Bureau of Indian Affairs, Stewart Indian School, For emergency funds to needy students at the Indian boarding school, $5,000.

April 1970, ARROW, Inc., Washington, D.C., American Indian Management Training Institutes, $10,000.

April 1970: Inter-Tribal Council of Nevada, Reno, For economic development at Ft. McDermitt Indian Reservation, $16,000.

Total grants, $212,424.

LOUIS W. AND MAUD
HILL FAMILY FOUNDATION,
St. Paul, Minn., May 15, 1970.

Hon. EDWARD M. KENNEDY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KENNEDY: Attached to this letter you will find information that meets your request for a list of Hill Family Foundation's programs that have the American Indian as a major focus. You should be advised that the Foundation has funded a number of programs that seek to aid minority groups, but it is difficult to determine the benefited parties; hence, the attachement may be overly inclusive.

Of greater interest is your request for "a description of your current plans that are or might be related to Indians." It is to this subject that I wish to make comment.

Hill Family Foundation has long evidenced its concern and support for Indian-related programs. It is amazing, however, how few, well-structured requests are received by our office. Consequently, the Foundation is forced to begin the self-initiated search for Indian-related programs to support. Normally, foundations are loath to seek "business," but it is time to rise above petty concerns.

At this writing, Staff of the Foundation is pursuing the possibility of marrying the rural health-care delivery problem with the Indian "problem." The rationale behind this marriage is that health-care delivery is the foremost rural problem and when one views the Indian problem it is, in large part, a rural problem. This is not to ignore the urban Indian, but rather to focus on the most pressing issues.

The Foundation hopes to perform the role of broker to persuade those parties that could be of assistance to focus on the aforementioned problems. I am convinced that key components of the University of Minnesota's Health Sciences Center will be anxious to cooperate, particularly as Minnesota politicians continue to berate the health-care professionals for their failure to bring adequate health care to rural Minnesota. The University of Minnesota can soften the harsh criticism of Minnesota Legislature, aroused over student unrest, by unveiling health-care delivery models that soothe the complaints of rural constituents. And, most importantly, I am convinced that these delivery systems can be structured to dramatically assist Indians in Minnesota and the Dakotas.

I would like very much to see a report of your efforts as outlined in your letter and we thank you for your interest.

Sincerely,

ROBERT W. BONINE,
Assistant Executive Director.

HILL FAMILY FOUNDATION PROGRAMS—CONCERNING AND RELATED TO MEMBERS OF MINORITY GROUPS

Grants authorized

[Asterisk indicates Indian-related projects]

1963–64

*Blackduck, Minnesota School District: Vocational training of unemployed youth, $5,500.

College of Saint Thomas: Inter-college program for the improvement of Negro higher education—Planning Grant, $2,500.

*Palo Alto Medical Research Foundation: Research on problems of academic underachievers, $21,242.

1964–65

Hennepin County Department of Court Services: Experimental program in group therapy for juvenile delinquents, $48,810.

*Minnesota Foundation: Production of a documentary film on Blackfeet Indian dances and rituals, $1,500.

*Minneapolis Public Schools: Development of curriculum and instructional materials for low achievers, $22,500.

College of Saint Thomas: Inter-college program for the improvement of Negro higher education, $221,220.

*Palo Alto Medical Research Foundation: Additional grant for academic underachievers, $2,155.

*Saint Paul Metropolitan Improvement Committee: Home improvement demonstration program, $12,500.

1966–67

Saint Paul Urban League: Publishing report of study on Low Income Negro Families in Saint Paul, $1,500.

*Museum of the Plains Indian: Assist Blackfeet Indian tribal council in production of a pageant, $4,000.

1966–1967

Carleton College: 1966 and 1967—A Better Chance Program related entirely to underprivileged youth from the Northwest, $70,000.

Independent School Talent Search Program—Boston: A Better Chance Program Related entirely to underprivileged youth of the Northwest, $50,000.

Shakespeare in the Street: Mobile Theatre for the inner-city, $5,000.

Carleton College: A Better Chance, no figure supplied.

Oregon Museum of Science and Industry: Program to enrich disadvantaged children's scientific concepts. Children drawn from the model schools of inner-city, $50,550.

University of Minnesota: Pilot program in advanced training for medical trainee at Howard University, $1,200.

Liberty Plaza Corporation: Advanced financing for a nonprofit housing development to be financed under the National Housing Act, $60,000.

1968–1969

*Community Development Corporation of Greater Saint Paul: To establish a reserve for a Development Fund to encourage and aid a private, nonprofit organization to undertake multi-family medium income housing projects, $60,000.

Inner-City Youth League: To establish a reserve for support of a special youth program in the Summit-University area, $150,000.

Minnesota Foundation: Saint Paul Police Department Community Relation Center, $2,000.

*Saint Paul YMCA: To establish a Saint Paul American Indian Center, $43,090.

*Assumption College and Abbey, Richardton, North Dakota: Major James McLaughlin (Indian Agent) Papers, $17,100 (first grant).

*Assumption College and Abbey: Major James McLaughlin (Indian Agent) Papers, $9,000 (second grant).

1966–1967

College of Saint Thomas: To provide a training course for police instructors, $3,750.

Southern Education Foundation: In support of a program focused on strengthening the libraries of selected Negro colleges, $34,000.

Summit-University Teen Center: Development of a program for the Loft Teen Center, an inner-city recreational program, $35,000.

1969–1970 to date

University of Minnesota: Community University Health Care Center, $90,000.

*Archdiocese of Saint Paul and Minneapolis: Inner-City Nonpublic School System, $50,000.

Southern Education Foundation (May 1969): Strengthening the Libraries of Negro colleges, $15,000.

Southern Education Foundation (June 1969): Strengthening the Libraries of Negro colleges, $177,900.

*Dana College, Blair, Nebraska: Hidatsa Cultural Ecology, $6,825.

W. K. KELLOGG FOUNDATION,
May 14, 1970.

Hon. EDWARD M. KENNEDY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KENNEDY: We were glad to have your letter of April 28 expressing interest in this Foundation's activities and plans relating to the needs of American Indians and Alaskan Natives. We also appreciated the opportunity to review the very comprehensive and interesting report of your subcommittee's investigation of this problem.

We have noted your request for information concerning the W. K. Kellogg Foundation's activities since 1965, as they pertain to the special needs of these population groups, and I am enclosing a short summary statement which describes a major Foundation project at the University of Alaska which we believe has important implications for the developing economy of that region, with particular reference to the Eskimo.

Our staff is currently giving considerable thought to ways in which we might assist in improving the social, economic and educational status of the Indian population. While the Foundation has not previously been extensively involved in this problem area, we recognize its importance and will look forward to receiving suggestions from your committee, as well as from other sources, as to how we might contribute constructively to its solution.

For your further information, I am enclosing a copy of the Foundation's latest Annual Report summarizing our current activities in the general fields of health, education and agriculture.

If we may be of further assistance in the very important work of your committee, please let us know.

Sincerely yours,

PHILIP E. BLACKERBY.

Project: Domestication of Musk-oxen.
Grantee: University of Alaska, Fairbanks.
Amount of Foundation aid: $726,619 over the ten-year period, 1964–74.

This project of the University of Alaska is concerned with the well-being of Alaskan Natives, especially Eskimos. Musk-oxen, native to the Arctic tundra, are being domesticated as an economic resource. Qiviut, the animal's soft underwool, is utilized by Native women in producing articles for sale. The village councils will assume responsibility for the herds; a cooperative is being established by Native leaders for the marketing of products. See the Foundation's 1969 Annual Report for further detail.

GOVERNMENT OFFICES WITH INDIAN-RELATED GRANT PROGRAMS

(1) Bureau of Indian Affairs (202–343–7445), Office of Public Information, 1951 Constitution Avenue, NW., Washington, D.C. 20242.

(2) Office of Education, Education for American Indians Office (202–963–5894), Department of Health, Education, and Welfare, 400 Maryland Avenue, SW., Washington, D.C. 20202.

(3) Economic Development Administration, Indian Desk (202–967–4322), Department of Commerce, Room 7313, 14th and Constitution Avenue, NW., Washington, D.C. 20230.

(4) Office of Economic Opportunity, Indian Division (202–254–5960), 1200 19th Street, NW., Washington, D.C. 20506.

(5) Office of Manpower Development and Training, Indian Desk, Labor Department

(202-961-3911), 14th and Constitution Avenue, NW., Washington, D.C. 20210.

(6) Public Health Service, Indian Health Service (301-443-1097), 5600 Fishers Lane, Rockville, Md., 20852.

NATIONAL INDIAN-INTEREST ORGANIZATIONS

(1) Americans for Indian Opportunity, 1820 Jefferson Place, N.W., Washington, D.C. 20036.

(2) Association on American Indian Affairs, 432 Park Avenue South, New York, N.Y. 10016.

(3) Indian Rights Association, 1505 Race Street, Philadelphia, Pa. 19102.

(4) National Congress of American Indians, 1346 Connecticut Avenue, N.W., Washington, D.C.

(5) National Indian Education Association, 1605 West Pine Street, Stillwater, Minn. 55082.

(6) National Indian Youth Council, 3102 Central S.E., Albuquerque, N. Mex.

(7) United Scholarship Service, P.O. Box 18285, Capitol Hill Station, Denver, Colo. 80218.

ENVIRONMENTAL LAW

Mr. HOLLINGS. Mr. President, in the past 2 years, a new body of law has been developing that has great importance for all of us. In the new field of environmental law, no man has contributed more to the evolution than Prof. Joseph L. Sax of the University of Michigan Law School. Author of several books and articles, such as "Defending the Environment," Professor Sax presented a keynote paper to the Environmental Law Seminar sponsored by the Smithsonian Institution and the American Law Institute-American Bar Association. Said Sax in the course of his paper:

An environmental law problem is presented when there is a loss of effective control over the impact of human activity on natural communities. And the job of the environmental lawyer is to restore that control. The key word in this formulation is control.

The job of the law is to promote the attainment of knowledge which will permit us to *determine* whether the proposed activity is injurious, not simply to tell us how to act when we don't know (i.e., to tell us who wins the game of ignorance). In other words, to set out 'control' as the fundamental legal principle, is to make it the function of law to promote the search for knowledge which permits rational decisions to be made. To require a showing of knowledge, i.e., control, is not only to help assure that correct decisions will be made, but it is to use the law's coercive leverage to develop the tools for making rational decisions, and not . . . simply to resolve disputes . . .

Professor Sax's contribution is one of the most refreshing pieces that has appeared in this important field to date. It is clear and forward looking in a way that I know will be helpful to all legislators.

Mr. President, I ask unanimous consent that Professor Sax's paper, "Introduction to Environmental Law," be printed in the RECORD.

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

INTRODUCTION TO ENVIRONMENTAL LAW

(By Joseph L. Sax)

I have been asked to begin my comments with a definition of environmental law. Much as I dislike making myself so easy a target, I will try to comply. But first, I must say a few things by way of preface so as to stake out my own perspective, and to say thereby that any such effort—at this early stage in our history—must be more a credo than a description.

In the most important sense, there is no body of environmental law today. The significant history is yet to be written by lawyers such as those sitting in this room; and their success will, in my judgment, be measured by the degree to which this history goes beyond traditional legal aspirations. While it would, of course, be foolish to suggest that the *problems* with which we must deal are unique to legal experience, I do suggest that they call for approaches which are sharply distinct from the legal milieu in wihch we are accustomed to working.

Having sounded this rather extreme note of introduction, let me begin to explain myself by attempting to define what we ought to mean when we think about environmental problems and the law.

An environmental law problem is presented when there is a loss of effective control over the impact of human activity on natural communities. And the job of the envronmental lawyer is to restore that control. The key word in this formulation is control.

Probably the best known example of such a phenomenon is the buildup of pesticides in species other than the target organisms. This build-up, in man and birds for example, is uncontrolled in several respects. It develops at a rate and in a manner that is not intended or desired, and with consequences that are not well understood; in this sense the use of the pesticide is uncontrolled. How about harmfulness? Must it also be *proven* harmful to meet my test of being uncontrolled? The answer is no; for what you do not know you do not control.

From this formulation, I hope to make clear that I would not view every unintended and undesired consequence of human activity as presenting an environmental legal problem. For a side-effect, though undesired and unintended, the consequences of which are fully understood and considered acceptable in the achievement of some goal is quite within our control. As an example, consider a pharmaceutical drug for the control of disease, which has been fully studied, and whose undesired side-effects are known and deemed tolerable as a price for achieving the drug's central purpose. Such a situation does not present a problem of the kind I am discussing.

Let me also make it clear that what I call an environmental legal problem does not encompass everything that might be viewed as an environmental problem from a scientific or public policy perspective. If, for example, with full understanding and knowledge, and with the most adequately informed public consent, it were decided to destroy the Great Lakes as living systems and to convert them into waste sinks, that would not be an environmental legal problem, though it would surely be an environmental disaster of a high order.

Having thus briefly outlined a definition of the problem as one of control over the impact of human activity on natural communities, I would like to try to flush out the meaning of this definition by some of its implications for the development of environmental law, explaining why I think the task before us reaches quite far beyond a retouching of those legal doctrines and traditions which have, historically, dealt with the use or misuse of air, land and water resources.

Let us examine first an element of the problem which has often been noted in the context of environmental controversies, but has not been very deeply examined: The burden of proof. It is often said that we must lift the burden of proving harm from those who oppose developments or the use of potentially harmful substances, and impose it on the proponents of action. A number of practical reasons have been given in support of this suggestion, such as the generally superior economic and scientific capacity of industry or government developers; the reasonable expectation that they should already have done studies on potential harm and feasible alternatives before they come forward with a proposal, and should be prepared affirmatively to defend the conclusions they should already have drawn.

I personally find these arguments persuasive, but I think the issue is much more fundamental and far reaching than is implied by any such conventional legal dispute about the allocation of burden of proof. For if the essence of the problem is *control* then it seems to me indispensible (and not merely preferable) that the proponent of action which will affect natural communities be prepared to demonstrate that he is in control of the consequences of his conduct—which is to say, that he knows enough about the consequences to make possible a fully informed rational choice. Unless we are prepared to demand this, we evince a willingness to let control slip out of our hands, and thereby to give away the very heart of the principle upon which environmental law must, if it is to have any real meaning, be built.

From this perspective, much of the law which we now call environmental law is sorely deficient. As an example, I cite to you the water pollution statute and its current interpretation in my own state of Michigan. The statute, which seems conventional enough, reads in relevant part: [1]

It shall be unlawful . . . to discharge into the waters of the state any substance which is or may become injurious to domestic, commercial, industrial, agricultural, recreational or other uses which are being made or may be made of such waters; or which is or may become injurious to the value or utility of riparian lands; birds, fish, aquatic life or plants . . .

While this may seem a very broad mandate, in 1968 the Attorney General gave the following interpretation: [2]

The Water Resources Commission is vested with power to issue orders restraining discharges that may be made into the waters of the State so that they do not cause the injuries specified. It should be noted that any order so issued must be based on a finding of fact that the discharges unless restricted may cause any or all of the injuries specified. . . . Thus, to deprive a riparian owner from discharging any substance into the waters of the state it must be shown that such a discharge is or may become injurious . . .

This formulation is not simply a manipulation of the rules of evidence. To speak, as the Attorney General's memorandum does, in terms of proof of injury, impiles that there may very well be ignorance or uncertainty about consequences. That is to say, no one may be able to prove either that there will be injury or that there will not be. In such a case, assuming lack of sufficient information, the burden of proof is simply allocated to one, rather than the other, party to the controversy. Of course one can debate endlessly about how this burden (let us call it the burden of ignorance) should be allocated. The Attorney General, having allocated this burden (by interpretation) considers the legal job accomplished.

My point is that the function of law in this situation is now an allocative one at all, but is an innovative one. The job of the law is to help assure that decisions are not made in ignorance to any greater extent than is absolutely necessary and to prevent accepting ignorance as a stable fact.

The job of the law is to promote the attainment of knowledge which will permit us to *determine* whether the proposed activity is injurious, not simply to tell us how to act when we don't know (i.e., to tell us who wins the game of ignorance). In other words, to

Footnotes at end of article.

set out "control" as the fundamental legal principle, is to make it the function of law to promote the search for knowledge which permits rational decisions to be made. To require a showing of knowledge, i.e. control, is not only to help assure that correct decisions will be made, but it is to use the law's coercive leverage to develop the tools for making rational decisions, and not—as is so commonly stated—simply to resolve disputes (as by making burden of proof rules). Thus, one principal task of environmental law is to promote research.

Of course, the problem I am discussing does not arise only in the context of proof of injury, and the allocation of the burden of ignorance. It arises also in what might be called the "state of the art" defense which is so commonly encountered in pollution cases. If a factory, for example, is charged with creating an air pollution problem, a common response is that they have already installed the best pollution control equipment available and are in compliance with the fullest state of the pollution containment art now known.[3]

In light of the definition I began with, acceptance of this defense must be seen as an utterly unsatisfactory response, even more deficient as a legal technique than the allocation of the burden of ignorance. For such a defense does not merely accept as given the state of knowledge, but goes beyond it to accept—in some instances—the present state of commercial availability of equipment, which may be at a far lower state than even the existing state of knowledge could produce.

An environmental law which develops along these lines not only fails to promote innovation, but may even stifle it by locking in as acceptable the available commercial hardware which can be purchased on the market. The dangers of this approach have already been well recognized in an excellent article by Professor Milton Katz.[4]

In that article, Professor Katz calls attention to many old tort cases, particularly in the law of nuisance. One brief excerpt will suggest the usefulness of reading this article in regard to the comments I have made. Referring to an air pollution case from Oregon in 1963 [5] he says:

"The court's painstaking scrutiny of the evidence relating to the plant's equipment and processes, and its references to the general problem of air pollution and to national policies concerning pollution, suggest how the concepts and methodology of technology assessment can be absorbed into tort law.

"In appraising the defendant's equipment and chemical processes, the court applied standards derived from the better contemporary practice among qualified manufacturers. Perhaps no more was needed to give the plaintiff the relief he required. The opinion contained no intimation that the court might be prepared in an appropriate nuisance case to test the performance of a manufacturer not only by the criteria of technology actually available and in use, but also by the efforts he may (or may not) have made to find new alternative technology through the potentialities of research. . . . The path lies open, and the step may yet be taken; the balance of reconsiderations in nuisance cases may yet be broadened to include an appraisal of the defendant's search for possible new scientific discoveries or engineering designs.

The Katz article, in the rather modest context of analyzing standards for reparations in ordinary tort cases after the fact, identifies one essential task which lies before environmental lawyers. Lack of knowledge, or current technology, must no longer be accepted as the given, static, fact; the search for knowledge (and I would go further and say its attainment) must be set out as guiding principles of environmental law. In short, the first job, if we define our task adequately, is to move from a static function of rule-making for conflict resolution upon facts accepted as given, to a prod and force for innovation of new knowledge which alone permits conflict to be resolved rationally. Only in this way can human activity be brought under control.

In saying this, I hope I will not be misunderstood. I recognize full well that in any human endeavor there is always a significant element of uncertainty. I do not propose either that all human activity be constrained unless and until we have absolute knowledge of all its consequences. Nor do I envision the enactment of statutes which say, in essence, that a party must go out and invent the lightbulb, or cure cancer, within thirty days on penalty of being remanded to the custody of the sheriff. I am speaking, rather, of the thrust and direction of legal activity in the environmental area, and am suggesting that the goal of law must be to prod the search for as much knowledge as is reasonably possible as a prerequisite for action.

This suggests that the central question in environmental legal controversies will be essentially these: (1) If you wish to act, do you know enough to give us reasonable assurances about the consequences so that we can make an informed decision about whether we are willing to tolerate those consequences? (2) If not, can you satisfy us of the urgency of going forward without waiting upon that knowledge? In answering this second question an inquiry will be required into the alternative solutions available by which we might buy some time during which information can be made available. This question will in turn require us to ask about the need for the proposed activity; the reasons why the information required as to consequences is not now available, and how it can be made available. These, I feel confident, are the right questions, and they are not now being asked often enough.

How, exactly, one goes about devising techniques for promoting innovation is at this point the most important question awaiting the skills of environmental lawyers. We do have a few rather rudimentary experiments that provide a useful starting point. In the Katz article, which I mentioned earlier, it is suggested that the potential of successful damage claims, if based upon a failure to explore and use technology either present or available within the scientific community, would itself act as what the author calls a form of therapeutic deterrence. This is surely an approach worth pursuing, though I am afraid it will at best fall far short of our need, and for two reasons. The level of successful dollar damage claims, under the rubric of torts like nuisance and strict liability, even with a much enlarged ambit of liability, is likely to be very small compared with the magnitude of the problem. The large transaction costs in pursuing damage litigation, the narrow scope of recoverable damages under present interpretations, the narrowness of the plaintiff class entitled to damages under nuisance law, all suggest serious difficulties—or at least inefficiencies—in putting heavy reliance upon traditional tort remedies.

There is a more elemental difficulty too. Tort damage suits almost inevitably focus upon immediate and visible injury, whereas many of the most troublesome environmental problems are of a sort where the dangers are spread out over quite long time spans, and are diffused among exceedingly diverse populations. Thus, while it is easy to conceive of tort damage cases as a useful device in dealing with certain immediate problems arising from industrial air pollution—such as damage to houses and cars, and even some human health problems to those in the vicinity of the plants—it is obviously going to be extremely difficult to adapt the damage action technique to the dissemination of pesticides, or radioactive substances, or to the gradual degradation of oceanic resources.

If such techniques are to be tried, however, lawyers will have to cope with very sticky technical problems, such as the class action for damages. We are now in the midst of some perplexing experiments with that very problem in the area of consumer class actions under the antitrust laws. I call particularly to your attention the following case: *Eisen* v. *Carlisle and Jacquelin*,[6] an action on behalf of nearly four million purchasers of odd lot securities, which is going forward but under circumstances of extreme unease by the court. See also *Hacket* v. *General Host. Co.*,[7] a case on behalf of one and a half million retail consumers of bread, where Judge Weiner said:

It is our considered opinion that under the facts of this case, the problem of management of the proposed class is clearly insurmountable. The class is so large that it would be unmanageable and could only result in many, knotty complicated and unnecessary problems.

A similar case, involving millions of purchasers of gasoline, is presently pending.[8]

To be sure not every such case has been disposed of in this manner. For example, in *In Re Multidistrict Treble Drainage Action Involving Motor Vehicle Air Pollution Control Equipment*,[9] Judge Real said:

Manageability of the classes alleged herein may certainly tax the imagination and ingenuity of the litigants, counsel and the court. But until management is recognized as impossible or near impossible, the Court will depend upon the ingenity and aid of counsel to solve the complex problems this litigation may bring. If successful, the economics of time, effort and expense will more than compensate the effort.

See also *Siegel* v. *Chicken Delight*,[10] where 650 franchisers sued; or *West Virginia* v. *Chas Pfizer and Co.*,[11] the tetracycline case where a settlement fund was created for the benefit of a very large class of purchasers.

I cite these cases (which deserve careful study by environmental lawyers) and the impediments to such large scale damage actions, for it is cases of this kind that will have to be developed if the damage approach is to show truly far reaching results in the environmental area. And I think it fair to say that a major environmental damage case, such as one involving pesticides, is likely to be considerably more difficult than even the most expansive antitrust case—both in terms of the numbers of people involved in the plaintiff class, and in the difficulties of proving damages. While some cases of this general type have been instituted in the environmental area, none to my knowledge has yet survived.[12]

Some other devices, with which there is now a little experience, may offer more efficient possibilities for promoting innovation and needed research. One is the effluent charge, which has been long used in Germany to deal with water pollution,[13] is now getting its first test in the United States under a recently enacted Vermont Law.[14] The effluent charge can take many forms, but in its most important sense it is an economic device with two important functions. By charging those who discharge defiled water into a stream, it imposes some of the external costs or social costs (that is, the costs incurred by downstream users) on the discharger. If the charge is skillfully set and administered, it gives the discharger an immediate and continuing economic incentive to seek means for reducing the costs to others—by process changes in the plant, or by treatment of his wastes before discharge: and thus it presses him to bring his wastes under control, in the sense that I have used that term in this discussion.

Footnotes at end of article.

If used correctly, the effluent charge provides the innovation-prodding benefits of tort damage litigation without the problems of litigation. In essence it requires an administrative determination of damages (and in a broader sense than damages are usually understood in a tort case) and it imposes what is probably the most efficient means of collecting those damages—that is, the tax approach. By requiring the immediate and continuing payment of these charges, it also puts the burden of delay upon the user.

Another legal device, similar in concept to the effluent tax, through it has never been employed to the best of my knowledge, appears in the legislation of my own state of Michigan.[15] Section 10 of our Water Resources Act provides that anyone (except a municipality) which discharges substances into the waters of the state in violation of law shall be guilty of a misdemeanor, and

In addition to the minimum fine herein specified the Attorney General, at the request of the Department of Conservation, is authorized to file a suit in any court of competent jurisdiction to recover the full value of the injuries done to the natural resources of the state by such violation.

While I do not consider this provision of law to be efficient, in the sense in which I spoke of efficiency earlier, the provision does offer a most important opportunity to bring into environmental law the idea of social cost as a recoverable element of damage, and thus to mute the inevitable criticism directed at one trying to expand traditional damage concepts. The statute explicitly recognizes such damages and provides an express mechanism for their recovery.

Finally, as to techniques, let me call your attention to a provision in the new federal air quality act that addresses itself in a most interesting way to the promotion of research and innovation. The provision in essence provides that beginning with the 1975 model year any new light duty vehicle shall be required to meet emission standards which at a minimum shall represent a 90 per centum reduction from allowable emissions for 1970 model year vehicles or engines.[16]

The discussion which took place in the Congress over this provision was fascinating. Its proponents were asked whether they were not decreeing, in effect, that the light bulb be invented by a certain date, and what exactly they planned to do if the decree were not executed by the automobile companies. Obviously, it was suggested, they were not going to close down the automobile industry.

Senator Muskie replied,[17]

Since the late 1940's, a quarter of a century ago, the industry has been occupied with the problem by its own statements. Every time it is pressed to apply the technology, it pleads for time. It says it is not possible. It said this to California in 1964. It said this to us in the hearings in 1964 and in 1965. It says it again now.

What we need in this five year period is a period not only for production line work but also time for development of the concepts which have been on the drawing boards all these years. Because that is time the committee does not want to reduce, that is why we fix a time.

The first responsibility of Congress is not the making of technological or economic judgments—or even to be limited by what is or appears to be technologically or economically feasible. Our responsibility is to establish what the public interest requires to protect the health of persons. This may mean that people and industries will be asked to do what seems to be impossible at the present time. But if health is to be protected, these challenges must be met. I am convinced they can be met.

I note this response by Senator Muskie because it is one of the few examples to be found in legislative records of what I would call the dynamic, as opposed to the static, view of the role of law. Senator Muskie is making the point that if we are to obtain innovation, it may be necessary to demand in law the product of innovation not yet available, for that demand may itself be the very thing which, as a practical matter, will produce the innovation. This view is nothing more, of course, than a congressional recognition of the old saw that necessity is the mother of invention.

I see the elaboration and sophistication of this attitude as one primary task of environmental law. To be sure, it is easier to say it than to implement it in workable fashion, for the legal system cannot afford to get the reputation of making unreasonable demands or futile threats.

It is hard to think realistically of closing down the automobile industry, but there may be devices available to create credible pressures toward producing control over the impact of the automobile on environmental quality. In this context, the leverage for control may lie in creating some balance between the pressures for growth and development of the industry and the need for research.

We do have some experience with efforts to use legal tools to bring these two elements into balance. In a number of states proceedings have been instituted—in the area of water pollution control—to constrain the granting of further building permits unless and until the sewage treatment facility, already overloaded, was brought up to capacity to deal with potential new developments. Court orders to that effect have been obtained in New Jersey in some well known cases.[18]

The idea behind this technique seems to me an extremely sound one. Development must be brought into phase with the public facilities needed to service that development; this is one means of obtaining control over the impact of human activities on natural communities. The goal is to give an advantage to those communities which are ready and able to provide adequate facilities, and to press others to move forward with such facilities in order to accommodate development.

I have heard reports, and they have been repeated in the press, to the effect that this approach, at least in the short run, has had an adverse impact on needed housing. I should think, however, that in the larger and longer term sense, the communities here hold the key to their liberation, in that by providing the required services they can go forward.

One can conceive of an adaptation of this idea to problems like that of the automobile industry. Might it not be possible to condition growth in the registration of additional automobiles upon the industry's meeting the air pollution problem? Or might not constraints be imposed as of some fixed future date upon the size of new automobiles, so as to limit the total use of fuels conditioned upon the same solution? Might not even the large investment in such relatively unimportant things as cosmetic new model design be suppressed temporarily as an incentive to invest in environmental research?

Plainly I do not set out these thoughts as fully considered proposals, but as possible sources of leverage to promote invention. I suspect that in such ways we will have to fashion practicable devices for implementing the broad and far reaching idea of control.

I have spoken thus far about the fundamental task of environmental law, as a lengthy commentary on my definition, and about some techniques which might realistically be built into the legal system for the fulfillment of that task. Now let me turn briefly to the question how one knows when he has a problem that calls for the imposition of these, or other, such rigorous measures. I said earlier that I was not suggesting a halt in all human activity which might have any effect on natural communities simply because we lacked absolute and certain knowledge about consequences. The problem is, how do we know when we have a problem that calls for cautionary action?

The very elaborate concerns I have expressed need not be applied to every form of activity which affects existing natural communities—every excavation for a building, every road, dam or bridge. It must be remembered that as to many such enterprises we have a great deal of knowledge, based on long experience and observation. While serious environmental problems are presented by many prosaic enterprises, the problem of control as to these is not of the burden-of-ignorance type to which I called attention earlier, but relates to control of the governmental and political mechanisms for decision making, and that area of control I will come to in just a few moments as the last part of my comments.

I am now speaking of the question of identification of those environmental controversies where control is an issue in the sense that no one is presently prepared to assert knowledge of the consequences. How do we know when we have one of these problems, and when, thus, we ought to worry about loss of control by default?

Not long ago, in talking to some people in the scientific community, a definition was tentatively suggested that seems to me most helpful in beginning to address ourselves to this problem. It was suggested that we define pollution as the input of substances in amounts or concentrations for which natural communities have had no evolutionary experience. The idea of using evolutionary experience as an indicator of problems seems to me a particularly felicitous one, for a modification of a community for which there is no experience is surely a danger sign of a situation likely to be out of control, in the sense that I have been using that term.

It is, more significantly, an indicator which arises out of a scientific concern about the problem of manipulating natural communities, which is the central issue, rather than—as is so often the case—an indicator formulated as a legal convenience that is then imposed upon a scientific problem. Moreover, because we are concerned with controlling potentially grave problems, rather than merely with regulating completed harms, it is a desirable improvement over the conventional legal test of proven or provable injury. It is a way of helping us to get the legal system into a posture where it can look ahead to long range problems.

This is most important, for one test of the efficacy of environmental law will be its ability to enlarge its perspective to grasp large scale, long term, cumulative problems. For this it must begin to develop indicators of danger—of which this definition is simply a helpful illustrative example—that suggest the points at which significant issues of control are likely to be presented.

Earlier in my discussion I mentioned the dissemination of pesticides and radioactive substances as particularly obvious examples of important matters for environmental law, and I think it clear that a definition of the sort I just mentioned can be tested by noting that it plainly identifies them as problems. Another example might be the development of electric generating plants around the southern Lake Michigan shoreline, which has raised considerable concern about thermal discharges. Rather than asking, as our Michigan Attorney General's memorandum would seem to, whether an objector can point to injury, it might be much more frutiful to begin by asking whether those who would make such discharges can point to any such experiences by way of assurance that we are in control of the consequences; and from that point begin to inquire into the need for developing information about such experiences,

Footnotes at end of article.

the time we can buy to develop such information, and the alternatives available during such a time period that would not impose insufferable consequences upon the consumers of electric power. This is the perspective toward which we should, I believe, be moving, and this is the context for which we have to build legal standards and decisional techniques.

I now want to turn to a quite different aspect of the control issue, what might be called political control of the consequences of human activity. For even if we are able to formulate the right questions—and that is what I have been talking about thus far—it is still essential that we assure that those questions are asked, and asked fairly and fully, and that decisions be based upon the answers to those questions.

I shall limit my comments on this last element of my discussion, for this aspect of the control question is one to which I have addressed myself at some length in my book, *Defending the Environment*,[19] and in an article I wrote last year in the Michigan Law Review.[20]

In my judgment, it is not possible to move in the directions I have been suggesting unless and until the legal regime begins to recognize a much more ample conception of the idea of public rights. While it is true that the law is full of declarations about public rights, it is also unfortunately true that when environmental controversies come before legal tribunals for resolution, the protection of the private property right of individuals or industrial users is very much the center of attention. While it is routinely noted that these rights are not absolute, they are used as the baseline for decision-making in a way that should not be allowed to persist. Let me give you a few examples to illustrate what I am saying. Once again I refer to the opinion of our Michigan Attorney General, who in speaking of the requirement that injury be shown in water pollution cases, emphasizes that any other rule would probably be an unconstitutional taking of the property of the riparian owner, with his right to discharge into the waters of the state.

Nowhere in that opinion is it said that the waters of the state into which wastes are to be discharged need to be considered as of equal dignity to the riparian owner's property right. I say this not to suggest that in a technical sense one need speak of a taking of the property of the state in the water (though such issues have been raised in litigation)[21] but rather to indicate that the focusing of attention on private property and not on coequal public and private rights gives a tone and bias to conventional legal analysis that tends to undervalue commonly held resources such as air and water.

To illustrate this difference, let me point to one area of law—broadcasting—where courts have been quite explicit and emphatic in speaking of public rights. In the first WLBT case[22] Judge (now Chief Justice) Burger said:

A broadcaster seeks and is granted the free and exclusive use of a limited and valuable part of the public domain; when he accepts that franchise it is burdened by enforceable public obligations. . . . After nearly five decades of operation the broadcast industry does not seem to have grasped the simple fact that a broadcast license is a public trust . . .

Many years earlier, Justice Frankfurter noted "the Communications Act is not designed primarily as a new code for the adjustment of conflicting private rights through adjudication. Rather it expresses a desire on the part of Congress to maintain . . . a grip on the dynamic aspects of radio transmission."[23] The Second Annual Report of the Federal Radio Commission, issued in 1928, had already said:[24]

The emphasis must be first and foremost on the interest, the convenience, and the necessity of the listening public, and not on the interest, convenience, or necessity of the individual broadcaster or advertiser.

It is this conception, unfortunately, which still remains to be understood four decades later by most of those who are responsible for the regulation of natural resources. It is still the necessity—and even the convenience—of the private user which dominates their thinking. While the scope of regulatory authority itself is no longer much questioned, the old persistent enamourment with private rights, and a discounting of public rights remains.

Today that bias in attitude is often cloaked in what are said to be constitutional concerns with property rights. The potential for enlarging opportunities for the service of public rights within the constitution's limitations have hardly begun to be explored. Indeed, there are few fields of law in which those opportunities are greater than in that dealing with natural resources. Even in its most traditional format, the law of water resources is full of statements that private rights are to be considered only usufructary, and are not to be confused with the more rigorous property law tradition that had elsewhere prevailed.

The navigation servitude, deeply rooted in our law, is a conception of enormous importance and promise, that has hardly begun to be examined in the context of contemporary environmental concerns. The statement of the United States Supreme Court sixty years ago in the *Chandler-Dunbar* case[25]—"that the running water in a great navigable stream is capable of private ownership is inconceivable"—is an invitation for the contemporary study of environmental law, with vast implications. This task is yet to be undertaken and applied to contemporary problems.

Even more ancient than the navigation servitude, and part of its doctrinal paternity is the centrally important doctrine of the public trust. I am happy to report that the public trust doctrine is beginning to be revived and brought to the attention of courts in environmental cases,[26] and I am confident that it will pay large dividends.

But the job is just beginning; thus far we have paid a heavy price for our lack of public-rights consciousness, and that price is reflected in many contemporary judicial decisions in problem areas such as strip mining[27] and wetlands protection.[28] Restraints on private users have too often been found unconstitutional because of a fixation on the notion that regulations which deprive a private owner of the *present* opportunity to make some profit from his land must be an infringement of his constitutional rights.

If we were to take another look at such cases in the context of a legal system concerned with promoting innovation, they would appear quite differently. To demand, as a matter of constitutional law, that a landowner be allowed to take a profit from his land with existing technology is to deprive the law of the opportunity to create pressures for publicly advantageous technological improvements. It is, in essence, to raise the state of the art defense to a constitutional level. Not only is this unwise, but it is unnecessary as a matter of constitutional law.

It is, of course, commonplace to condition the use of property on the adoption of safety devices, or expenditures therefor, despite the economic impact they may have upon the affected person. In this respect, it is well to remember Justice Holmes' comment in the *Erie Railroad* case—where the railroads argued that regulations requiring them to pay for grade separations might bankrupt them and must therefore be held unconstitutional—"That the states might be so foolish as to kill a goose that lays golden eggs for them has no bearing on their constitutional rights."[29]

Surely this approach can be adapted to activities such as strip mining and to the promotion of innovation, by requiring the adoption of protective measures (even if not now available on the market) sufficient to assure the protection of public resources such as lakes and streams into which there is mine drainage.

Another device for achieving this end might be the requirement of a bond to assure compensation for the full costs to the public of the miner's operations. Such an approach would be similar to the statute I mentioned earlier which allows the Attorney General to collect the damages done to the state's natural resources. If the costs to public resources were adequately calculated, and bonds set at a sufficiently high level to reflect the problems of existing technology, it might well be that mining would at present become prohibitively expensive. But this would not be a prohibition on the use of the miner's land; it would simply assure that coal would be mined only when the value of the coal exceeded the true costs of recovering it, including the costs to public resources.

It hardly seems likely that this is forbidden by the constitution, for such a technique would merely follow the old tradition of nuisance cases which favored a big and valuable property interest against a smaller one, protecting the greater interest even at the expense of the smaller.[30] The format would be the same, but the result might differ, because for the first time the right and values on the other side of industry would be seen not merely as a single individual's home, for example, but as the much larger public right in the water resource as a living community.

As a final comment on problems such as surface mining, it is worth calling attention to an ironic fact about technology and constitutional rights. Were it not for the modern development of huge machinery which makes strip mining profitable under present legal standards, the land now being mined would no doubt be sitting idle, producing nothing but—as some courts put it—the right to pay taxes. The asserted constitutional right to profit from the land as a source of surface mined coal is no ancient expectation, but the product of a speculative investment that awaited technological development.

In this sense, any constitutional right recognized is itself the result of one kind of technological innovation. An innovation that degrades public resources. Is there any reason to refrain from demanding that the opportunity to profit from the land wait until we have a technology which will also protect those resources?

Finally, I turn to that aspect of the control issue which relates to participation of citizens, and their access to the decision making process. As I said earlier, because my book deals with this question at some length I will not belabor it here. I note only two points by way of emphasis. First, if control is to be the lodestar of our concern, it is essential that we think not only of scientific knowledge as a source of control, but of control over human activity in light of the opportunity for all interested segments of the public to have a genuine opportunity for participation.

The present administrative process—by which we now manage environmental controversies almost exclusively—can hardly be said to be a successful implementation of that principle. There are few administrative officials who do not view their role principally as one of quiet and friendly negotiation; a role which may get him the maximum results within the limited powers available to him, but hardly a role consonant with that which a claimant of legal

Footnotes at end of article.

rights (such as a property owner) should and does assert when his rights are put in jeopardy. This is simply to say in brief fashion that the institutional structure we have, and rely upon so greatly, itself reflects the failure in our public-rights consciousness that I have just been discussing.

It is in large part to reorient our sense about public rights, and about their status, that it seems to me useful to spend a good deal of energy in the courtroom, for all its limitations as an efficient place for decision making. It is, despite those limitations, preeminently a forum in which rights-consciousness is at a high level, and it is that tone which needs to be strongly emphasized for at least the short term and intermediate future.

Another failing in the administrative system is that it creates a middleman between the rights holder (the public) and his opponent. The citizen comes to a regulatory agency as a supplicant, requesting that they undertake to examine and to pursue his rights. In a courtroom, he comes directly and as a claimant; there is no insulation of administrative discretion between him and his claims. This too is a matter of tone and of emphasis, but one of very great importance.

Finally, there is at least in one important sense an element of directness about the litigation process that is lacking in the usual administrative process. If one is to be in control, it is, after all, important that he have the opportunity to affect action with a certain directness and forthrightness. The suit for immediate injunctive relief is a forthright institutional tool. The usual administrative process is loaded down with an incredible weight of procedural baggage which often brings it to a halt as an effective tool. The ordinary range of conferences, hearings, preliminary orders, negotiation, delay, more hearings, stipulations, more conferences, and finally—perhaps—an order which can then be taken to court for litigation, is endemic to the regulatory process.

The laws under which administrators operate usually compel at least a good deal of this plodding, with the result that problems are frequently drawn out over many years. The consequence is that the system loses control over the problem. During the past year, I have had students examining the time chart of a number of environmental controversies, and the mere chronological facts are appalling.

Let me cite you one such example, as an illustration. I am sure it has its counterparts in every state of the country, and in the federal system as well:

The company operates a rendering plant, slaughter house and meat-packing facility. The plant is located about one mile south of the limits of Traverse City. Numerous citizens complained of a nauseating and putrid smell emanating from the plant. In some cases the smell caused vomiting or fainting (1) and was noticeable one and a half miles from the plant (2).

1963

July 18: Engineer for the State Department of Health visited the company subject to a complaint referred from a local health department. It appeared that there had been an equipment breakdown and dead animal bodies and other foul and decaying matter created a severe odor. There was, at that time, no air control legislation and the State Health Department felt it had no power to pursue the matter. The State Department of Agriculture, although it licensed the company, was only interested in the quality of the animal food.

July 26: The Public Health Department sent a detailed report indicating measures to be taken. The company reduced the odor problem somewhat, but made no attempt to control the release of non-condensible gases from its cookers.

1968

May: A neighboring business complained to the Department of Health that odors from the rendering plant were making its employees ill. The plant said the problem would be resolved shortly.

1969

Spring: A new complaint was made by the neighboring business. Increasing numbers of citizen complaints were received by state and local officials concerning a severe odor coming from the company.

August 16: An Engineer for the new Air Pollution Control Commission wrote the company and asked for a resolution of the odor problem by November 1. He indicated that the matter would be brought to the attention of the Air Pollution Control Commission if progress was not forthcoming.

September 4: Air Pollution Control Commission informs Assistant Attorney General of the rendering plant situation and asks for an advance draft of a notice of violation against the company for consideration by the Commission. There is no response from the Assistant Attorney General.

September 16: At a Commission meeting, although a Staff Report recommended that the company be cited for violation of the Air Pollution Control Act, the company was given a 30 day variance to devise a control program. The Commission noted four major improvements for the company to follow. The company agreed to implement each factor.

1970

January 23: Attorney for the company submits a progress report. After-burner required by Commission is not yet installed.

April 14: The County government urges its citizens to direct complaints to the Commission. A petition with more than 1900 signatures requested the Commission to stop the noxious odors.

April 21: At a Commission meetings, it is recommended that the company be cited for violation of the Air Pollution Act. It is noted that no afterburners were installed, but rather unsatisfactory substitute equipment was used.

June 12: Air Pollution Commission returns a complaint for violation of the Air Pollution Act to Assistant Attorney General who is to be told *in a few days* whether to process the complaint. No subsequent correspondence is in the files.

July 21: A prominent Traverse City citizen complains about the odor problem in letters to—Governor Milliken, Senator Hart, Senator Griffin and Commissioner Soet. The citizen has heard that the citation for contempt of the Commission's rulings is being held up by an Assistant Attorney General and he asks, "Why?" On this same date the Commission adopts a complaint against the company.

August 28: A referee's hearing is held on the complaint. Public complaints were still being received.

August 30: The referee's decision is sent to the company. It is recommended (*inter alia*) that the company be ordered to take all necessary steps to remedy the situation or discontinue its rendering operations.

November 17: A hearing is set for action on the referee's findings.

The Commission, at its November 17 meeting, noted to accept the referee's findings and to request the Attorney General "to proceed with a notice of complaint and violation." However, the agency, probably, will not have the Attorney General take immediate action since the Commission also directed the company to submit abatement plans by January 4, 1971, to initiate installation of control devices by February 15 and to obtain total operational compliance by May 1, 1971.

Sad as it is to hear such recitations, everyone who has followed environmental controversies nods his head knowingly. Yes, that is—though perhaps in aggravated form—the pattern. The agencies somehow cannot seem to pull themselves out from this pattern. There is in here a lesson for those who are concerned about having control of problems, rather than simply having elaborate rules in the statutes.

There must be some institutional means for circumventing this process, some way in which control of problems can be grasped quickly and effectively.

It is interesting to note in this regard the kind of response that is made to a problem when a sense of urgency comes to surround it. The mercury problem and the federal government's response is an interesting example. Though the old, nearly forgotten, Refuse Act[21] was little used in the federal water pollution control effort, the task having been left to the rather leaden footed processes of FWQA, when the mercury issue broke,[22] the federal government—with some urging by members of Congress[23]—sent federal attorneys directly into the courtroom for injunctive relief under that law.[24]

To have a working, responsive system that permits control to be obtained over the problem, it was necessary to cut through the elaborate, elephantine "modern" system of water pollution control, and revert to a simple old equity action. There are some powerful lessons in these experiences, if only we will keep our eye upon the genuine aspirations of a system of environmental law—we are trying to bring ourselves into control over the effect of human activity on natural communities, of which we too are members. To lose that control is to make ourselves the involuntary white mice in a series of experiments in new evolutionary experiences; I don't think we want—or need—to be participants in that risky enterprise.

FOOTNOTES

[1] Mich. Comp. Laws Ann. § 323.6(a).

[2] Memorandum to L. F. Oeming, Executive Secretary, Water Resources Department, from N. V. Olds, Asst. Attorney General, Michigan, Feb. 19, 1968 (unpublished).

[3] E.g., *People v. Atchison, T.S.F. Ry Co.*, 268 Cal. App. 2d 501, 74 Calif. Rptr. 221 (1968) (State of the art defense).

[4] Katz, The Function of Tort Liability in Technology Assessment, 38 U. Cinn. L. Rev. 587 (1969). See also Note, The Role of the Courts in Technology Assessment, 55 Corn. L. Rev. 861 (1970); Technology: Processes of Assessment and Choice, National Academy of Sciences (Govt. Print. Off., 1969).

[5] *Renken v. Harvey Aluminum Co.*, 266 F. Supp. 169 (D. Ore. 1963).

[6] *Eisen* v. *Carlisle and Jacquelin*, 391 F.2d 555 (1968) (conspiracy to monopolize odd lot training).

[7] *Hackett* v. *General Host Corp.*, Civ. Action No. 70–364 (E.D. Pa., July 30, 1970) (suit on behalf of consumers of bread in Philadelphia market).

[8] *Philadelphia* v. *American Oil Co.*; Civ. Action No. 647–68 (D. N.J.) (suit on behalf of millions of gasoline purchasers); *Lah* v. *Shell Oil Co.*, 50 F.R.D. 198, 200 (S.D. Ohio, 1970) suit on behalf of 140 Shell dealers).

[9] M.D.L. No. 31, 1 Env. Rptr. 1643, (C.D. Calif., Sept. 4, 1970).

[10] *Siegel* v. *Chicken Delight, Inc.*, 271 F. Supp. 722 (N.D. Calif., 1967), mod. 412 F. 2d 830 (9th Cir. 1969) (suit on behalf of hundreds of restaurant franchisers).

[11] *West Virginia* v. *Chas. Pfizer and Co.*, 314 F. Supp. 710 (S.D. N.Y., 1970) (settlement of tetracycline drug antitrust case).

[12] *Diamond* v. *General Motors Corp.*, No. 947, 429 (Super. Ct., Calif., filed April 15, 1969) (suit for large damages for air pollution; dismissed); for a report of a criminal pollution case, in which a million dollar fine was assessed, see New York Times, Aug. 27, 1970, at 1, col. 1.

[13] See generally A. Kneese and B. Bower, *Managing Water Quality: Economics, Tech-*

nology, Institutions, Pt. III, ch. 6, 7 (Johns Hopkins Press, 1968) (effluent charges).

[14] Vt. Stat. Ann., tit. 10, § 912a(e) (1970 Supp.); Comment, Water Pollution Control in Vermont: A System of Effluent Charges, 4 J. Law Reform 135 (Fall, 1970).

[15] Mich. Comp. Laws. Ann., § 323.10 (recovery of damages to natural resources of state from violation of water pollution law). See *California v. Union Oil Co.*, No. 84594 (Super. Ct., Santa Barbara, filed February 1969) (suit for $560 million for harm to property, fish and wildlife from oil spill); Note, Liability for Oil Pollution Cleanup and the Water Quality Improvement Act of 1970, 55 Corn. L. Rev. 973 (1970); "Pollution Suits Filed," Wall St. Journal, March 16, 1970, at 6, col. 1.

[16] Clean Air Act, P.L. 91–604, §202.

[17] CONGRESSIONAL RECORD, vol. 116, pt. 24, p. 33088; and p. 32902.

[18] *Dept. of Health v. City of Jersey City,* No. C–2902–67, Ch. Div., Super. Ct., Hudson Co., N.J. (July 12, 1968); New York Times, March 3, 1969, at 62, col. 6. See also *Virginia Water Board v. Supervisors,* Ch. No. 31671, Cir. Ct. Fairfax Co., July 28, 1970, 1 Env. Rptr. 1482; *Westwood Forest Estates v. Village of Nyack,* 23 N.Y.2d 424, 297 N.Y.S.2d 129, 244 N.E.2d 700 (1969). See generally, 1 Env. Rptr., Highlights, pp. 245–8, July 10, 1970.

[19] J. L. Sax, *Defending the Environment,* (Alfred A. Knopf, Inc., 1971).

[20] Sax, The Public Trust Doctrine in Natural Resource Law: Effective Judicial Intervention, 68 Mich. L. Rev. 471 (1970).

[21] E.g., *New Hampshire v. AEC,* 406 F. 2d 170, 176 (1st Cir., 1969), cert. denied 395 U.S. 962 (1969).

[22] *Office of Communication of the United Church of Christ v. FCC,* 359 F. 2d 994, 1003 (D.C. Cir., 1966); *Citizens Committee v. FCC,* No. 23, 515 (D.C. Cir., Oct. 30, 1970) ("commonly-owned public resources").

[23] *FCC v. Pottsville Broadcasting Co.,* 309 U.S. 134, 138 (1940).

[24] P. 170.

[25] *United States v. Chandler Dunbar Co.,* 229 U.S. 53, 69 (1913).

[26] E.g., *West Virginia Highlands Conservancy v. Island Creek Coal Co.,* No. 15, 028, U.S. Ct. App., 4th Cir., Brief for the Appellee at 50; *City of Long Beach v. Mansell,* L.A. No. 29, 700, S. Ct. Calif., Reply Brief of the State of California to Respondent's Return to Alternate Right of Mandate at 10, 14; *Paepke v. Public Building Comm'n.,* — Ill. 2d. —, 263 N.E. 2d 11, 16 (Sept. 29, 1970).

[27] *Dept. of Forests and Parks v. George's Creek Coal Co.,* 250 Md. 125, 242, A. 2d 165 (1967); *Mullins v. Beatrice Pocahontas Co.,* — F. 2d —, 1 Env. Rptr. 1693 (4th Cir., 1970). Compare *Stewart v. Chernicky,* — Pa. — — A. 2d —, 1 Env. Rptr. 1357 (1970); *Samsell v. State Line Development Corp.,* —W. Va. — S.E. 2d —, 1 Env. Rptr. 1304, 1970).

[28] *MacGibbon v. Duxbury,* —— Mass. —, 255 N.E. 2d 347, 1970); *Maine v. Johnson,* — Me.—, 265 A. 2d 711 (1970).

[29] *Erie R.R. v. Public Utilities Commr's.,* 254 U.S. 394, 410 (1921).

[30] *Madison v. Ducktown Sulphur, Copper and Iron Co.,* 113 Tenn. 331, 366, 83 S.W. 658, 666 (1904). Compare *Hulbert v. California Portland Cement Co.,* 161 Cal. 239, 251, 118 P. 928, 933 (1928). Jurgensmeyer, Control of Air Pollution Through the Assertion of Private Rights, 1967 Duke L. J. 1127.

[31] Rivers and Harbors Act of 1899, 30 Stat. 1152, 33 U.S.C. § 407.

[32] Detroit News, April 9, 1970, The Other Section, at 2, col. 3; New York Times, May 11, 1970, at 40, col. 4.

[33] CONGRESSIONAL RECORD, vol. 116, pt. 18, p. 24530; 1 Env. Reptr., Current Developments, Highlights, p. 272, July 17, 1970, p. 354, July 31, 1970; Report No. 91–917. U.S. House of Representatives, Committee on Government Operations, Subcommittee on Conservation and Natural Resources, March 18, 1970; Hearings Before the Subcommittee on Energy, Natural Resources and the Environment, U.S. Senate Committee on Commerce, on Environmental Protection Act of 1970, S. 3575, 91st Cong., 2d Sess. (1970), Serial 91–90, at 135–6.

[34] 1 Env. Rptr., Current Developments, Highlights, p. 349, July 31, 1970, p. 509, Sept. 11, 1970.

ORDER FOR A PERIOD FOR THE TRANSACTION OF ROUTINE MORNING BUSINESS ON MONDAY NEXT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on Monday next, immediately following the laying before the Senate of the pending business and the approval of the Journal, there be a period for the transaction of routine morning business, with statements therein limited to 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. I ask unanimous consent that that period for the transaction of routine morning business be limited to not to exceed 30 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I have made this request today in order that all Senators may be aware that on Monday, even though we will convene following a recess, there will be a period for the transaction of routine morning business and they can be present with their statements and ready to present them.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

AMENDMENT OF RULE XXII OF THE STANDING RULES OF THE SENATE

The PRESIDING OFFICER (Mr. CHILES). The Chair lays before the Senate the pending motion to proceed to the consideration of Senate Resolution 9, amending rule XXII of the Standing Rules of the Senate with respect to limitation of debate.

The question is on agreeing to the motion of the Senator from Alabama (Mr. ALLEN) to postpone until the next legislative day the consideration of the motion to proceed to the consideration of Senate Resolution 9.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HOLLINGS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOLLINGS. Mr. President, I speak today against the imposition of a stifling gag rule on this body. Once again, in the name of reform, we are asked to tinker with arrangements that have helped us over troubled waters time and time again. I speak specifically of the proposal to allow three-fifths of the Senators present and voting to shut off debate on any bill. More generally, I speak about the protection of minority interests in this country.

Mr. President, it is interesting to be able to speak for the majority. The distinguished Presiding Officer (Mr. CHILES), coming from the Southland, will be interested to know that while many who speak on this particular subject characterize it as southern, and characterize our efforts as obstructionist, the fact of the matter is that the South is no longer a minority, but a majority area, with, according to the 1970 census, 61.5 million persons. We are growing faster than any other section of the United States, forming into metropolitan areas, urbanizing faster than any other. In the past decade, more persons moved into the South than out of the South, for the first time in the past 100 years. We are the youngest section. According to the Carnegie Institute on Higher Education, our schools offering graduate degrees compare favorably with those of other sections of the country.

We have shown far more advancement in public education. Now that the civil rights battle is over and done with and the task of implementation is at hand, no one can think of any law—I say to the distinguished Senator from Alabama—no one can think of any civil rights law to introduce, because if he could, he would put it in. The matter of Southern obstructionism is moot; and we pass on to the majority section of the country, and we look to really what is obstructing progress in the United States. It is not seniority and it is not rule XXII.

The fact is, Mr. President, that what we really should do is mechanize and put in business procedures—computerize, if you please—as modern business has done. Congress does not have an Attorney General. We cannot tell how a bill is going to be ruled upon.

If we took the Executive's Attorney General, we would never have had an 18-year-old voting. We just had to do that on our own muscle, under the leadership of the distinguished Senator from Montana.

We do not have an analysis section for Congress. We pass a bill, and often we think the problem is solved, and it is merely identified. Coming back 4 or 5 years later, we find that the intent, the problems to be solved, have all been disregarded; and there is no real study-analysis section to tell what has occurred or to understand from a computerization standpoint what is likely to occur.

One of the greatest hangups, on a major piece of legislation was the family assistance program. Who could really tell what would happen if we voted that into law this afternoon? We certainly cannot tell from the administration's witnesses. They do not know. They do not have any idea, and they contradict each other; and every time you get them and put them in a position where they are obviously misinformed or do not have the facts, they say, "Wait a minute. We'll come back and give you a different bill."

That has been the trouble—not a filibuster, not rule XXII, but the lack, really, of business procedures in legislation.

The House Members really should have 4 years rather than 2 years, so that they would have time to legislate rather than just politic around the country. That is, practically, their burden.

The rollcall system, took last year over 2 workweeks of time to just vote—an average of 20 minutes on a rollcall. There are many other ways we could institute business procedures in the Senate, to cut down, to streamline, to prevent obstructionism. It is not seniority and it is not rule XXII.

What we talk for today, Mr. President, is to protect a substantial minority, so that the substantial minority can be heard. Do away with rule XXII? With the minority interests of this country so diverse, with the multiplicity of interests that we have and difference in sections and sectional interests, there will be no protection; there will be no chance to be heard.

While the Gulf of Tonkin resolution did not employ rule XXII, I think, in hindsight, that there still is tremendous doubt in this Chamber as to whether we, as a deliberative body, took time enough to consider really whether we were under attack. Did we go about this in a deliberate fashion? I believe the majority of the Senate think we did not.

I believe that the employment of extended debate in the last year by the minority leadership—specifically, the present chairman of the Republican Party, the distinguished Senator from Kansas—on the Cooper-Church amendment is in point. While I stood on the other side and voted for the Cooper-Church amendment, I readily have to acknowledge that the fact that he stood there, the fact that he talked, the fact that he required more deliberate consideration of this all important measure, gave us, in the U.S. Senate—and, thereby, in this Government and in this land, a chance to see what really was at hand and whether we were really just going into sanctuaries or spreading the Vietnam experience to a third Southeast Asian country.

The House devoted 3 hours and 40 minutes to debate on that issue and agreed that it was just sanctuaries. In the 7 weeks that ensued thereafter, we went from 9 miles to 20 miles to 90 miles inland, finding that 10-mile sanctuary and looking for COSVN headquarters. We went from no support to air support to every other kind of support.

Then they began to realize in this country that the President was not on all fours with the sanctuary story that he was giving; rather, that we were in danger of getting into another war and another Vietnam in Southeast Asia.

At the same time, we proved the need for rule XXII and extended debate as constituting the last vestige within our republic form of government to slow down, to listen, to deliberate, and to consider things objectively.

If I had my way—but I know I would be laughed out of court—I would extend this rule rather than cut back, the two-thirds requirement. If I had my way, I would go in the other direction and require three additional Senators and say that when 70 percent must consider a matter then to be terminated and have no longer any reason to debate it, therein and therein alone shall debate be terminated. Under the modern development of communications, the pressures from the White House, and the accession to power of the executive branch of Government, I believe what we really ought to guarantee, in essence, is that 30 percent in this country, constituting what we would call a substantial minority will be heard.

The trend should be the other way. We should not be using this salami approach of a little slice here and a little slice there to get down to 51–49 government. That is what we are talking about. We are not talking about civil rights. We are not talking about the Southland. We are not talking about obstructionism. We are talking about protecting the rights of the individual. We do not find that in headlines and stories. We will not ever hear it or see it.

The question, among some of our colleagues is that they do not want to believe it, because they might have the label of being an obstructionist and a bigot and a southern filibuster.

That is all they call it—the southern filibuster continues on today—when in essence we are protecting majority rights, because the Senator from Michigan is beginning to live in a minority area.

We, in representing the majority of our country and our Southland, have spoken out time and again against these efforts to deprive Senators of their right to debate the important issues confronting our Nation. The Senate was designed for careful and deliberate debate, and its history is filled with examples of the minority wisely tempering the haste of an overly zealous majority. If the Senate should now allow 60 of its Members to gag the other 40, the advocates of cloture will not rest until 51 of them can silence the remaining 49. And if ever the Senate is reduced to the sad point where a minority of its members have no freedom to speak on behalf of their constituents, then we are in grave peril. Those who came before us understood that unrestrained power is bad, whether it is wielded by one, a few, or a majority. They knew that we are a country not just of individuals, but of varied and diverse groups. We are laborers and farmers, lawyers, and teachers, businessmen and clergymen. The interests of farmers must be safeguarded, for instance, even though farmers represent only a minority of the population. Obviously we cannot say to the farmer that his interests are to be sacrificed because he does not constitute 51 percent of the populace. The interests of each and all of our diverse groups must be shielded from the whims of 51–49 Government. The Founding Fathers established a government to protect the rights of all the people, and they insisted that minority rights be protected whether that minority be 49 percent of the total or one-half of 1 percent.

Thomas Jefferson, the founder of our Democratic Party and our democratic system, once said:

> The rules of the Senate which allow full freedom of debate are designed for the protection of the minority, and this design is part of the warp and woof of the Constitution. You cannot remove it without damaging the whole fabric.

If any changes are going to be made, we ought to consider going in the opposite direction—of requiring a 70-percent vote rather than 67 percent to shut off debate. Never before have there been such opportunities to sway the sentiments of the people. Demagogs and radical schemers perform before an audience of millions every night on television—they are given every opportunity to propagandize their cause. A real demagog, a man on horseback shrewd enough to make maximum use of the media, could pose a real threat to the institutions of this Republic.

One has only to look at the history of the past quarter century to understand the importance of preserving open and free debate in the Senate. These have been years of steady growth in the executive branch, and of the gradual erosion of legislative authority. The executive branch has assumed powers galore in these years, and as a result it is increasingly difficult for Congress to make itself heard. The executive has a vast array of tools and levers to influence the formation of public opinion. The Congress has very few. In short, Mr. President, it is far easier today for an administration to influence public opinion, form majorities on a particular issue, and then ram its legislative proposals through Congress. One of the best defenses Congress has to ward off this type of instant legislation is deliberate debate. It must safeguard, perhaps even strengthen, that weapon. Instead of making it easier for hastily put together majorities or the executive to push legislation through Congress, we ought to make it more difficult. Hence my suggestion that we increase the number required to invoke cloture from 67 percent to 70 percent in view of the changed conditions of the past 25 years.

The tradition of open debate has surely not weakened the role of the Senate. On the contrary, it has made reality out of the dreams and visions of this country's Founding Fathers. The Senate was not intended to to be a rubber-stamp to the changing whims of successive administrations. Quite the contrary, Mr. President—the Senate's primary role in American history has been to provide a check on hasty administration action, and on hasty legislative action by the lower House of Congress. One weapon to check such haste has been the tradition of free and open debate. Indeed, not until 1917 did the Senate inaugurate cloture procedures to limit debate. In the years before 1917, the United States progressed to greatness.

I might interject at that point, Mr. President, because the distinguished Senator from Michigan (Mr. GRIFFIN) is in the Chamber with us now, what I said concerning the headlines on rule XXII, calling it a "southern filibuster," "obstructionism," and "bigotry from our section," In addition to the extended debate we had on the war in Vietnam and the incursion into Cambodia, we also had

extended debate on a judicial appointment. If we had not had that extended debate on the appointment of Justice Fortas to be Chief Justice, and Judge Thornberry to be Associate Justice, those two gentlemen would be on the Supreme Court today. I would have preferred the two gentlemen who are now there, Chief Justice Burger and Justice Blackmun. I believe the distinguished Senator from Michigan (Mr. GRIFFIN) will readily acknowledge that had we not had the advantage of extended debate, that would have occurred.

Looking at that, perhaps our distinguished minority whip would join us in our cause, having enjoyed the benefits of extended debate, and come with us now from other sections of the country so that it will not look like a sectional thing, and maybe, the great State of Michigan and South Carolina can be integrated on this point.

Mr. GRIFFIN. Mr. President, will the Senator from South Carolina yield at that point, without losing his right to the floor and without having it constitute a second speech?

Mr. HOLLINGS. I am glad to yield to the Senator from Michigan under those conditions.

Mr. GRIFFIN. I rather have the impression that the distinguished Senator from South Carolina may be seeking some response from the junior Senator from Michigan. Let me acknowledge that the junior Senator from Michigan as well as others in this body who favor a change in the rules have, nevertheless, taken advantage of the existing rules when to do so would serve our particular point of view in a given situation. There is no denying that.

I would be the first to agree with the distinguished Senator from South Carolina that it is absolutely necessary and in the national interest to make certain that there is adequate debate on the great issues which come before this body, open and full debate. However, I would not want the rhetoric to cloud over a basic difference in our point of view: I do not equate the opportunity for full and open debate with the proposition that we can never get to a vote on an issue in this body; and that seems to be the practical result.

I must say, I am rather startled by the suggestion of the distinguished Senator from South Carolina that we move in the opposite direction, away from reform, and require a three-fourth rather than a two-third vote of the Senate before we could terminate debate. I think it would be very unfortunate if we were to move in that direction.

Mr. HOLLINGS. Does not the distinguished Senator agree——

Mr. GRIFFIN. My response to the Senator is that while I would join him in securing procedures which guarantee adequate debate so as to make sure the Senate does not move too hastily on important issues, still, I believe we must have procedures which permit us, after a reasonable period of time, to get to a vote.

Mr. HOLLINGS. Does not the distinguished Senator from Michigan agree that the power of the President specifically, not hypothetically, in the Fortas appointment came to bear when the President submitted this particular questo to the Senate? At the very time that appointment was sent up, 75 percent of Senators, generally speaking, were ready, willing, and prepared to vote for confirmation. It was only the Senator from Michigan's careful perusal and study, and bringing the facts to light that held that up and, as a result, finally, the nomination was not confirmed. But, therein, the Senator saw, felt, and knew the power of the executive. The Senator from Michigan was a definite minority, probably within 20 percent, rather than 33⅓ percent. Therein is whereof I speak. The Executive does have this power. With the news media and all the ramifications connected with it, the Senator and I both know what the ill of the Government is, that the executive branch has preempted the legislative branch by completely ignoring its Cabinet and Cabinet officers when it talks about the reorganization of the Government and the institution of new departments.

I believe that the first new department that should be instituted would be "a department of lost articles." I dealt with the Secretary of Commerce for a year, trying to get something on textiles, but until they started to do something with the Japanese, it was over at the White House.

On the question of food stamps, I dealt with the Secretary of Agriculture and when we started to get results, they transferred that over to the White House. I can give the Senator example after example after example, such as the Secretary of the Interior did on his departure, when he said, "I have not been able to see the President."

Everyone knows that the State Department does not formulate foreign policy. Last year's message on the state of the world was written, prepared, and delivered during the time the Secretary of State was over Africa, some 30,000 feet in the air, and did not even know it was coming up, to his embarrassment.

Therein we see congealed more and more into the White House all these various things. Perhaps it is wise. Perhaps it would be better to get rid of the Secretary of Labor and let the President make decisions about the Labor Department, and forget and abolish the Labor Department. But all we are doing is getting an all-powerful executive branch which has all the resources, all the facts, and all of the authoritative information to back up the position taken. All the news media jump on that. And bam, bam, we look like we are dragging our feet. We should stop to think in this body as the Senator from Michigan stopped to think on the Fortas matter. As the Senator knows, history was made in that matter, and the Senator is proud of that, I am sure.

Mr. GRIFFIN. Mr. President, will the Senator yield further for a comment?

The PRESIDING OFFICER (Mr. EAGLETON). Does the Senator yield for a comment to the Senator from Michigan?

Mr. HOLLINGS. I yield.

Mr. GRIFFIN. Mr. President, of course, I appreciate the very generous comments of the Senator from South Carolina concerning my work with respect to the Fortas nomination. I am proud of the Senate and its judgment in that case.

I might say I hold the view now, as I did then, that as in the case of treaties which require two-thirds approval, it would be a good reform of our procedures to require a two-thirds approval vote on Supreme Court nominations.

I say that even though I realize my suggestion might not be too welcome at the other end of Pennsylvania Avenue where, at the moment, a President of my own party happens to be in the White House.

I believe it would be in the national interest if every appointment to the Supreme Court sent up to the Senate had substantially more than just 51 percent support.

Mr. HOLLINGS. I agree.

Mr. GRIFFIN. Aside from what we might do with respect to voting on legislative issues, a great deal can be said for a two-thirds voting requirement with respect to Supreme Court nominations. But I do not think that the same reasoning or logic applies with equal force to other matters which come before the Senate. For example, in the last session of the Congress the Senate was tied up with filibusters on such matters as conference reports and appropriation bills.

The Senator has asked for my comment on some of his suggestions; I would like to throw a question back at him. Does not the Senator from South Carolina think there should be some limitation on debate so we could get to a vote in the case of conference reports or an appropriation bill, upon which the functioning of our Government absolutely depends.

Could we afford to allow the Government itself to come to a halt because we cannot get to a vote on an appropriation bill, for example, which would make it possible for the Government to proceed? I think that increasing the cloture requirement to 75 percent would be very unfortunate, particularly in those areas.

Mr. HOLLINGS. Mr. President, in response to my distinguished colleague, the Senator from Michigan refers specifically to the appropriations and the conference report on transportation and the other appropriation bills. The bill containing the SST came up at the very end of the session and they made a successful filibuster. I cannot think, other than on this particular issue in and of itself; namely, rule XXII, that we could not have had a vote on the SST if there had been time. The conscience of the Senate will see to that.

On an appropriation of x or y dollars, there is always room for compromise. The only lever the distinguished Senator from Wisconsin had on us was time. He did a good job and brought a lot of facts to the surface. We saw him arraigned against the entire White House and Pentagon with all their authority. He was in the back of the Chamber with two administrative assistants. He was sitting back there for several weeks and was bringing out the facts.

I believe if there would be a compromise on an appropriations measure, it would be fine, because we have to appropriate funds.

We would not have a minority that was

not heard. I am talking about minority interest, minority groups as individuals and population groups, minority sections. Those issues just could not come out which, I believe, responds to the logic of my distinguished colleague relative to a Supreme Court Justice appointment requiring two-thirds.

The Senator and I know the significance of that. But therein he recommends a two-thirds vote. If he feels that strongly on that particular point, I suggest that he should feel just as strongly about minority interests and their particular concerns and their particular sections.

I believe the two-thirds requirement should be adhered to. If there is to be a change, I categorically state that it should be in the other direction as a result of the history of communication and the handling of the press that every President has been accused of. President Johnson was accused of manipulating the press. They accuse every President of it. But the President has everyone right there.

Look at the situation we had on the west coast in the last election, in San Jose. It was characterized as the most heinous situation. When I read it, I thought it was one of the worst things I had ever heard. It was not like that at all when the matter was investigated. We had the media respond at first blush by saying that such and such happened. But when we have the press make a careful and competent investigation as to what went on, then we have the truth and we begin to realize what happened.

This rule XXII is the only protection within this body of representative government in America. By it, I think we create stability in our Government.

If the ones who write the headlines do not understand it that way, they say we are dragging our feet in the Senate. Those things could be expedited in many other ways than the one safeguard we have in representative government in America.

We can all be represented here. No one has an inherent fear of a majority vote, 51 percent. We are trying to get it down to 60 percent. The Senator and I can never agree on that. They will say "What about 55?" We practically have a 51-percent Government, a bare majority can ram it down the throat of practically all of the country, 49 percent.

Therein you instill instability, which is something the Senator and I, as Senators, have been under the gun about in the last several years with respect to representative government and the confidence of the people in representative government for the past several years.

Mr. GRIFFIN. If I may comment further, I wish to indicate that while I believe we should be able to get a vote on conference reports, I was opposed to the SST. If we had been allowed to vote on the transportation conference report in the last session, along with the Senator from Wisconsin, I would have voted against it.

Nevertheless, in the interest of the orderly workings of the Senate and of the Government of the United States, I believe it is vitally important that we be able to get to a vote at some point on such matters as conference reports and appropriation bills. I rather gathered from some of the comments of the Senator from South Carolina that he may agree to some extent with the proposition that these measures are of a different order or standing than authorization bills, for example, which are presented to determine policy, in the first instance.

Once we have worked our will and voted on an authorization bill and established policy, I believe we should be able to get to a vote more easily in deciding the amount of money to be appropriated for that particular purpose.

Mr. HOLLINGS. If my distinguished friend would discuss this matter further, is it not a fact that really it is not rule XXII which is involved but rather the matter of expedition in both parties, and the executive branch itself? We have always been able to vote on everything. But when we got to the appropriations for the SST, family assistance, social security, and foreign trade, they all occurred in December. Why did it all occur in December? It occurred in December because, for instance, the appropriation for the Transportation Department hearings did not commence until midyear. We did not get the bill until approximately election time. We tried to expedite hearings and get out a bill. That occurred not because of rule XXII.

I do not think we should ram anything through in the closing weeks. I feel the solution to that problem, which the Senator and I feel keenly about, is on our shoulders to make certain we start hearings as soon as possible with, perhaps, a deadline of midyear so that the hearings can be completed around June, July, or August, and the bills can be reported. Then, we will not be faced with these matters in the closing days just before Christmas. That is what recently occurred.

I would yield somewhat on the appropriation bills. Included therein are new matters. We are talking about issues and concerns of the people, and not the money amount.

Therefore, while three-fifths is maybe six less votes, who are we playing with? We are trying to play with the headlines without relation to the principle as to why it was there. How is a matter decided on just six votes, or by saying that 60–40 or three-fifths is the rule? That sounds pretty good. That will satisfy the crowd in the galleries. That will satisfy the news media.

They will say that we are finally getting progress and that we are moving on; but it would not be progress at all. The Senate would really be running roughshod over the rights of individuals in this country when you start tapering or cutting back to a 51 to 49 government.

Therein is the real danger. The Senator and I know how things are manipulated and backgrounded, and that we do not have the information at hand. I might relate this to another matter. In connection with garnering the facts and statistics, they might tell us how the price increases relate to productivity in America. Who in this Congress knows? No one. They do not have that information. You can get any opinion you want from the executive branch on economics. But what do we need? We do not need a change in rule XXII. We need the information. Rather than arguing back and forth we need to try to get to the truth.

With respect to the recommendation of a wage price guidelines board in the legislative branch, the distinguished leadership on both sides of the aisle was interested. By overseeing the work of that particular board you are going to get a pretty good nonpartisan objective judgment, and that is what we need. But we continue to cut back and we fail to adopt business-like methods here. The editorial writers back home and the headlines grab off the easy things. It has also been employed by some people in my part of the country on civil rights matters.

It should come through clear but, unfortunately, the question is asked when they sit before the lights, "Are you joining the southern filibuster on the rules?" That is like asking, "Have you stopped beating your wife?" It is one of those double questions, and a Senator runs because he does not want to get into a constitutional argument in a 1-minute squib on the television tube. Those who feel keenly about the matter find themselves in this situation, but we can bring it to the attention of our colleagues.

Not until 1917 did the Senate inaugurate proceedings to limit debate. The United States became the foremost power on earth and its institutions were performing admirably in the light of all the many changes which were occurring. I submit that our march to greatness was helped, not hindered, by the deliberate debate of public issues. And I submit also that one reason our varied minorities fit in so well was because they knew their voices and problems were being heard in the highest councils of government.

I might add, Mr. President, that this lesson has relevance today. We all know that there is much anger in the land, that people are shouting and demonstrating and generally losing confidence in government. If this great country of ours is to be bound together to see it over the next few, troubled years, the restoration of confidence must receive the highest priority. No minority can be expected to acquiesce in the decisions of government unless it knows it has had its day in court. Majority rule rests upon minority acceptance. And rule XXII is a guarantee that minority voices will be heard and minority rights respected.

I believe that the Constitution itself specifically prohibits total rule by a simple majority and the deprivation of anyone's right to full expression, and I believe those who fought the first battle—the framing of an acceptable document to weld a jealous, loosely knit set of far-flung colonies together—recognized this. There is ample evidence that this is so.

The framers provided in many instances for votes requiring a majority of two-thirds.

No person shall be convicted on impeachment without the concurrence of two-thirds of the Senators present. That can be found in article I, section 3.

Each House, with the concurrence of two-thirds, may expel a Member. That too is in article I, section 5.

In section 7 of this same article, it is

provided that a bill returned by the President with his objections may be repassed by each House by a vote of two-thirds.

The President shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur. The Constitution provides for this in article II, section 2.

The Constitution further provides that Congress shall call a convention for proposing amendments to this document on the application of two-thirds of the legislatures of the several States.

The 12th amendment to the Constitution provides that when the choice of a President shall devolve upon the House of Representatives, a quorum shall consist of a Member or Members from two-thirds of the various States of the Union. This same amendment further provides that a quorum of the Senate when choosing a Vice President shall consist of two-thirds of the whole number of Senators.

So, Mr. President, I say again, to argue that the Constitution of these United States provides for rule by a simple majority is wrong.

There are too many instances where much more than a simple majority was specifically required for constitutional acceptance for this not to be so. If the framers of the Constitution—men who spent much more time debating the merits and demerits of each word, every phrase and every idea than we—had intended that a simple majority should rule, they would have said so.

They said no such thing because they meant no such thing. It is as plain as that. They knew something about government and they also knew something about human nature. They knew that the government they were establishing was novel in many respects, and they knew that some theorists had doubts about whether a representative government could be held together. They understood that factionalism and discontented minorities could endanger the fabric holding the Nation together. What they understood was that without the confidence of all the people, democratic government was doomed. So they designed an intricate and ingenious set of checks and balances to safeguard the rights of every American citizen. Those checks and balances tided the country over stormy seas and innumerable crises over the years, but we always made shore safely. A major reason was that minorities knew, even when legislation went the other way, that their voices had at least been heard, their opinions discussed, their sentiments solicited. If we now suddenly tear down one of the prime methods of recourse left to minorities, confidence will erode and the national well-being will be jeopardized.

A great but obscure writer once said that the strength of this great Nation lies not in the views of her manageable majority but in the ideas of her unmanageable minority.

Somewhere, Mr. President, there must be a solid line of defense against total rule by a simple majority.

There must be a safeguard somewhere to assure that the strength of an emotional majority can be tempered with the reflections of a differing minority.

It makes no difference, Mr. President, what the issue is or who constitutes the minority. That consideration is irrelevant to this discussion.

I would defend just as vigorously the right of minorities who differ with me to engage in extended debate as I would the rights of those who agree with me.

The many are not always right, just as they are not always wrong. All I ask is a safeguard to insure that when they are wrong and the few are right that the ideas of the few have time to be heard, to be planted, and to grow.

As James Roscoe said:

> The individual champion of a cause is more likely to have thought seriously and safely than the blind followers of partisan leaders. The world's history is strewn thick with such incidents. Nearly all of the great issues have been lamentably in the minority and the men who have stood in the front of them have had to bear abuse.
>
> The great consideration is not the voices of today but the voices of the tomorrows into which will be streaming the light of accomplished facts.
>
> It is safe to assume that the voice of progress will be vindicated by the ages. To protest small concepts, to champion great proportions is sure prophecy. It is out in that direction that we find the purpose and plans of God. It is out in that direction that we follow the orbit of large and noble human events.
>
> The right to be heard is inherent in man and fundamental in his free land. The right to be followed must depend upon what reason and sound arguments he makes known.
>
> If no age, neither his own nor any succeeding one, hears him, he has spoken in vain. If he utters truth and wisdom, somewhere at some time it will accomplish that whereunto it is sent. It will not return void. If it proves to be a mistake, nevertheless he who speaks his convictions has the ennobling satisfaction of having obeyed the command of duty as he saw it.

Careful, thorough, and prolonged debate in the Senate provides the best insurance that laws, which must be obeyed, correspond with the prevailing judgment of people in all parts of the country about what men owe to other men. The framers of the Constitution regarded the power to make laws as a power to be exercised only with the greatest deliberation. They understood that government ought to govern by the consent of the people rather than by force. They understood that laws, to be truly effective, must take effect in the minds of the people through their recognition of what is just. They understood that laws must, therefore, express a consensus—a general agreement about what is just and right—among people everywhere in our great country. They wished to preclude the danger to order and tranquillity of radical, sweeping, arbitrary legislation unsupported by a matured consensus among the people and rammed through the legislative branch without the adequate consideration which would have revealed that people everywhere in the country were not with it. For the framers knew that laws which do not command the consent of people through their recognition of what is just must be given effect, if at all, by force or threat of force.

The remarks I make today, Mr. President, center around the thesis that our Senate rule XXII has been and continues to be perhaps the last great barrier to oppression by the majority and to the destruction of the personal liberties of this country's minority views. It is certainly no exaggeration to say that this and all previous attacks on rule XXII seek to emasculate the very fabric of our constitutional system.

Mr. President, the annals of history are filled with testimonials to the free and unfettered exchange of opinion, to the benefits flowing from the protection of minority rights, and to the role of the Senate in safeguarding the interests of every American. Such have come from the North and South, East and West. They have come from Democrat and Republican. Too often, Mr. President, the views of a southern Senator on the subject of cloture are curtly dismissed. Today we should refresh the minds of our colleagues from the country as a whole of what their own predecessors had to say on the subject of cloture.

Senator George T. Hoar of Massachusetts—a Senator from Massachusetts, mind you—speaking in this very Chamber in a key speech against cloture said:

> There is a virtue in unlimited debate, the philosophy of which cannot be detected upon surface consideration.

Deeper consideration on this matter has brought a change in attitude to many former opponents, many former crusaders for strict cloture to the realization reached by Senator Key Pittman of Nevada, one of the crusaders:

> Experience, through long years of legislative practice, has forced me to the conclusion that I was in error.

He went on to note of the House cloture procedure that—

> It must be admitted that bills of great importance, containing thousands of different items, are passed within a few hours and without sufficient debate or consideration. It has been the extended and full debate in the Senate that advised the country with respect to vital legislation and, through this information, molded public opinion. The Senate was founded as a part of our institutions for the protection of minorities, not alone minority parties but minority populations and minority principles. To establish a cloture such as they have in the House would nullify the very purpose of the United States Senate.

Therefore, Mr. President, we appeal to the Senate. We look at this, not as an assault upon parliamentary procedure or a procedural maneuver employed by certain Senators at certain times; we look at this assault upon rule XXII as an assault upon the integrity of the U.S. Senate as a constitutional body.

I agree also, Mr. President, with Senator Albert J. Beveridge of Indiana, who challenged those who were at that time pushing for cloture to show him "a single great wrong that has been perpetrated upon the American people," because of unlimited Senate debate and to name "a single great benefit which has been denied the American people" because of it.

I would ask Senators, particularly the

proponents for the change of the rule embodied in Senate Resolution 9, even at this particular hour—some years later—to name one single bill, one single important matter of legislation, that has been defeated by rule XXII, which they cannot do.

On the other hand, we can name proposed bill after proposed bill which has been held up—proposed reactions, proposed misdeeds, and proposed wrong courses, that have been held up by rule XXII.

That same test, mentioned by that distinguished Senator, could be applied this very day, to the last 12 months or 24 months, and its effect on the procedures of this U.S. Senate, which is the thrust of the proposed change embodied in Senate Resolution 9.

Senator Pittman agreed with this point when he said:

Let those who contend for the cloture point to particular instances, if they can, wherein the Rules of the Senate have been destructive of the progress of our people. It is possible that our country suffers from too much legislation, rather than too little.

That was never more valid than it is today.

All the bills, all the legislation, all the progress—notwithstanding a President who talked of the great society and the great progress of history—was under rule XXII. All the civil rights measures were passed under rule XXII. What has been defeated? What has been foreclosed? Nothing

The filibuster is a commonsense way to get a thing in shape so people can understand it, and they will know what we have done in this body. They certainly do not on the House side.

The Secretary of Health, Education, and Welfare came before the Senate Finance Committee, and made a miserable appearance—a very distinguished man, and a very erudite one. Finally, he admitted that he was not prepared. Then later he came back and made a creditable presentation. But it was not until we in the Senate, under our deliberate procedures, held it up, and even more so on the floor of this body, a holding up that finally brought it to the attention of individual Senators that what was being sold in the name of welfare reform was actually going to constitute welfare deform—we were really going to deform the welfare process, and abuse the causes of the hungry poor in this land by all the provisions in that bill that had never been worked out as a human problem.

All we had was the wheel and the spokes; we were going to put in x dollars for hunger, y for shelter, z for health, and add so much for clothing and so much for job training and say, "Here, that adds up to $452 a month, you take the money."

That sounds fine in theory, but where does a man buy himself a hospital? Where does he buy himself a job training center?

My distinguished colleagues know that you have got to deal with the problems directly; there has got to be local supervision and education for all to see.

It sounds nice to throw out money. It sounds very convenient, because we have not been holding back too much money up here. That should have been done long ago. But it is a human problem, that has to be dealt with in a human fashion.

Senator Hiram Johnson of California in a scathing speech opposing cloture contended that—

The last place in all this world where freedom obtains, the place where freedom of speech may be abused, abused and abused again, but the last free forum in that day will then have been destroyed and we here this day have commended and made easy that destruction.

This was a Senator from California. This was not a sectional partisan of the filibuster, but an authority for those who seek to understand the principles of parliamentary government and the unique role the U.S. Senate has played in having made our republican form of government succeed.

In 1917, during the debate on the first cloture rule, Senator Robert LaFollette, Sr., from Wisconsin—maybe he had Senator PROXMIRE in mind, his distinguished successor from Wisconsin, who last employed rule XXII—made one of his most hard hitting and lasting speeches in this Chamber. He said:

Mr. President, believing that I stand for democracy, for the liberties of the people of this country, for the perpetuation of free institutions, I shall stand while I am a member of this body against any cloture that denies free and unlimited debate. Sir, the moment the majority imposes restrictions contained in the pending rule upon this body, that moment you shall have dealt a blow to liberty; you shall have broken down one of the greatest weapons against wrong and oppression that the members of this body possess. This Senate is the only place in our system where no matter what may be the organized power behind any measure to rush its consideration and to compel its adoption, there is a chance to be heard, where there is an opportunity to speak at length and where, if need be, under the Constitution of our country and the rules as they stand today, the constitutional right is reposed in a member of this body to halt a Congress or a session on a piece of legislation which may undermine the liberties of the people and be in violation of the Constitution which Senators have sworn to support. When you take that power away from the members of this body, you let loose in a democracy forces that in the end will be heard elsewhere, if not here.

Many, many of our predecessors in this body have vigorously opposed any cloture. The great names of Borah of Idaho, Mayfield of Texas, Townsend of Michigan, Smoot of Utah, Phelan of California, Brandegee of Connecticut, Reed of Missouri—have made a lasting impression on my own mind and I beg you all to take heed to those who have gone before us.

The agonizing consequences which would be the inevitable result of a majority cloture were pointed out in 1926 by George Norris, the former Senator from Nebraska:

The Senate is the only forum in our country where there is free and fair debate upon proposed legislation, and it is the forum where the legislation of the country is made. If we adopted majority cloture in the Senate as they have in the House, the last vestige of fair and honest parliamentary consideration would entirely vanish.

Mr. President, the thrust of Senate Resolution 9 to change the rule is to drive to 51 to 49 government and resolve this body into a House of Lords and let the House of Representatives rule supreme. Then we would have the same rules, and we would just have majority approval. We would have a majority, and we would all stay in office, and the country would be destroyed.

While the distinguished Senator from Missouri is now gracing the chair, I think it is well that we quote from Senator James Reed of Missouri.

He speaks strongly. The Senators from Missouri have not changed too much. I quote him:

Gag rule is the last resort of the legislative scoundrel. Gag rule is the surest device of the rascal who presides over a political convention and proposes to accomplish something which will not bear discussion. Gag rule is the thing that men inexperienced in legislative proceedings always advocate at first, and, if they have any sense, nearly always retire from as gracefully as possible after they have seen it in operation.

As long as we can keep this forum free, as long as a vigorous and determining minority can prevent the passage of a statute, so long this country will be safe, reasonably safe at least, for no great act of treachery can ever be consummated where there are not some brave souls to stand in its resistance and to stand to the end.

But strike down this safeguard of public discussion, apply the gag, and imagine if you please, that it is to be applied only to pass good measures, only to accomplish the virtuous and the wise and the holy, only to bring the thing of rectitude; imagine that if you please. He is a fool, he is every kind of a fool, that has ever cursed this earth or cursed himself who thinks that any power will always be used wisely and justly. Power is almost invariably abused.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. HOLLINGS. I yield to the distinguished Senator from Idaho.

Mr. CHURCH. I am wondering, since I have just come into the Chamber and have not had the advantage of hearing the Senator's address in full, what he is referring to by the term "gag rule." Certainly, he is not referring to the resolution that has been offered by Senator PEARSON and myself. He would not characterize that resolution as a gag rule.

Mr. HOLLINGS. Of course, Mr. President, I have yielded under the unanimous-consent agreement, and I have not lost the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOLLINGS. I think it ultimately comes to that. You cannot say, in essence, when you take off and jockey the number of one or two or three Senators, what is good, by the change of a few Senators.

It almost becomes a gag. But I think that is exactly it. This is what the Senator from Missouri thought it was, yes, when they tried to change it at that time from two-thirds.

But in response to the previous colloquy we had in the early part of my discussion here—yes, coming to 51 to 49 would be gag rule. One just could not be heard.

Mr. CHURCH. As the Senator well

knows, the resolution that is pending would require three-fifths of the Senators present and voting to impose the limitation on debate. I do not know how that kind of resolution could fairly be characterized as a gag rule.

Mr. HOLLINGS. I hope to try to characterize it as fairly as I can by characterizing it accurately. Accurately stated, when you get down to 60-to-40 government, where you have the executive, where you have the mass media, where you have the communications explosion, then minority rights are endangered. I recall the commitments resolution that the distinguished Senator from Idaho appealed for, to try to put this whole governmental process back in kilter—specifically, to make the Senate a coequal body and a check on the executive. Why do we need that check? Because, with all the developments I have mentioned, the Executive, by a few phone calls, a TV appearance, repeal or veto on TV on the 7 o'clock news, is far, far more persuasive and powerful than a nominal debate of a few hours in this body. It takes time for us to deliberate and to get to the truth of many of these things.

As I have suggested earlier in my discussion, if anything, the persuasion from experience and the actual developments call for an extension of the rule in the other direction, the whole purpose being to protect a substantial minority.

Really, what is a substantial minority? In the two-thirds requirements that I outlined—over a dozen of them in the Constitution—the Founding Fathers thought that one-third constituted a substantial minority.

I think that with the urbanization, the growth, the trends, the speed of communication, and other such things, we ought to put three or four more votes on the other end of the spectrum. It ought to be 70 to 30 rather than 60 to 40, if we are going to change the two-thirds rule at all. Thirty percent, feeling as keenly as they do in this country, ought to be protected and heard—their principles, their beliefs, their sections, their concerns. There should be an inner feeling that somehow this Government is not so big that you cannot get at it and not be heard. That is the frustration in the ghetto.

Mr. CHURCH. Let me say to the Senator that if his principal concern is to see to it that a minority is heard, that questions of great moment are adequately debated, then I fully concur with him. I think that one of the most important functions of the Senate is to allow, whenever necessary, lengthy, careful, considered debate, for the purpose of better informing ourselves and the country.

But, in all candor, I say to the Senator that the opportunity for extended debate is not being placed in the slightest jeopardy. It is so deeply imbedded in the habits of the Senate that no one seriously thinks of even attempting to invoke rule XXII until several weeks of debate have transpired. If the rule were amended to permit three-fifths instead of two-thirds of Senators present and voting to impose limitations on debate, I do not believe that would change the ingrained habits of this body. We would continue to permit lengthy debate before an attempt was made to limit it.

But there comes a time when the legislative business of the Senate must be dispatched. Once an extensive debate has taken place, then at least a substantial majority of the Senate should be entitled to proceed to the merits of an item of legislation, to get a vote, in sum, to transact the public business.

I have heard a great deal, in the last 2 or 3 days, about the "tyranny of the majority." I must say it is a curious notion, particularly so when no one has mentioned any tyranny of the minority. It is possible for tyranny to express itself in both ways. It lies not in the exclusive possession of the majority. I suggest to the Senator that the present rule gives to one-third of the Senate plus one the right to prevent two-thirds of the Senate less one to act. Is that not a form of tyranny; specifically, is that not a tyranny of the minority?

If one were to choose between the right of the majority to act, as against the right of the minority to block, which is the greater tyranny?

Mr. HOLLINGS. When has that occurred?

Mr. CHURCH. That occurs whenever——

Mr. HOLLINGS. When did that occur? When has that prevented good legislation from being enacted?

Mr. CHURCH. Every time an attempt has been made to secure cloture, and that attempt has failed because of the votes of a minority of 34 or more Senators——

Mr. HOLLINGS. That is a numerical answer. But what bill?

Mr. CHURCH. This rule, as now written, can prevent 66 Senators from proceeding to a vote on any measure that comes before the Senate. What this establishes, in truth, is minority rule, the right of the minority to govern. Now I assure the Senator that, for reasons he and I are very familiar with, I think it would be a mistake to adopt a majority cloture rule.

I recognize there is merit in his argument: whenever a question of such great gravity is before this body that it evokes visceral and inflammatory opposition, then such a question, for the good of the country, and for the unity of the country, should better not be decided by one vote. I agree. For that reason, I never have endorsed, nor do I foresee the time when I will vote for a majority cloture rule. But I say to the Senator that I sometimes grow impatient with the constant reference to the tyranny of the majority in this body or the threats of the majority, when the whole operational effect of the present rule is to permit 34 Senators at any time, on any bill, to prevent the Senate from reaching a vote and discharging its responsibilities.

We are here primarily to legislate. I think the rules of the Senate should be such that we can legislate in a way that gives adequate opportunity for careful, lengthy deliberation. But I think the rules should not remain in such form that, once that deliberation has taken place, a substantial majority is not enabled to proceed with the public's business. Yet, that is our present condition. There is proof of that. In the 54 years we have been operating under rule XXII, attempts to limit debate have been tried 49 times and only on eight occasions has it been possible to secure a two-thirds vote.

Mr. HOLLINGS. And where has that——

Mr. CHURCH. This is practically an insurmountable barrier——

Mr. HOLLINGS. Where has that really killed good legislation? In the 49 times the Senator spoke of, has it not been employed for the good of the country generally and not for the bad? I ask my distinguished colleague from Idaho to name any time it was employed for the bad.

Mr. CHURCH. I would be happy to identify those occasions. I do not pretend that I could recite at this moment each occasion during the last 54 years.

Mr. HOLLINGS. Make it the past 10 years.

Mr. CHURCH. I can tell the Senator that during the 1970 session of Congress, we had before the Senate legislation that I regarded as highly meritorious. It reflected the view of 80 percent of the American people—if the public opinion polls can be trusted—that the electoral college has become an anachronism and the direct election of President and Vice President by the people is desirable.

I thought that was an extremely timely and important legislative proposal to amend the Constitution. The Senator from South Carolina may have disagreed with that proposal. But because of a filibuster we were unable to reach a vote on the merits of this constitutional amendment even though 60 percent of Senators approved the amendment. That is the most recent example of the harsh effect of rule XXII as it is presently written.

Mr. HOLLINGS. Does the Senator have any more than just the electoral college, because I have some comments on that?

Mr. CHURCH. The most recent example was the funding for the SST. I do not know what the Senator's position on the SST is. I personally oppose it. I will cast my vote against it, but once there is full and considered debate, pro and con, at that point, I think the Senate should be entitled to proceed to vote on the SST, regardless of the outcome. That, after all, is the essence of the democratic process.

Suppose the Senator faced rule XXII in the elections in South Carolina? Suppose he could not get elected if one-third of the people plus one voted against him? Does that recommend itself to the Senator as being consistent with the democratic process?

Mr. HOLLINGS. I have enjoyed the experience where I could not get a majority, much less two-thirds. In fact, the other fellow got the two-thirds.

Mr. CHURCH. Surely, but would the Senator really endorse an electoral system that requires a two-thirds vote to elect a candidate to office?

Mr. HOLLINGS. No one put that in. We have to have a majority of the votes on the candidates themselves.

Mr. CHURCH. The principle is the same.

Mr. HOLLINGS. The principle could not be the same. If it is the same in the distinguished Senator's mind, then I must differ. As to issues, principles, and concerns, yes, but not on candidates. They are completely different. We have to have a majority vote, or win or lose. In fact, we have a minority President. We have a difficult time getting a majority. If we had rule XXII, it would be completely impossible. The Senator knows that. Now, let us get to some other points——

Mr. CHURCH. The distinction may be clear to the distinguished Senator from South Carolina, but it is not clear to the Senator from Idaho. The effect of rule XXII is to permit 34 Senators, a third of the Senate, plus one, to block a measure that the other 66 Senators support.

Mr. HOLLINGS. Let us clear that up.

Mr. CHURCH. That is the effect of the rule. The Senator would agree with that. Let us assume we took that rule and applied it to an election in South Carolina. In that event, one-third of the voters plus one could block the election of any candidate. If that situation prevailed, there would be revolution in South Carolina.

Mr. HOLLINGS. I am afraid——

Mr. CHURCH. Yet, that is how the XXII operates in the Senate.

Mr. HOLLINGS. I am afraid my distinguished colleague is appealing to the weakness of his argument. He could not contend that the matter of candidates, winning or losing, 51 to 41, would hold. With 51, 52, or 53, shall we say, or more over 60 percent, we might get it. The Senator from Washington, I think, got almost 70 percent. The President himself is a minority President.

Here we are talking about issues, we are talking about minorities, we are talking about concerns, we are talking about sections of the country.

I ask, Is it my distinguished friend's contention that the addition now, all of a sudden that we are an undeliberate body and we cannot get on with our business, but the mere addition of six Senators kills that in the Senator's mind? Make it 60. Make it 40. Does the Senator think the problem has been solved? Is that right?

Mr. CHURCH. No. I simply say that the philosophical basis for the Senator's argument is——

Mr. HOLLINGS. Ah.

Mr. CHURCH. That protection is needed from the tyranny of the majority. It is an argument I cannot reconcile with the whole philosophical basis of democratic government.

Let me say to the Senator that I know there are reasons I respect for not adopting a majority cloture rule in this body. I think that if we were to settle on a three-fifths voting requirement, this continuing controversy over cloture might be resolved for many years to come. I think a three-fifths formula is a happy balance that we could strike. It would tend to satisfy most Senators and we could then lay this issue to rest. However, if we are not able to do this, or worse still, if after a prolonged debate we are denied the opportunity to reach a decision on the merits, then I say to the Senator that the issue will not only remain alive, but sentiment will grow for majority cloture with each passing year.

If the Senator really wants to jeopardize the traditions and the historical role of the Senate, rigid resistence to any change in rule XXII is the way to do it.

Such a circumstance came to the Senate in 1917 when our country faced the question of war in the Atlantic. The overwhelming majority of the people favored the arming of our merchant ships. A prolonged debate—a filibuster—prevented the Senate from reaching judgment on that question. The first cloture rule was established in response to the wrath of the American people.

If the Senate persists in retaining rule XXII, unchanged, the day may come again when such public anger at the Senate will rise up in such form that all of us will scurry for cover. We will then see the Senate transformed radically, even as it happened in 1917 when, after a long period of time during which there was no possibility of limiting debate, the Senate scurried for cover and in March, by a vote of 76 to 3, imposed the cloture rule.

I do not want to see that happen again. I think it is too important to the country to preserve the essential character of the Senate. I want to see its historical role safeguarded. That is why I believe that tempering this rule now is the best insurance we could offer the Senate for preserving its historic role as a deliberative assembly.

I, therefore, believe it would be a mistake to insist that we adhere rigidly to a barrier so high that in 49 attempts to limit debate, we have managed successfully to hurdle it on only eight occasions.

Let us not ask for another crisis of the kind that occurred in 1917, leaving everyone sorry at the consequences.

Mr. HOLLINGS. I had been hoping that the science of reverse English had not come over from the Pentagon to the Senate floor and that we would begin not to advance but to retreat, or not to retreat but to advance, and that the best way to build was to destroy and that the best way to destroy was to build. We have come all the way around.

The best way to protect is to adhere this to what all of the others have done who have come before us from the various sections of the country, from Wyoming and elsewhere, on what is fundamental; namely, that a substantial majority shall receive protection and protection alone. That does not mean a government of tyranny by a minority. My distinguished colleague cited the electoral college. I differ. I said it had always been employed for the good. I think it was employed for the good. I disagree with the 80 percent.

I think that a far greater majority of the Senators are opposed to the proposed change in the electoral college as it was then proposed on the Senate floor.

I think additionally that when the Senator from Idaho moves into the various other arguments, like the one in which he alluded to the election or nonelection of candidates themselves, as to whether they receive a majority vote, and when he asked what we would do if we were required to get a two-thirds vote, that is specious and without substance whatever.

Over two-thirds of the Senators in the present body were elected with somewhere between a 50- and 60-percent vote. Therefore, we would not even have a U.S. Senate if we were to apply that rule.

He tried to come around to the point that we do not have any real concern because we have never even in the present instance tried to apply two-thirds cloture, that what we really want is a matter of form because we are not going to do it anyway.

I would agree as to the present form. And I agree with respect to all of it as it concerns the present leadership. I think the leadership is distinguished. It is outstanding. Our distinguished majority leader, the Senator from Montana, has done a wonderful job in these days in these times in considering everyone.

When we come right down to it, as long as we have our present distinguished majority leader, I would just as soon do away with all of the rules.

I used to pride myself on the rules and on presiding. I do not pursue them as rigorously anymore. I know that as a junior Senator I will be heard and I will not be cheated. But we will not have the distinguished majority leader forever.

Referring back to the former distinguished majority leader, Lyndon B. Johnson, if we were to ask him to apply that principle, how many times does the Senator think we would be heard as junior Senators?

How many times were things ramrodded through this particular body? We cannot change the rules with the leaders. The principles of the minority are involved and the integrity of the Senate. The present persuasion of the Executive and the very action taken on the commitments resolution of the Senator from Arkansas in this body indicates how 10 extra votes can be picked up by wheeling and dealing.

The danger is not that we have too many or too few, in order to get the business done. The danger is that the minority is in great danger in that 20 or 30 percent constitutes a minority that must be protected. We have the development of the mass media and the communications explosions as I stated before.

The Senator from Idaho says that six would satisfy him. What about the other Senator from Idaho? I do not know about him. What about the Senator from Idaho 10 years from now? Would six satisfy him? Perhaps he would say seven.

We are talking about a 51-percent Government and the distinguished author of Senator Resolution 9 knows it. That is what they have been asking for. They have been asking to create a House of Representatives in the U.S. Senate with the rules of the House and vote by majority and get on with the business and rubberstamp it.

Mr. CHURCH. Mr. President, the Senator has suggested that the intention of the Senator from Idaho is to move this body toward a 50-percent cloture rule. I feel constrained to remind him that I made the argument only a few minutes ago against majority cloture. That is not the intention or the purpose of the Sena-

tor from Idaho. I can speak no more plainly—I am opposed.

So far as I know, I can say quite confidently that it is not the intention of the distinguished majority leader or of the distinguished minority leader in endorsing the pending resolution. I think most of us who have joined in the cosponsorship of this resolution would not endorse a majority cloture rule.

Therefore, it does not follow——

Mr. HOLLINGS. Mr. President——

Mr. CHURCH. It, therefore, is not correct to state the end objective we proponents of change have in mind is a 51–49 cloture rule in this body. I also remind the Senator of the other argument I made based on historical experience.

The eruption in the Government in 1917 with respect to the armed ship bill was the thing that caused the Senate to retreat from the principle of unlimited debate and to overwhelmingly adopt the first cloture rule. It is altogether likely if we keep the barrier as high as it is today we will find ourselves once more in that kind of crisis and the ensuing public eruption in the country against us will force us to a revision of the present rule far more drastic than I or the Senator from South Carolina would want to see.

Such a situation could, unfortunately, bring us to majority cloture. A modest reduction in the two-thirds cloture requirement, as Senate Resolution 9 contains, is insurance against majority cloture. As history bears me witness, that is a better way to protect the historic rule of the Senate than the position the Senator from South Carolina has taken.

Mr. HOLLINGS. I do not doubt the motives of the Senator from Idaho in his plea now for three-fifths rather than two-thirds, but taking a page from the book of our distinguished leader, President Richard M. Nixon, who said that it is what we do and not what we say, when you cut off the six you join with that group that wants to cut it down to a 51–49 Government. That is where the Senator is headed and that is what we have to watch in this country.

Mr. President, I ask unanimous consent that I may yield to my distinguished colleague from Arkansas (Mr. FULBRIGHT) without losing my right to the floor, and without my subsequent remarks counting as two speeches.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FULBRIGHT. I thank the Senator. I was very interested in the comments of the Senator from Idaho and his profession of intention that it was not majority rule. That reminds me very much of the present intention of the administration to get out of Southeast Asia.

The question is not the intention of the Senator from Idaho or any other sponsors as to what will take place or happen. If the Senator is so convinced this is going to cause an eruption such as the revolution in 1917, all he needs now is two-thirds. I do not know why he does not bring cloture; it is perfectly open to him now.

It strikes me this argument has been going on for a long time, and I think it often gets off on an aspect that is not the crucial one. It is not a question of how many hours anyone wants to speak or that we do not have enough opportunity to talk at length under the present rules or any other rules. The question should be put in a slightly different context.

The Senator from South Carolina has stated the matter and all I can do is perhaps rephrase it. This is a great country with 200 million-plus people, 50 States, great diversity among the people, and there is a tremendous impetus toward centralization of government and, in fact, toward dictatorship of the Executive. There is no other country in the world that I know of with a divided government; that is, an Executive apart from the legislative branch, which still has any degree of democracy in it. They have all become dictatorships of one kind or another, either civilian or military dictatorships. If we can make this system continue to operate it will be a miracle. No country as big as this country has ever had a democracy, unless one could refer to the British Empire, which consisted of a great many colonies. Britain, however, is a relatively small and homogeneous country.

The problem is to keep functioning with our system, unless we change it. The question of changing it to a parliamentary system is a different problem requiring constitutional amendment and I do not care to go into that at this time since I am not proposing it. My problem is to make the country we have function properly.

In 1949, Walter Lippmann, who was then at the height of his intellectual powers, wrote a column on this subject. It has occurred to me it might be well to recall that column. Many of the newer Members are not as well acquainted with Walter Lippmann, but for 50 years or more he was one of the leading commentators and one of the most respected analysts of governmental affairs. He was a very great intellectual leader. He has retired now and is not writing as much as he did.

He wrote a column on this matter at the height of the controversy over civil rights. Most people were astounded when he wrote the column in defense of rule XXII. I would like to read the column for the benefit of some of the newer Members. The column should be included in this debate just as it was in that debate. This was March 1949.

I hope the Senator from Idaho, if he has time, would listen to this particular statement because I am sure he does remember it. Even though he is much younger than I, he does remember Walter Lippmann.

The column by Walter Lippmann reads as follows:

Although the question before the Senate is whether to amend the rules, the issue is not one of parliamentary procedure. It is whether there shall be a profound and far-reaching constitutional change in the character of the American Government.

The proposed amendment to rule XXII would enable two-thirds of the Senate to close the debate and force any measure, motion, or other matter to a vote. If the amendment is carried, the existing power of a minority of the States to stop legislation will have been abolished.

"Stripped of all mumbo-jumbo and flag waving," says the New York Times, "the issue is whether the country's highest legislative body will permit important measures to be kept from a vote through the activities of a few leather-throated, iron-legged Members who don't want democratic decision." This is an unduly scornful and superficial way to dispose of a great constitutional problem. For the real issue is whether any majority, even a two-thirds majority, shall now assume the power to override the opposition of a large minority of the States.

In the American system of government the right of democratic decision has never been identified with majority rule as such. The genius of the American system, unique I believe among the democracies of the world, is that it limits all power—including the power of the majority. Absolute power, whether in a king, a president, a legislative majority, a popular majority, is alien to the American idea of democratic decision—

I think that is a very significant passage—

The American idea of a democratic decision has always been that important minorities must not be coerced. When there is strong opposition, it is neither wise nor practical to force a decision. It is necessary and it is better to postpone the decision—to respect the opposition and then to accept the burden of trying to persuade it.

For a decision which has to be enforced against the determined opposition of large communities and regions of the country will, as Americans have long realized, almost never produce the results it is supposed to produce. The opposition and the resistance having been overridden, will not disappear. They will merely find some other way of avoiding, evading, obstructing, or nullifying the decision.

For that reason it is a cardinal principle of the American democracy that great decisions on issues that men regard as vital shall not be taken by vote of the majority until the consent of the minority has been obtained. Where the consent of the minority has been lacking, as for example in the case of the prohibition amendment, the democratic decision has produced hypocrisy and lawlessness.

This is the issue in the Senate. It is not whether there shall be unlimited debates. The right of unlimited debate is merely a device, rather an awkward and tiresome device, to prevent large and determined communities from being coerced.

The issue is whether the fundamental principle of American democratic decision—that strong minorities must be persuaded and not coerced—shall be altered radically, not by constitutional amendment but by a subtle change in the rules of the Senate.

The issue has been raised in connection with the civil-rights legislation. The question is whether the vindication of these civil rights requires the sacrifice of the American limitation on majority rule. The question is a painful one. But I believe the answer has to be that the rights of Negroes will in the end be made more secure, even if they are vindicated more slowly, if the cardinal principle—that minorities shall not be coerced by majorities—is conserved.

For if that principle is abandoned, then the great limitations on the absolutism and the tyranny of transient majorities will be gone, and the path will be much more open than it now is to the demagogic dictator who, having aroused a mob, destroys the liberties of the people.

Mr. President, I think that column, in the inimitable manner of Mr. Lippmann, summarizes what I believe to be the real principle involved in this debate. It is

not a question of whether you can speak for 10 hours, or 24 hours, or 100 hours, or 1,000 hours; it is a question of whether or not a transient majority, as he says, is to be given the power to coerce the minority.

Now, if we were a small country of 5 million, or even 1 million people, or if we were a county court, or a city council, and we wanted majority rule, I think there would be no danger in that. That would be small and homogeneous in nature and the problems would be small and limited in nature. But when you are dealing with a country of 200 million people, a country which has the capacity to destroy the world, so to speak, you are dealing with a great, diverse population, and one of the serious problems is to avoid serious mistakes made, as Mr. Lippmann says, by a transient majority.

In my own experience here, of course I have often regretted that I did not use the capacity to resist given by rule XXII. I just simply did not recognize at the time how serious the situation was. I cite one which is well known, the Gulf of Tonkin matter. If I had known then what I know today about the Gulf of Tonkin, I would have used rule XXII. Of course, I did not know then what I do today, and I did not realize what we were getting into.

I want to dissociate rule XXII from any substantive piece of legislation, whether it is civil rights or any other measure. We have recently had the example of the capacity of the Senator from Wisconsin (Mr. PROXMIRE) in another area. The only reason why the Senator from Wisconsin was able to stave off the ultimate decision on the SST was that he knew he could use rule XXII. I believe in the past he has been in favor of changing it. But, in an emergency, he took advantage of the rule, and the fact that there was this rule avoided or prevented his being coerced, along with, of course, the rest of us. He was not alone in that. He was the main spokesman. The rule prevented the coercion, in the last minutes of the last Congress, of the Senator from Wisconsin and the majority of his colleagues.

I think he was absolutely correct. I am quite sure history will show that his judgment in that issue, along with that of others, was correct on the merits.

I believe the question is dissociated from the merits of any substantive issue. The case of the arming of the merchant ships has been cited in connection with this issue. I can hardly think of a more trivial subject to get excited about. That is cited as an example of the need of the destruction of this great principle. That is what has preserved the Senate as a unique body in the world. The distinguishing characteristic of this body is that it has the capacity to force a compromise or to resist immediate action by majority rule, such as they have in the House.

So I would like, if possible, to examine it, and cause others to examine it, not with regard to any substantive issue, but as to the nature of the role of the Senate in our constitutional system. As has already been said so often, the Senate is the only upper body I know of that has any scintilla of power left when every other upper body is ceremonial, or at most has a very limited power of delay. I believe the British House of Lords has limited power to delay certain kinds of issues. I do not think they can even delay what we call money bills—appropriation measures. But I do not want to go into that now. In any case, their function is largely ceremonial. It is used to reward people for public service. They are made Members of the House of Lords.

In Canada they also have a senate which is very limited in power, if it has any. It also is, to a great extent, a place of dignity for elder statesmen.

I do not wish to derogate any of these bodies, but they do not have the kind of political power to influence legislation or government decisions that the Senate has. It is the only body, to my knowledge, in a bicameral system which has retained any authority.

What happens if you change the rules? We will be subject to being managed by any executive that comes in, just as I believe the other body to be, and as they largely are. It is true that occasionally, on some domestic matter, there may be a difference, but on major issues, especially in the field of foreign relations, in a field that involves what is called the Commander in Chief's war powers, if he has any, that authority has been almost eliminated, or certainly temporarily subdued. I hope it has not been eliminated, because I hope the Senate will reassert its constitutional rights and responsibilities. That is a subject on which I shall have something to say later.

The Executive has, since World War II, and during the period of either preparation for or prosecution of war, assumed so much power that it has been able to override us to a great extent, even with the existence of rule XXII. But if we remove that power Senators will gradually realize that they really do not have any power to resist any Executive. That would be true of a Senator like the Senator from Wisconsin or any other Senator who feels strongly. Of course, he had support; he was only the spokesman; he had very substantial support behind him. He could not and would not dare do it, by himself, I think. And he could not, as a physical matter, do it by himself. He has to have assistance. He would know that, entering into a fight in opposition to the Executive power, if he did not have this capacity to require a two-thirds vote, he would have very little chance of success.

In other words, whenever you enter into a contest with the Chief Executive, under any system, it is not a very pleasant thing to do; you usually do not get any reward for thwarting any executive, especially our Presidents, now that they have become almost the equivalent of the royal court—they have all the appurtenances. As George Reedy puts it, it is like a royal court now—they have all the privileges and perquisites that the oldtime emperors had, and have become insulated from all the ordinary influences that work upon political figures.

But when you consider taking up a contest against any President, you would be a very foolish man to undertake it if you did not have the requirement that he has got to get two-thirds. I am speaking, of course, of important matters. You do not contest on trivia in this field. It has to be something important, unless you are completely without a feeling of responsibility. I know that there have been very few occasions in which the issues involved have not been of great importance.

Sometimes we read in the newspapers that some individual filibustered for 24 hours. Well, that is not a filibuster; that is just an act of eccentricity. A real filibuster is forcing a compromise. That is the only thing that qualifies as a filibuster, if you want to use that word, or a delay to force a compromise and force the majority either to get two-thirds or to lay the matter aside for further consideration and probable compromise, or to put the burden upon the majority to persuade the minority.

That is the essence of the democratic system. I cannot put it any better than Walter Lippmann. I can only try to apply it to our present conditions.

I think anyone would be blind not to recognize today that it is certainly an uphill battle, a very difficult undertaking, to challenge in an important area the Executive of the moment. I am not speaking just of this present President or his predecessor. Any of them, certainly, since World War II, if they chose to use all the power at their command, could subvert the independence of the Senate.

We have had some experiences with the type of organization which is at their disposal, in contrast to what Members of the Senate can do in appealing to the public and in appealing for support. We had the Starbird memorandum. I cite that only as an example of how it is possible for the military establishment to muster the full force of the industrial establishment and the political and journalistic establishments of this country in the promotion of a particular program which they wanted, which in that case was the ABM. Of course the effort proved successful.

More recently, I have read stories—although there is not a convenient name like the Starbird memorandum—of orders which have gone out to do much the same thing in selling the President's present program.

I am not saying, in this latter case, that there is anything wrong with that. Certainly he has a perfect right to try to sell his program. I cite it only as an example of the tremendous power, in organization and number of people at his disposal, to sell something, in contrast to what we have in the Senate in the way of staff assistants, and so on. There are 2 million employees of the Federal Government at the disposal of the President. They have experts of all kinds. As I say, I am not objecting to all this; I am only citing it as an example, in modern days, of the tremendous development of the ability of the Executive to influence public opinion and, directly or indirectly, the Senate. They have the capacity to invite Senators and give them briefings, and so on. I wish to say again, I am not saying that is illegal, improper, immoral, or anything of the sort. It is a fact of life.

What does the Senate have to preserve

its independence, we will say, and its capacity to analyze and give advice, if you like, to the Executive? Really, one of its principal weapons is the preservation of rule XXII. Because otherwise they can come up here and, within a day or 2 days or whenever they like, force a matter to a vote, and it would be done before we ever have an opportunity to even consider it, or the country to understand it.

This is a most important tool for the preservation of the integrity of the legislative branch of Government. We are not disposed to criticize the House of Representatives, and I do not mean it in any critical way, but merely for comparison—under House rules, as Senators know, they can bring in bills and, with a few hours' debate, they have to vote them up or down. It may be an extremely technical bill, with all kinds of different propositions. I think that practically nullifies the capacity of the House of Representatives to refuse a determined executive branch. And they do not. It is very rare indeed that they do. Practically all the resistance that has developed, particularly in the foreign field, but in others as well, has been in the Senate, as Senators know, and the reason for that is because of this capacity to resist a measure, up to the point of the required two-thirds.

This argument about, "Well, we are only asking for three-fifths," to me is a wholly fallacious one. We might as well go on down to a majority, and get the misery over, if we are going to go to three-fifths. This is just taking it a little way at a time. The principle Lippman speaks of is not dependent upon whether it is two-thirds or three-fifths; it is the principle of the preservation of the right of a substantial minority to require that there be further consideration, or a compromise, or a delay, that they can resist the immediate enactment of whatever it may be. Without that, I would say, the ordinary Member of this body would be extremely foolhardy ever to undertake to resist, because he is very likely to be defeated, to begin with, with regard to any administration. It would remove, one might say, the principal hope that anyone has of the assurance that, if he has a good case and he thinks he can make it if we give him an opportunity to persuade his colleagues, he will have the opportunity to do so. If he does not have that opportunity, he will be emasculated, he will be run over immediately and he will look very foolish when you undertake to contest with a power as great and as all pervasive as the power of our Executive.

I think it is extremely important for a country as large as this, especially in this period of uncertainty and turmoil growing out of the war, that we preserve this basic right of the Senate to force consideration by the majority of whatever views we may have on important issues. I do not think this has been abused. There have been extremely few cases—I would not say there have been none, but there have been extremely few—in which the interest of the country has been jeopardized by delay. In most cases, it has benefited by delay and further consideration. When the Senator cites the fact that there are so few cases in which they have gotten cloture, well, the answer to that is that they should not have had cloture, because the matter was not meritorious enough to warrant it. That is no argument against it, merely because they have not gotten it. It can just as well be stated, "Surely, they did not get it because they did not deserve to get it, in the judgment of the Senate." It was not worthy of forcing it through and coercing, as Lippman says, the minority.

I again want to emphasize that I think one of the great mistakes of some of the sponsors of this resolution is confusing it with the substantive issue of civil rights. For all practical purposes, that issue is over. Practically every bill that anybody can think of in this field has been passed, and I would predict that if they bring in any other bills, they will be passed. Those of us from the South know that our views have been overridden, that the decision has been made. I stated in my last election, and I state again, that I recognize that we were defeated. The ideas of how to deal with this most difficult problem of another section of the country have prevailed. I accept it, and I will do the best I can to make it work, to make it acceptable, to make it as effective as I can. Whatever influence I have within my own State or here I have tried to use, although I still have some reservation about the wisdom of the approach. Nevertheless, I accept the decision. So that is out of the way.

Many other issues are coming up. Many of them, ironically enough, will be considered the liberal side, we will say. I dislike to use these words, because they can easily be distorted. That is not really the right word. I am thinking of the case of people who are unorthodox, I should say, perhaps, who are not conformists. They are often called liberals. I am not sure whether they are liberals or not. The word "conservative," it seems to me, is usually abused, and I dislike to use it as applicable to many individuals.

I think the shoe is going to be on the other foot. Traditionally, before, it was civil rights. Usually, those who were considered progressive, enlightened, beyond their day, perhaps, or unorthodox—I do not know how one would describe people like LaFollette, Borah Norris and others. These were the kinds of people who relied upon their capacity to force further consideration of what they believed to be ill-considered measures. I think it would be very difficult to cite any great harm that came to this country by the delay.

If we leave out civil rights I think we would be hard put to make any case at all that the general welfare of this country has been prejudiced.

In contrast, on the other side, is it not remarkable that in the entire world, with some 127 countries—I think there are more than that, but there are about 127 members of the U.N.—none is comparable to this country, with a body such as the United States Senate? Most of the big countries today are not ruled by anything resembling a democratic system. Start with Russia, if you like, or China. China has a highly restricted Communist system, similar to that of the Russians. It certainly is not democratic in the way we use that term.

Then consider the countries in South America, such as Brazil. They tried a democratic system. They have suspended it and have a general running the country. The same is true in Argentina. More recently, the generals took over in Peru, in Panama, and so forth. I do not know how I would describe the recent Chilean situation. Apparently, it is as democratic as some others and perhaps most.

It is not a matter that we should take as a matter of course, that the Senate can continue to be effective, that we can preserve our system, if we destroy the capacity of the Senate of the United States to have an influence upon the major issues, especially in the field of foreign relations; because, under our Constitution, the Senate is given a special responsibility in the field of foreign relations.

It is the only body that considers treaties, for example. However, the Executive is beginning to erode even that power by calling anything of importance an executive agreement and not submitting it to the Senate. If it is something trivial, they call it a treaty and send it for approval—something dealing with a minor question of reciprocity in taxation or some kind of border controls or mutuality in radio wavelengths. But if it involves something like the installation of military bases and basic commitments to the defense of a country, as in Spain, it is an executive agreement.

What are we going to do about it? I am at a loss to know. We cannot directly prevent it. There is no practical way to prevent that kind of action. If we are going to have any influence upon this kind of treatment, it will have to be indirect. It will have to be through appropriations or some other way. This is not easy to do.

We have made some valiant fights in recent years. The Senator from Idaho made a valiant fight last year on the Cooper-Church amendment. It was adopted, and he has already seen how utterly ineffectual it has been. It was easy to evade it. I congratulate him on his effort. I supported it, because I did not know any better way to try to do it. Of course, his original idea, which was much better, was emasculated or changed because of a difficulty with the House, and the one finally enacted was not the one he really preferred. It was only what he could get. It is simply a demonstration, in a more recent way, of the extreme difficulty the Senate has in influencing any of these matters.

We had our battle on the ABM. It was really all-out, and we failed by a tie vote. I only cite it to show that, even with this capacity, the ultimate capacity, requiring two-thirds, we still are to a great extent impotent in really important issues.

On a number of smaller, local things, we can on occasion influence the legislation, especially in domestic matters. If it is a matter of public works, there is a considerable unanimity among the Members, and we can usually get two-thirds, as a matter of fact, on issues of this kind, and we can override a veto. But when we get into the other field, which is not as close to the Members, we have much more difficulty.

When we are dealing with foreign relations, many Members perhaps are unduly

modest. They think, and they are told, that the President and his advisers know more than they do. They say that they have access to intelligence reports, and an illusion is built up that in some mysterious way they are smarter than Members and some Members hesitate to follow their own best judgment. This is a great handicap to Members of Congress.

I do not think it is true—if we stick to the major issues—that they know more at all. We are not talking about day-to-day tactics on how to dispose of troops, but the major issue of whether or not we should go to war, the major issue of whether or not we should intervene, whether we should follow the course, say, of policies on NATO. These are major, overall policies of our attitude toward Western Europe. There is no mystery about it. One need not know the latest report of the CIA. Commonsense tells us that our vital interests are involved in certain areas. There never has been any serious difference of opinion about our interest in and the preservation of the independence of Western Europe.

This type of issue does not need any particular information from the CIA. I cite that only to show how difficult it is for a body like ours, whose Members come from the various States and who may not have any particular background in this area, even to have the opportunity to be informed or to have any opportunity to influence the course of events through forcing an adequate explanation and forcing consideration by the Senate as a whole, and also the country, by the exercise of its rights under rule XXII. As I say, this has not been done too often but yet the very fact that it exists is sufficient to have great effect upon the attitude of the Senate as well as the Executive, knowing that there is the power to require two-thirds. The executive branch will hesitate to try to force us because they themselves will be restrained by the very existence of the rules. But they would know, if this rule is changed, that they do not need to have two-thirds, that all they need is to muster a majority, and they can find ways to do that because of the many favors and prerequisites which they have, in addition to party loyalty and the normal support they would have anyway. Thus, it would be much easier for them and, therefore, they would not bother even to analyze what were the wishes or the views of many Senators—which means many of the people in this country.

In a nutshell, what this is all about is whether the Senate is to continue to be a significant influence in the governmental structure of the country. I think it comes down to that.

When we talk about is 90 hours enough talk or 100 hours enough talk, that is entirely beside the point. The point is, it has nothing to do with how many hours of debate may take place but whether the proponent of a proposition—which in our case normally would be the executive branch—have to muster two-thirds on these important matters which are the only ones that really inspire genuine opposition.

I do not know how I could exaggerate the significance of this issue to the continuation of the Senate as an important and functioning body in our Government. So I would hope that as we proceed to develop this issue—I do not know how long it is intended for it to go on—but as we do, I would like at least for the proponents to approach it in this fashion and to answer the argument that to change this rule would not weaken the influence of the Senate.

I want to say that I do not see how they can possibly argue the idea that there will be a revulsion or a virtual revolution against the Senate if we do not change the rule. I think that is absolute poppycock. There is nothing whatever to indicate that. To the contrary, the question today, if presented in the proper light, is whether the Senate should be preserved as an influence in this country.

I firmly believe that the great majority of the people of this country believe the Senate does play a significant role. I do not believe it is a question of great revulsion against the Senate. It is true, when we read editorials such as the one in this morning's Washington Post, and like the one Walter Lippmann referred to in his article, that the people would get a distorted view on this particular issue that does not relate it to the real basic influence of the Senate. This is a very inflammatory, prejudicial editorial about the Senate's stalling, interrupting the business of the Government, and so forth, that is nonsense. They completely miss the point of what this rule is all about. None of us, really, likes long speeches, but that is not what we are talking about here at all. I do not like long speeches any more than I like editorials such as the one written by the Post editorial writer. He did not even touch upon the principal issue involved here.

Does he really believe that the Senate, as an institution, should be eliminated? If he really believes that, then let him make a case for it.

Perhaps the Senate should be eliminated. I do not think it should be. It strikes me that the way they should approach it, if they really are for this change in the rule, is to begin by saying, "The Senate has served its usefulness. We now need only the House of Representatives to fill in the details of what the executive wants, so that we can get through our business more efficiently. Let us get rid of the Senate and have only the House of Representatives and the great, enormous bureaucracy to prepare the bills, and we can get it all done in 30 to 60 days." Then everyone will be happy. There would be no grumbling. If that is the kind of country we want, then make a case for it. But grumbling about delay, while at the same time pretending that the Senate would still be an instrument of significance is nonsense, because I am quite sure it would not be. There would be no point in having a Senate, really, if it is not to perform its function of forcing real consideration, in depth, of controversial issues. I do not mean just ordinary, routine bills. We do some good there, of course, but we do our greatest good when it comes to the controversial matters that involve profound issues, either in the social, the foreign policy, or the military field—anything which involves the life and death of the Nation.

That is the real justification for the Senate. That is the role the Senate must play when it comes to the controversial issues of our time, the profound differences of opinion that may exist among the people of the great 50 States.

We had one civil war, and it was a bad one. Outside of that civil war, I would say our country has never found itself in greater difficulty than it does today, suffering now from disillusionment, dissension, and dissatisfaction with our overall policies. Our economic situation, I think, is very critical. I do not know of any other period that has been more disturbing and more serious for us than the present, so that I think it would be a great mistake, under the circumstances, to begin fiddling with our rules and changing the character of the basic structure of our Government. In 5 more years, we will celebrate the 200th anniversary of the founding of this country. That is a record few countries can match, outside of Great Britain, France, and a few other small countries, like Sweden, which have admirable societies—but none of them have our system, by the way. They have all survived. They have a continuing history. Most of the countries today have relatively new forms of government. I maintain that we have one of the oldest systems of government. I would be prepared to defend the proposition that one of the principal reasons is that the Senate was in a position to do what Walter Lippmann said, to force the majority to persuade the minority and not to ram down their throats whatever the transient majority happened to think was in the national interest.

Thus I think it would be most untimely and a great disservice to this country and to its constitutional system to change the rules at this time. I can see that if we did, almost immediately there would be quite a change in the attitude of Senators. I certainly would share the feeling that any effort to resist whatever the Executive wants me to do would be futile.

If I wished to continue—and I am not sure it would be any great distinction to continue in a body that is no more influential than the Senate would be if we were to change the rule—it might be all right if I wanted a place in which to retire and could go to international meetings and have no responsibility. It would be a nice place, like the House of Lords. But it certainly would not be the kind of office that would warrant a strenuous campaign. It would be the kind of office one would expect to be awarded if he had given $1 million to a college or something like that.

I think it most serious with a country as large and as diverse and that experiences as much conflict as this one does if we were to change the rules. I am afraid that it would be a real step toward a dictatorship and complete domination by the executive branch, which is true of about 75 percent of the people on the earth today. They are ruled by what I would call a dictatorship. That is an untrammeled executive rule. We

could call it by a different name. China and Russia have that kind of rule.

We have some hybrid situations that are difficult to understand—such as the so-called one-party democracy. That is certainly not our kind of democracy.

I am not sure that there is any great distinction between them. We look upon some of those as being antidemocratic. After all, the Communist Party is a one-party state. They have elections within the country. They have a collective leadership, the Politburo. The Politburo has much more influence upon Mr. Kosygin than the Cabinet has upon the President. Mr. Kosygin or Mr. Brezhnev cannot advise the members of the Politburo, if I am properly informed.

So, it is on a different level. There are many bases of comparisons. But what we conceive of as participation in the policies of our government at all levels is a very rare phenomenon. Outside of a few parliamentary instances it is very rare.

Mr. President, I certainly appreciate the Senator from South Carolina yielding to me. I will now yield the floor to the Senator from Idaho.

Mr. HOLLINGS. Mr. President, if I may, I wish to maintain the floor. I ask unanimous consent that I may yield to the Senator from Idaho without losing my right to the floor and without the resumption of my remarks constituting a second speech.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOLLINGS. Mr. President, may I add at this particular point, and say very sincerely that he has focused on this problem with a bull's-eye. It is not a parliamentary thing. It is not a matter of rushing through with the debate. It is not a matter of getting on with the business. It is a matter of the Senate and its integrity as a legislative body itself.

I do not know of anyone who has spoken more persuasively on this matter than the Senator from Arkansas has in the informal discussion he has just had.

I hope that the news media will give just as much attention and headlines and coverage to the remarks of the Senator from Arkansas concerning this southern viewpoint, as they characterize it, as they do on the war and on the Senator's other viewpoints that my distinguished friend, the Senator from Arkansas, has expressed.

Mr. FULBRIGHT. Mr. President, I am afraid that is a vain hope. They do not consider that newsworthy.

Mr. HOLLINGS. I hope they do write an editorial about it.

Mr. President, I yield now to the Senator from Idaho under the conditions stated.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. CHURCH. Mr. President, if I entertained the slightest misgivings that the enactment of the pending resolution would work a profound and far-reaching change in our form of government, as the distinguished Senator from Arkansas has contended, I would oppose it.

The fact is that it is a very modest alteration in the cloture rule, one that would work no transformation in the character of this body, one that would not jeopardize the right of extended debate, one that would not permit a mere majority to force controversial legislation upon a large and determined minority.

There is nothing in this resolution that threatens the Senate as an institution, nothing at all. In fact, if history is any teacher, we would be best advised to accept this modest alteration of rule XXII, the better to insure that the Senate can continue in its historic role, than to adhere rigidly to the existing rule which raises a practically insurmountable barrier even to the right of a large majority to do the business of the Senate.

In a colloquy with the distinguished Senator from South Carolina about an hour ago, I pointed to an historic piece of evidence. Prior to 1917, there was no limitation at all on debate in the Senate. This institution prided itself in having no rule whatever that could, under any circumstances, limit the right of any Member to protract proceedings and prevent votes. But a time of national crisis came, and when a few Senators insisted on exercising their prerogative, when a handful of men combined together in a prolonged debate which prevented the Senate from coming to a vote on a bill to arm our merchant ships, when they were even then under attack from German submarines in the Atlantic, there was a reaction against the Senate in this country so severe that the Members who had stood up so resolutely only months before for the right of unlimited debate, scurried for cover.

In the face of that popular reaction against what the American people regarded as an abuse of senatorial prerogative, we saw the first limitation of debate established and made part of the rules of the Senate.

Mr. President, I appeal to those who say they want to maintain the traditions of this body to think about that, to ask themselves if their vision of the future is so clear that they can assure us that what happened in 1917 will not happen again.

I ask them to look down the road to a time when another national crisis might arise, and a large majority in the Senate is denied the right to act, and a reaction sets in throughout the country against the Senate, forcing them to scurry for cover and to radically revise the rules in the very way they fear, making of this body another House of Representatives.

So I suggest, in the name of preserving the traditions of the Senate, we would be well advised to consider so prudent a change in this rule. What will happen if we adopt it? Will the pillars of this institution crumble? Is the present rule so sacrosanct? Is it sanctified by holy writ?

I recall a time, within my experience in this body, when a man, never thought to be an enemy of the Senate or its hallowed traditions, our distinguished former majority leader, Lyndon Johnson, later President of the United States, assumed the lead in modifying rule XXII. That was 12 years ago. Prior to that time, the rule was written in such a way that a constitutional two-thirds of the membership was required to impose a limitation on debate, and no limitation whatever could be imposed on debate if the matter related to a change in the rules. Well, those two provisions were changed, the latter provision being stricken entirely from the rule so that cloture is now applicable to proposals to modify the rules, as to all other matters; and the requirement for limiting debate was reduced from the constitutional two-thirds of the Senate to two-thirds of those present and voting.

Mr. President, did the pillars of this institution come tumbling down? Did the traditional character of the Senate disappear? Did the right of extended debate no longer characterize our proceedings? Did all these terrible things envisioned by the distinguished Senator from Arkansas and the Senator from South Carolina take place? I suggest the history of the past 12 years constitutes a pretty effective rebuttal to such arguments as these.

No, Mr. President; I support this prudent modification of the rule, already endorsed by 51 Members of this body, a constitutional majority, who have affixed their names to this resolution. I support it because I believe certain unfavorable consequences presently flow from Senate rule XXII as now written. The unfavorable consequences, in my judgment, are three in number:

First. The impairment of the legislative process within the Senate itself.

Second. The frequency with which legislation, vital to the well-being of the American people, is made hostage to the cloture rule.

Third. The consequential loss of esteem which the Senate has suffered.

This situation has bedeviled the Senate for many years. But, I suggest, this is an explanation of a condition—not an excuse for its continuation.

We as Senators have many tasks and responsibilities. But essentially we are elected to legislate. The right to debate a question broadly, of course, has been recognized by the Senate from the first meeting of this body 182 years ago. But when the rules of the Senate, intended to provide a deliberative method for legislating, are used—or misused—to raise an all but impassable barrier to the enactment of legislation, then these rules should be corrected.

We shall be remiss, in my judgment, if we fail to seize upon this opportunity to modify—in a prudent way—the cloture rule. The harmful effects of rule XXII, as presently written, is not a well-kept secret known only to Senators. It is public knowledge. The headlines of the daily newspapers proclaim it; the televised evening news informs the American people about our flawed condition. My constituents write me about it; citizens of other States write me about it; visiting members of national assemblies in other lands discuss it perplexedly with me. And the conclusion of all of these diverse observers is essentially this:

The Senate has suffered a loss of reputation because of the legislative casualties caused by the application of the filibuster, as fortified by rule XXII or by the threat of the filibuster.

Both the rules and traditions of the Senate grant its Members the right of extended, virtually unfettered debate. We all agree that thorough, detailed, and reasoned discussion is a distinguishing virtue of this body. I also appreciate the view of one Founding Father, George Washington, I believe, that the Senate was to be the saucer in which is cooled the hasty actions of the "people's assembly," the U.S. House of Representatives. But the Senate can fulfill its role as a forum for unhurried and reasoned discussion without reducing itself to a state of paralysis and immobility.

Every good practice can be rendered a vice when carried to extremes. For many years, debate in the Senate was unlimited. This indulgence led to a popular upheaval against the Senate when a handful of Senators refused to permit a vote upon President Wilson's request for legislation to arm our merchant fleet, even then under attack by German submarines. The country, believing Senators had abused their privilege, demanded that a restraint of some sort be established upon unlimited debate.

As a consequence, in March 1917, the Senate voted by the overwhelming margin of 76 to 3 to establish the existing rule XXII. The world of the Senate did not fall apart when this was done, nor will it fall apart if we further modify the rule, as I hope we will do in this Congress.

The need is obvious. Forty-nine times, the Congressional Research Service informs us, cloture has been sought during the 54 years that the present two-thirds rule has been in effect. Only eight attempts have been successful. If the three-fifths formula, which we seek to adopt, had been in effect instead, there would have been a doubling of the number of successful cloture attempts. Even so, a three-fifths vote requirement would still have denied cloture two out of every three times.

But as it stands now, an attempt to stem the tide of unlimited debate by resort to rule XXII in its present form, is about like trying to stop a rising elevator by holding back the floor indicator.

The need to extricate ourselves from this situation is compelling. And I hope it is done before the demands for change from the outside become so pressing that we are forced to change too drastic.

I worry, Mr. President, at the continued refusal of those who defend rule XXII to let us come to a vote. If we are not going to be permitted to vote, even when 51 Senators have put their names to this resolution, and others besides have indicated they are willing to vote for it, the frustration in this Chamber is going to grow to where we shall find a way to break out of the straitjacket, by parliamentary means, one way or another. Then, in effect, you will have majority cloture, the very thing you most want to avoid, and you will have brought it on yourselves.

My concern for this body is such that I would hope this will not happen. That is why I plead for so temperate a change in the rule as the one now pending. But most of all, I ask that we have a chance to vote. I just do not agree with those who, in their praise of this institution, would follow the old adage, "to admire the plumage and ignore the dying bird."

The Senate resolution now pending, as I have said earlier, would make one simple but useful change in rule XXII. It would reduce the number of Senators reqired to limit debate from two-thirds to three-fifths of those present and voting.

The resolution thus envisions no radical change. It is a moderate proposal. It is in no way a rash alteration. It would not undermine the essential character of the Senate as a deliberative body. It would not jeopardize the opportunity for extended debate.

Indeed, I would make the converse argument against the cloture rule as it now exists. I suggest it is a harsh rule—a rash rule. It erects a barrier so high as to be virtually insurmountable and verges on the arbitrary.

Modifying the cloture formula to three-fifths will temper the unduly harsh effects of the present filibuster rule. Even then, the filibuster—unknown in any other parliament that I am aware of—will be crown prince, but no longer king of the Senate. Far from diminishing the stature of the Senate, such a change would raise the Senate in esteem by making it better able to proceed, after full and fair debate, with the proper disposition of the Nation's legislative business.

I am not unmindful of the importance we must attach to safeguarding the privilege of extended debate. This is a deliberative body—it should remain so.

Tom Wicker of the New York Times is correct when he wrote last December:

> Actually, there is a strong rationale for a certain kind of unlimited debate in a deliberative body that represents the major subdivisions of a continental democracy. It affords some protection, on great sectional and constitutional issues, against narrow or vindictive majorities, and it is occasionally useful in slowing or halting precipitate action until sober second thoughts can prevail.

Thorough and lengthy debate on public issues of major importance, extending over a period of weeks, can help to inform the people and, on occasion, can even influence the ultimate vote. Therefore, the educational function of debate, within and without the Senate, is not inconsequential. It is because of this strongly held feeling of mine, that I oppose those who would amend the cloture rule to permit the limitation of debate by a mere majority vote. I believe it would not serve the national interest to permit a simple majority of Senators to shut off debate on a bill that affronts a large segment of the country. A three-fifths rule, in my judgment, strikes a proper balance. It would reduce the hazard of legislative paralysis, on the one hand, and the pitfall of precipitate action, on the other.

It is often argued that rule XXII somehow protects the rights of small States as against the large States.

But it is the Senate as an institution which protects the small States, not any particular rule regulating the Senate's business.

In terms of representation in the Senate, unlike the situation in the House, there are no large or small States. Each State is represented by two Senators. In fact, the number of Senators from small States is greater than the number from large States, so that no rational argument can be made that small States stand in need of some special protection under the rules of this body.

Moreover, the history of the filibuster speaks quite clearly against the assertion that rule XXII somehow operates to protect the less populated States. On those occasions, when cloture under rule XXII has been attempted, the issues at stake have had little or no bearing on the States by virtue of their size. The first cloture attempt under rule XXII related to ratification of the Versailles Treaty. The last cloture sought in this Chamber came in December 1970, last month, and related to the supersonic transport. On such questions, a State's size or population is not even relevant.

Recognition that the times call for modification of our rules reaches to the highest levels. President Nixon, himself a former Senator, shares that view. On January 5 of this year, he said:

> Further, the Congress may wish to consider revision of the "turn-of-the-century" work schedules and procedures that now obtain on Capitol Hill. While there are many excuses for Congressional inaction—there are no good reasons.

In my judgment, it would be a serious error to leave rule XXII unchanged. As now written, it renders the Senate vulnerable to legislative paralysis at some future time of national crisis. If such a crisis occurs and we are unable to act with reasonable dispatch, or indeed rendered unable to act at all, the Senate could again become the victim of public anger so unrestrained as to force a radical revision of the Senate rules, and the loss of its customary role in our political life.

Mr. President, the rules of the Senate are not sceptered sovereigns reigning over us. We are not Gullivers to our rules. We should free ourselves from that fixation. Those who do not learn from the past, someone has said, are condemned to repeat it. The lesson of our times informs us that shortsighted rigidity in the face of legitimate need for change is a foe, not a friend, of our system of government.

Mr. President, I ask that there be printed at this point in my remarks in the RECORD eight articles relating to the filibuster—five editorials from the Washingon Post, a column by Roscoe Drummond in the Christian Science Monitor, and one by Tom Wicker in the New York Times, to which I previously referred, along with an editorial from the Baltimore Sun.

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

[From the Washington Post, Dec. 19, 1970]

THE FILIBUSTER SENATE

For some years this newspaper has contended that the Senate is not a modern legislative body because of its toleration of unlimited debate. During the last few weeks the Senate itself appears to have proved the point beyond the shadow of a doubt.

The filibusters in the lame-duck session have been of the mini variety, but their result has been to throw the legislative program into a state of deep confusion and frustration. The Senate has been literally unable to cope with several of the great issues of the day because a few of its members insist on thwarting the majority will. There was a time when the word "filibuster" conjured up images of long-winded Southerners talking a civil rights measure to death. Now it is the commonest tactic of liberals and conservatives alike and of tiny factions as well as large minorities.

Despite the great pressure on the Senate to clear its congested calendar in the few days that remain, Senators Fulbright and Gravel held up the foreign aid bill for two days in a futile effort to convince their colleagues that the proposed $255 million in aid for Cambodia would lead to a commitment to the present regime in that country even though the legislation itself would prohibit the President from sending in any ground troops or military advisers. Fortunately a vote was finally permitted. The Senate has been further plagued by threats of extended debate on the trade bill and on the conference report involving the controversial SST project. This newspaper has opposed both the trade bill and the SST, but we do not condone stringing out the debate so as to prevent a vote.

The basic trouble is, of course, that the Senate has dawdled along through most of its 1970 session. Several long filibusters when the pressure was less intense left it with an unmanageable burden as the end of the session approached. Undoubtedly many of its debates were highly educational, to use the euphemism customarily employed by the filibusterers themselves. The seven weeks of discussion of the Cooper-Church amendment to limit the war in Cambodia, for example, was of truly national significance. Yet the fact remains that a legislative body confronted by a mountain of vital issues can no longer afford the luxury of unlimited debate on anything.

Nor is there any real hope in the cloture rule which can be invoked only on a two-thirds vote. It is rather an invitation to the obstructionists to keep on talking. One of the most constructive proposals to come before Congress in recent years—the proposed constitutional amendment for direct election of the President—failed a few months ago because the Senate majority in favor of it could not muster a two-third vote to end a filibuster. In our view, the Senate's first order of business in 1971 should be reform of its cloture rule.

[From the Washington Post, Dec. 20, 1970]

THE SHAME OF THE CONGRESS

One watches the end-of-the-session performance each year, and each year the performance gets worse. It was—all last week—as if there had been some gigantic shipwreck and spotlights were searching the waters for survivors. The welfare bill? The SST? Food stamps? Cambodian aid? The trade bill? The emergency school aid act? For days at a time no one could describe, even approximately, the status and/or prospects of any of these measures. The parliamentary situation—to use a phrase too dignified for the fun and games that went on—was such that veteran legislators professed themselves at a loss to understand it. And meanwhile, holiday and farewell parties—yes, *parties*—went their merry and irrelevant way, irrelevant, that is, except when they contributed to some unfortunate result on the floor or some equally unfortunate lack of one. Senator Mansfield told his colleagues in midweek that they were in danger of "looking foolish," but he understated the case terrifically. For something far more important and substantive than "looking" was involved, and something well beyond folly was at stake. Irresponsibility and degradation of government are among the alternative terms that come to mind.

We offer, as a crystallization of the week's events, a quotation of two paragraphs from one of our news accounts, which—taken in sequence—tell their own story:

"Liberals offered amendments. Conservatives, who had amendments to offer, demanded quorum calls. Many members were in the Longworth House Office Building at a party for McCormack, who is retiring. Those remaining finally gave up and adjourned.

"The bill would authorize the first federal aid of any size to help local school districts ward off or reduce racial isolation, and is the one major new form of federal aid to education that Mr. Nixon has proposed."

That was Thursday; by Friday, the Emergency School Aid Act of 1970 was thought to be salvageable only by some act of divine intervention. The bill itself, a dead serious effort to deal with a dead serious issue, was disposed of in a last minute access of congressional attention—mostly horseplay. It had been before the Congress, however, since last spring.

That is a fair description of much of the other legislation that has got caught up in the undignified and thoughtless hi-jinks of the past week. There are measures involved of which we approve and others of which we do not, but there seems no point commenting on the substance of such legislation just now when its fate is confused and when the *manner* of its disposition by Congress has itself become an issue. Much more than reform of the cloture procedure is indicated for the next Congress. Whether or not the last-minute extraordinary measures taken over the weekend in the Senate avail any order or output, we are all entitled to depend on something more stable than eleventh hour caucuses inspired by a fear of looking foolish for our results. These are grown men—and well-paid men, at that; this is a crucial part of the United States government. You would not know it to watch.

[From the Washington Post, Jan. 7, 1971]

THE TIME FOR CONGRESSIONAL REFORM IS NOW

As members of Congress take a much-needed rest between the turbulent end of the 91st and the uncertain beginning of the 92nd on Jan. 21, demands for reform are filling the air. The seven filibusters in the Senate during the last days of the 1970 session were too much for even a long-suffering public to swallow. The country is painfully conscious also of the fact that much of the most vital legislation considered last year failed because of antiquated rules and customs in both houses. The pile of unfinished business that will have to start afresh in the 1971 session includes the Social Security and welfare bills, aid for desegration, revenue sharing, draft reform and the proposed constitutional amendment for direct election of the President.

In the face of widespread demands for action, Congress played games and tied itself into ridiculous tangles. As Senator Mathias has pointed out: "The Senate floor, like Alice's Wonderland, was a topsy-turvy place where you had to run faster and faster to stay where you were and where the unexpected was to be expected at any moment."

The outcome was such a blow to public confidence that both houses are faced with the necessity of mending their rules in the new session as a means of restoring public confidence.

The chaotic happenings of the last month were no accident; nor can the blame be heaped upon any individual leader or committee. Rather, they represent an institutional failure. Congress allowed the makings of a legislative crunch to build up throughout the session and had absolutely no means of controlling the situation when the final showdown came after the Christmas recess. The leaders of the Senate could not bring order out of bedlam because that body has steadfastly refused to give them the tools of responsible leadership.

In our view the new Congress ought to meet this critical problem head-on. There is no reason to believe that the performance of 1971 will be any better than that of 1970 unless the conditions under which Congress operates are improved. The time has come for Congress to put its own house in order. The country cannot afford to risk further surrender of power to the executive because the legislative branch insists on following outworn practices devised in a less complex century for a small agricultural country.

Probably the most pervasive deficiency afflicting both houses is the seniority system. Both houses allow their committee chairmen to dominate the legislative process, and these key men are chosen by the blind operation of seniority. If an incompetent in a backwoods district can get himself elected over a long period, he is certain to become the chief keeper of the legislative gate in a vital area of policy-making. And he may well occupy that powerful position after age has sapped his awareness of what the country at large is thinking and doing.

Some inadequate proposals have been made in both the Democratic and Republican Parties in the House for changes in the House for changes in the seniority system. We shall examine these in more detail in later editorials. But it is evident to every student of the problem that they fall short of what is desirable. It is our hope that leaders on both sides of the Capitol will see that basic reforms and not mere poultices are needed.

Another critical problem that came into sharp focus in the closing days of the 91st session is unrepresentative conferees. This defect is closely related to seniority because the almost invariable practice is to name the oldest committee members in point of service as conferees. Frequently they are not representative of the Senate or of the House, as the case may be. The furor over the SST was complicated by the fact that a majority of the Senate conferees, who favored building the supersonic transport plane, simply ignored the position the Senate had taken in opposition to it. Opponents of the SST then felt compelled to filibuster to counteract this abuse of seniority, thus deepening the quagmire resulting from antiquated rules.

In many respects the filibuster is the most intolerable carryover from an easy-going and uncomplicated past. As it now operates, it not only prevents Congress from getting its work done. Again and again it results in minority decisions because a few senators can kill vital measures by long-windedness. Unlimited debate has become only another name for frustration and defeat of the will of the majority. It is an undemocratic practice which threatens to drag our entire system into disrepute.

In our view the time has come to take this choke off the neck of representative government regardless of any filibuster that may be launched to save the filibuster. Senator Mansfield is ready to demand a new cloture rule when the Senate meets, and he ought to have a tidal wave of support from the country. We think the outlook would be far more promising, however, if he would go all the way and ask for a rule that would let a majority of the Senate decide when time-wasting debate should end.

The new Congress has the best opportunity in many years to put aside its outworn gimmicks and to transform itself into the responsive legislature that it ought to be.

[From the Washington Post, Jan. 21, 1971]

THE SENATE CONFRONTS THE FILIBUSTER

The first big issue before the Senate, as it begins a new session today, is modification of its rule permitting unlimited debate. The experience of the 1970 session should be sufficient to convince the Senate that a change is imperative. After 12 months of almost continuous work the Senate failed to pass a number of momentous bills; it had to bow to one filibuster after another for the simple reason that it has no effective means of cutting off debate when the votes ought to be taken.

The issue arises now because of the growing conviction that the Senate has a constitutional right to adopt new rules at the beginning of a new session. President Nixon indicated, when he presided over the Senate as Vice President, that he would so rule, and former Vice President Humphrey did so rule in 1969. Nothing came of it, however, because the Senate failed by a vote of 53 to 45 to sustain Mr. Humphrey. One reason for that vote was a feeling that a heated controversy over the filibuster ought to be avoided at the beginning of a new administration.

There are powerful reasons for Vice President Agnew to follow the Nixon-Humphrey view when the right of the Senate to control its own procedures comes to him for a ruling. It is no longer a question of disrupting the Nixon honeymoon, which ended long ago. Now it is a question of modifying a rule that prevented several segments of the Nixon program from coming to a vote. Beyond this is the basic right of the Senate to control its own operations. We think the Constitution gives it that right and that it cannot in perpetuity relegate its authority in this matter to a minority of one-third.

A favorable Agnew ruling would be only a beginning, as was the Humphrey ruling two years ago. The Senate has a right to accept or reject that ruling, and it is feared that once a debate on this issue gets under way there will be no way of stopping it short of cloture by a two-thirds vote, which is not attainable. Some senators believe that a challenge to the Vice President's ruling should not be debatable, but this view has never gained majority acceptance because of the importance of the issue. Surely there ought to be some means of bringing this question of the Senate's rule-making power to a vote after reasonable discussion, without permitting a filibuster to thwart the Senate's constitutional right to end filibusters.

If the Senate has a constitutional right at the beginning of a session to adopt rules by majority vote, it seems to follow logically that it has a right to cut off debate by majority action so that a vote on that issue can be taken. Why should not the Majority and Minority leaders press for action on this basis? Both favor at least some measure of reform against the filibuster. Could they not get agreement among a majority of their colleagues to end debate by majority vote on the procedural questions, after allowing ample time for discussion?

As for the new cloture rule to be adopted, if the Senate can ever get around to the substantive issue, the best that can be hoped for at this time is the application of cloture in the future by a three-fifths vote of those present. The leaders of both parties have endorsed this modest reform. Although it stops short of giving a majority the means of working its will, it would be a substantial improvement over the present requirement of a two-thirds vote to end debate.

The Senate could, of course, insure itself against any possibility of an arbitrary cutoff of discussion by allowing cloture with a two-thirds vote after, let's say, one week of debate, cloture by three-fifths vote after perhaps two weeks or by a simple majority after, say, three weeks. But the less complex three-fifths rule seems to have the right-of-way. The Senate will take a long step forward if it can establish its right to adopt new rules by majority action at the beginning of a session and then demonstrate that right by lowering the requirement for cloture to a three-fifths vote.

[From the Washington Post, Jan. 29, 1971]

FILIBUSTER TO SAVE THE FILIBUSTER

The enlistment of 51 senators behind a new cloture rule in the Senate is a major achievement. For the first time a majority of the Senate appears to be firmly committed to ending a filibuster whenever three-fifths of those present think the debate has gone on long enough. If these men are willing to stand together, they can at least in some measure relieve the Senate of its most troublesome handicap.

The only remaining impediment to this essential reform is the filibuster that is now under way. The minority that for many years has thwarted majority rule in the Senate and often paralyzed the legislative branch in the face of urgent national requirements is again trying to perpetuate its power. But the tide of public opinion is running strongly against it, and the Senate can ill afford to bow to mere windbaggery at a time when its image is already seriously tarnished.

There is some disappointment that Vice President Agnew decided not to rule that the Senate is entitled to make new rules by majority vote at the beginning of a session. As a practical matter, however, Mr. Agnew's decision to leave this issue to the Senate itself is of little significance. In 1969 Vice President Humphrey's ruling designed to let the Senate deal with the matter by majority vote was rejected on the floor. A similar Agnew ruling would be rejected now. It would not even be supported by Senate Majority Leader Mansfield, who is one of the chief sponsors of the cloture-by-three-fifths reform. In these circumstances there are some advantages in not having the issue raised on a technicality which might close other more promising avenues to the needed reform.

The Vice President has indicated that, instead of getting personally into the fight, he will leave to the Senate the question of whether it can cut off a filibuster by majority vote when the question is the adoption of new rules at the start of a session. This leaves the door open to unlimited debate, unless the existing Rule 22 can be invoked. Fortunately, there seems to be considerable hope that the filibuster can be broken by this means. In any event, it is worth a determined try. The country is fed up with filibustering, and we doubt that a filibuster to preserve the filibuster can succeed if the majority plays its cards skillfully.

Incidentally, a head-count in the Senate indicates that two-thirds of the Democrats now favor cloture by a three-fifths vote, compared to only one-half of the Republicans. If this essential reform should fail, therefore, the blame would fall chiefly on the GOP at a time when the filibuster is a formidable weapon against the President's program. Repeated talk-fests in the Senate at the end of the congressional session last December were a major cause of the legislative failures that the President has been complaining about. Do half of the Republican senators want to leave the filibuster untouched so that it can continue to be used against legislation the President has asked for?

The key man in the outcome may therefore be Sen. Hugh Scott, the Republican leader, who is a sponsor of the proposed reform. As the debate warms up, will he be able to induce six members of his "team" to line up for a more expeditious procedure? If Senator Pearson's estimate is correct that about 60 senators would support cloture for a change in the rules, at least six more votes will be necessary for a two-thirds majority. The Republicans in the Senate who do not wish to be labeled as saboteurs of their own party's program will need to do a good deal of soul searching in the crucial struggle ahead.

[From the Christian Science Monitor, Jan. 9, 1971]

CAN THE SENATE REFORM?

(By Roscoe Drummond)

WASHINGTON.—At the end of the last session of the 91st Congress Senators Mike Mansfield and Hugh Scott, the Democratic and Republican leaders, stood disheveled and dismayed, shaking their heads at the mess which the Senate had made of itself and the harm it had done to the nation.

It must not happen again—and the Senate leaders know it.

PAINFUL YEAR

What happened is that for months on end the Senate failed to transact the public business.

And that's its duty, its sole duty.

It isn't that the Senate did things wrong. It just didn't do its job. Most of the time it just talked—at cross-purposes, to partisan ends, and while the Senate talked, any actions which crucially needed to be taken faltered and foundered.

Unable to govern itself, the Senate showed for a painful year at least that it wasn't doing its part to help govern the country.

Clearly something adequate needs to be done to enable the Senate to transact the public business responsively and responsibly, efficiently and effectively.

It can be done and when the 92nd Congress convenes Jan. 21, there will be a propitious opportunity to press changes in rules and procedures which have been long needed and long repulsed.

These changes are desirable: make it easier to end a filibuster; reduce the dictatorial powers of committee chairmen; modify the seniority system which forces able, new senators to wait years before getting responsibility equal to their talents.

TRIALS OF TODAY

Such reforms are needed, but I suggest that the primary need is not to reform the Senate but to reform the senators.

And that isn't impossible if the many, able, dedicated senators, Democrats and Republicans alike, will take the lead in self-reform. If they do, their influence can be powerful.

The reason is that the time for self-reform in the Senate as well as the time for rules reform is at hand.

What is needed is a clear and present awareness that the United States is in the midst of one of the most difficult and critical challenges to democratic government in its whole history. The trials of Lincoln were relatively easy compared with the trials of today.

Lincoln's challenge was to make the American dream possible.

Our challenge is to make the American dream come true:

By wiping the stain of minority discrimination from the face of the nation.

By using the resources of affluence to meet the too long neglected needs of our society.

By the President's and Congress's joining to create a climate of cooperation and constructive legislative compromises.

By demonstrating that American democratic government can govern capably and compassionately.

THE MOOD

We can't do any of these things if the Senate repeats the empty performance it put on last year.

We can do all of these things if the majority of senators begins to act on the crucial truth that politics-as-usual is unacceptable, intolerable, and unequal to the crisis through which America is now going.

Far more important than changes in the

Senate rules is the achievement of a state of mind in the Senate where the will to do the job, the goodwill to do the job well and an awareness that anything less will be profoundly harmful to the nation—this achievement will transcend all others.

If this can be the mood of the new Congress, if this is to be the mood of President Nixon, then all things needed will be attainable.

And in 1972 the voters will have the opportunity to reward those who have done it best.

[From the New York Times, Dec. 24, 1970]

A PLAGUE ON BOTH, ET CETERA

(By Tom Wicker)

WASHINGTON, December 23.—"When I was a Congressman I never realized how important Congress was," President Kennedy told the Economic Club of New York in 1962, "but now I do." As he gazes with the rest of us on the bald failure of Congress to get its work done, President Nixon must feel much the same, for if Congress is impotent, what of the nation itself?

In the brief Christmas recess, we are at least being spared for a while the dreary sight of so much ineptitude, indifference, frustration, selfish interest and lack of order in the name of order. But this momentary relief will not stop many an American from saying, with real feeling, "A plague on both your houses!"

There is little else to be said of a Congressional performance that includes but unfortunately is not limited to—

The sloth, delay and partisan infighting that left so complex and important a matter as welfare reform to be settled—but in fact frustrated—in the final week of a Congress that has been considering the matter for a year and a half

The kind of personal autocracy that allowed Chairman Long of the Finance Committee to construct at his leisure a legislative monstrosity that lumps together welfare reform, Social Security benefits, trade legislation and medical insurance.

The supine showing of Senate conferees who allowed House conferees with weaker mandates but stronger spines virtually to reverse Senate decisions on the SST and food stamps.

Prevention by the Rules Committee of the House's right to vote on important consumer legislation and on strengthening laws against racial discrimination in employment.

There may be those who think that, at least, what they consider bad measures—import quotas, SST development funds, welfare reform—are not being passed. But even if their judgment of these items is accepted, the tie-up of the Senate (which incapacitates the House, too) still cannot be defended.

Perhaps never before has unlimited debate been seen more nakedly for what it has become in the Senate—a device to prevent action on anything against which a minority of one-third plus one can be rounded up. And that is made no more defensible when the frustrated action is seen as undesirable.

Actually, there is a strong rationale for a certain kind of unlimited debate in a deliberative body that represents the major subdivisions of a continental democracy. It affords some protection on great sectional and constitutional issues, against narrow or vindictive majorities, and it is occasionally useful in slowing or halting precipitate action until sober second thoughts can prevail.

In recent years, on major civil rights questions, it also was shown that a filibuster could not long be sustained against an aroused public opinion; given that imperative, unlimited debate might therefore be accepted as useful, not pernicious, in rare cases of grave national importance. But that is an intellectual concept that requires the tacit agreement and political restraint of those to whom the filibuster is available.

That concept has been so severely abused in the Senate as to mock the pretensions of those who argue the case. Filibusters are staged on almost any subject, on almost any occasion and without a shred of justification except the views and interests of those who prevent action. This year, a filibuster was mounted against a constitutional amendment to change the Electoral College—a parliamentary absurdity, since the amending process is itself the lengthiest, most difficult and most safeguarded of all American political procedures.

When Congress slunk off the public scene for Christmas, a filibuster was going against the SST conference report and against welfare reform. Another was threatened against trade legislation. Still another may be mounted against the food stamp conference report.

An ultimate of sorts may be reached next week if a $1.5-billion authorization to speed school integration is filibustered by liberals who think it soft on the South and by Southerners who consider it soft on the North—a strange sectional issue, indeed.

In every case, the filibusterers may have worthwhile causes, and the criticism is not so much of them as it is of a Congressional system—in which unlimited debate is only one part—designed primarily to prevent action rather than to take action. If Congress wonders why it has lost so much power to the executive, there is a major reason. And in a nation already racked with mistrust of its Government, the Congressional mess itself may be more than the fate of any or all the bills caught in it.

[From the Baltimore Sun, Jan. 28, 1971]

RULE XXII

The problem in the United States Senate is that it seems to take a two-thirds majority to decide that a three-fifths majority should be enough to limit debate; that is, to force an end to a filibuster. The Senate has been wrestling with this problem for years. It deals with modification of No. 22 of the Senate's rules of procedure, and it has become customary to debate the matter at the opening of a new Congress, before the rules are adopted.

Senators who are now arguing for a modification of Rule 22 are urging merely that a three-fifths majority, rather than two-thirds as at present, be required to shut off debate. A three-fifths majority of course is easier to obtain than two-thirds, and to that extent the authority to filibuster would be weakened. This is a modest, sensible change in our view, and we believe the Senate should approve it. The principle of unlimited debate, which can be restricted only by something more than a simple majority, would be continued, as it should be. But a filibuster would become a bit more difficult to sustain, and this, in our view, would help the Senate to do its work better.

Mr. HART. Mr. President, will the Senator yield?

Mr. HOLLINGS. Mr. President, under the previous unanimous-consent agreement, I still have the floor.

Mr. CHURCH. Mr. President, the Senator from South Carolina has the floor. With his permission, I would like to yield to the Senator from Michigan.

Mr. HOLLINGS. I yield for that purpose.

Mr. HART. I thank the Senator.

Mr. President, I rise to express appreciation to the Senator from Idaho for a balanced and persuasive explanation of the reasons for which a number of us—51 in all—have been moved as cosponsors of this resolution.

Over the years I may have, by my association with legislation which itself was filibustered, lost any claim to being an objective witness on this subject, and I am almost hesitant to commend the Senator from Idaho lest it weaken the resolve of some of those who have more recently joined us in the effort to change rule XXII.

Indeed, I have heard from some of those who in earlier years were associated with me in the effort to achieve constitutional majority cloture that they now entertain very serious doubts that cloture by a constitutional majority would be desirable. The Senator from Idaho, over the years, has always taken the position that he opposes and would strongly oppose a constitutional majority permitting the closing of debate.

The reasons that disturb some of those who in earlier years supported majority cloture is that, as the Senator from Idaho has noted, legislation dealing with the problem of civil rights is largely behind us, and occasionally there are signs that suggest that a mood might develop across the country that would put pressure upon this body to act on legislation that might be described as anti-civil-liberties legislation. Given the law-and-order theme of last fall, if domestic turbulence struck this land, they fear, and it is altogether possible, that we would be under very strong pressure to legislate away the first 10 amendments; and then those of us who feel that the Bill of Rights means what it says, and support the Supreme Court in the interpretation of it, ourselves would be compelled to turn to a filibuster to prevent that ugly mood from sweeping this body.

None can deny that that day might come. But certainly the modification that is proposed by the Senator from Idaho and others, cutting the required majority from two-thirds to three-fifths, does threaten the right of any large minority in this body to maintain the floor and continue to present its case. Although acknowledging the possibility of an ugly mood that might put pressure on us, I continue to feel that all that any Member can claim by way of right is the assurance that he has the opportunity fully to present his case, and then the other right intervenes: the right of the majority to make its decision.

History is clear that the majority on occasion is wrong. But to hang tight on the existing rule XXII is to resolve the dilemma in favor of the minority always being right, and this just does not add up. It is for that reason, Mr. President, that I hope that this body will act favorably on this opportunity to modify rule XXII down to three-fifths.

The country is outraged just at the sight of the results of the failure to protect that second right; namely, the right of the majority to act. This Nation will not long continue tolerant of a Senate that falls into the disarray that was the scene here in November and December of last year. The danger is very great that, absent the modification as proposed by the Church-Pearson resolution, we shall see repetition after repetition of that scene of November and December.

As the Senator from Idaho has stated, given the repetition of that scene, the mood of this country could parallel that which in 1917 turned this body around, and, by a vote of 73 to 3, enacted the clo-

ture rule. If the mood reaches that peak, I think the Senator from Idaho is correct: the danger is great that the action will not be to adopt a three-fifths cloture rule, but a constitutional majority rule. At very least, a parliamentary means then will be found whereby a majority can bring rule change to a vote.

I think the Senator from Idaho, in his presentation this afternoon, has compressed all of the arguments, and, in a style which all of us here and many throughout the country recognize as uniquely his, has done it in language, in words which ring bells.

Why are not 51 Members of the Senate permitted to have the Senate take up the consideration of this rule change? Procedurally, that is what we are hung up on now. Let us be permitted to take it up. If there is more explanation of why it is imprudent or unwise, let us hear it, and then permit the Senate to act. I shall be here to permit the minority to have its say, if there is anything that is yet unsaid, but then let them join the Senate in the Senate's decision.

I thank the Senator from Idaho.

Mr. CHURCH. I thank the Senator from Michigan very much for his generous comments.

It seems to me that there are two probable ways majority cloture might come to this body. One way is by a repetition of the kind of crisis that occurred in 1917, when the Senate was immobilized at a time when the people felt vehemently that it should act. In the stormy aftermath, a radical change in the rules was forced upon us, as those who so stoutly had upheld the traditional view retreated in the face of public pressure. Look at the vote, 76 to 34.

That is one way majority cloture could come. The other way is more subtle, but perhaps more likely: If a substantial majority in this body, time after time, are denied the right to vote on so prudent a modification of this rule, blocked by the continued refusal of a majority of Senators to let us vote on it, then I am certain that a parliementary way will be found, in due course, to permit the vote to take place on the basis of a majority decision. Once that happens, the majority precedent is established. From that point on, in effect, we have majority cloture.

So I again appeal to those who believe strongly not only in the right of extended debate, but also in the need to protect a minority against decision being made by a mere majority. I appeal to them to reconsider their inflexible stand on rule XXII as presently constituted. I appeal to them to allow the Senate to come to a judgment, once this question has been thoroughly debated. I think this, in the long pull, would surely serve their cause the best.

Mr. President, I have no further remarks at this time. I want to thank the distinguished Senator from South Carolina for yielding me the floor. His unfailing courtesy is well known to this body. However, we may differ on this subject. I assure him of my affection and regard.

Mr. HOLLINGS. I appreciate that very much.

Mr. President, the distinguished Senator from Idaho has raised many matters that should be clarified. The Pastore rule has expired, and two Senators would like to make presentations at this time, brief as they are.

However, I want to join issue for a moment, before the distinguished Senator leaves the floor, on the idea that the country is wrathful, the people are in wrath, and if you do not give this salami slice of six votes, then, look out, because you are going to pull down, as Samson did, the temple walls, and ruin us all. Nonsense, absolute nonsense.

Let us go back to the fact. Let us go to the fact of last year's experience that allegedly got the people wrathful. Extended debate was employed three times, not necessarily rule XXII. On the Carswell appointment it was slightly less than 7 weeks. It was an Executive appointment. For all intents and purposes, they had 51 votes before they sent it over here, and it took 7 weeks to bring some colleagues around to a change of mind.

We had approximately 7 weeks on the amendment of the distinguished Senator from Idaho, the Cooper-Church amendment, and only 3½ weeks at the close of the session on the SST and the logjam with family asistance, trade, social security, along with everything else. The logjam at the end, which made us look powerless and indecisive, is an accessory after the fact. We had worked our way into that position for varied reasons. We do need streamlining. We do need computerization. We do need changes in the procedures. But rule XXII is not the culprit. These other things are. The Senator is about to convict the accessory after the fact, I would submit, and let the culprit go free.

Let us go back specifically to the 7 weeks of education under this rush and lack of deliberation, under the present-day circumstances. When the invasion into Cambodia occurred, the distinguished Senator showed us what it really constituted and what we are debating today—another Vietnam in Southeast Asia, which none of us wanted, hawk or dove. At that time, we had the pressures from the executive department, with the officers of the American Legion, and the VFW calling us all Communists, with the leadership on the other side—now national chairman of his party—going down to my State, saying that the actual introduction of such an amendment was not only an affront to him as a veteran but was also an affront to him as an American. And 7 weeks later he voted for it. But that is history.

What really occurred in that 7 weeks? Many people think we wasted 7 weeks. I am of the opinion that we brought stability to the country in that 7-week period. If we had voted, we would have had 51 Senators, after the week of May 8—whether or not to support the Commander in Chief, whether or not to get another Gulf of Tonkin, and we would have had another Gulf of Tonkin. We would have supported the Commander in Chief, as I was prepared to do. I listened. I was one of that group of Senators who changed in judgment, hawk that I am, to realize the issue involved.

The Senator would not have received a majority vote. But this was extended debate, exercising the deliberative nature of this body and the facets under rule XXII, to bring the truth to the American people, to bring the American people to their senses, and to reinstill confidence in representative government.

If there is one reason why we do not have as many riots, as many burnings, and as many campus disorders today as we have had during the past 10 years, it is that 7-week period when the young leadership of this Nation could come to Washington, could talk to their Senators, could be heard, and realized that we were not pellmell for hell and just going down the road with whatever the Executive wished. I think it is very salutary, and that is what we are pleading for.

The Senator is talking about a logjam, with all kinds of legislation and issues coming up in the last 3 weeks. But that is not what really has caused the loss of respect for the Senate. Getting on with the business? What does the distinguished Senator from Idaho mean when he says that? Does he mean hurry up and get a vote?

The distinguished Senator from Michigan said, "Why cannot we consider it?" We are, We are considering it now. He knows that. We are not blocking anything from being considered. We are discussing the merits of this thing. But we are fearful, due to the rulings of the Chair, with a 51 vote and already a majority. He and I know that, and the Senator from Idaho knows that, and it is begging the question.

We are not blocking consideration. It is not undemocratic. We are really trying to protect the Senate as an institution, its integrity as a legislative body—different, if you please, from the House of Representatives; different, if you please, from any other form of government. While the youngest of governments, we are the oldest of democracies. And why? Because of rule XXII and the unique nature of the U.S. Senate. Therein, I think, is the issue—whether or not we are going to have any individual rights, and minority views.

We have not blocked them. Look at history. One time, 7 weeks was used to try to hurry a vote at first and then to hold up a vote in the end, and they completely flipped over because they could not get a majority. The other time, 7 weeks was used, first to hold up the vote at the beginning, and then, at the end, under the deliberate nature of this body, so that we could consider all the elements, used it to try to thwart the will of the people of this country. Finally, it surfaced on a vote on June 30, with a July 1 cutoff of the employment thereafter of troops in Cambodia without the approval of Congress.

So when the Senator from Idaho says the people are wrathful, I think they are not wrathful about that. They are not even concerned with partisan politics. They are concerned with all this dancing around the fire about form and the fault of substance.

The fault is not in the number of departments in Government and that they must be renamed and reorganized. The President of the United States knows

that that is not going to happen in the next 10 years. He knows that and he is kidding the people, to make that suggestion. Any of us in politics can sit down, and I can give various forms and various departments in reorganizing government. That is not leadership. That is not the trouble today. The trouble has been consensus government of, No. 1, getting 51 percent and laying it before you and not even having any debate.

Why are not our colleagues here? Because they have made up their minds. They are ready to vote, because the TV fellow says, "Are you for the southern filibuster?" What does the Senator from Idaho think the answer is going to be? "No, I am not for the southern filibuster." But I am for the U.S. Senate as an institution.

I wonder what the Senator from Idaho really means when he says, "Get on with the business."

Was that obstructionism under the Cooper-Church amendment, for that 7 weeks?

Mr. CHURCH. Mr. President, if I may respond——

Mr. HOLLINGS. Yes.

Mr. CHURCH. The Senator from South Carolina, in what I would regard as a brilliant display of forensic pyrotechnics, would have us believe that the Senator from Idaho has the fair maiden of the Senate by the neck and is determined to strangle her. He would have us believe that I would gag the Senate, prohibiting extended discussion and debate in this body. He would have us believe that anyone who does not oppose the resolution I have introduced sets himself against the traditional role of the Senate in our public life. None of that is true. None of it follows from anything I have said.

The distinguished Senator points to the logjam at the conclusion of the past session, suggesting it was on this basis that I have tried to make my case. But it is not so.

The illustration I used was 1917, in a national crisis, and the incapacity of the Senate to act——

Mr. HOLLINGS. If the Senator from Idaho will yield at that point.

Mr. CHURCH. If I may finish——

Mr. HOLLINGS. The Senator discussed the people being wrathful in 1917.

Mr. CHURCH. The Senator misunderstood the point I made. The people may be perplexed—even disappointed—but I do not believe the people are wrathful at the Senate today.

Mr. HOLLINGS. Then I misunderstood. I thought the Senator said that if we did not do this, that the other is going to happen that we were going to majority rule.

Mr. CHURCH. I was talking of the historical situation that occurred in 1917, one that could occur again. If history teaches us anything, we should take its lantern of the past to peer into the future. I am going back to 1917 and picking up the lantern and using it to peer into the future. In 1917, there was no limitation on debate. The Senate prided itself on having no limitation whatever, but when that condition paralyzed the Senate, in a moment of national crisis, the public uproar against the Senate was so great that the very men who had pledged themselves to preserve the right to unlimited debate went scurrying for cover and adopted the first limitation on the debate in the form of rule XXII.

Now, having looked back into the past, having picked up the lantern, and peering now into the future, I say to the Senator from South Carolina, that the same thing could happen to us again.

I say to the Senator that the present barrier to limiting debate is so high that only 8 times in 54 years have we invoked it. I think such a barrier is too high. It does not follow that I want to substitute a barrier that is too low. I am not arguing for majority cloture. Most Senators will not even entertain the notion of majority cloture unless, as in 1917, a situation develops which will force them to it.

I plead the case for preserving the traditional role of the Senate with as much fervor and conviction as the distinguished Senator from South Carolina. I differ with him on how best to safeguard the role of the Senate. I think history gives me some evidence for my side of the argument.

Now, Mr. President, suppose we were to adopt the three-fifths rule; is the fair maiden of the Senate then strangled? If we take that rule and apply it, as if it had been in effect over the past 54 years, we would have invoked cloture 15 times instead of eight times in 49 attempts. Two out of every three times we could not have secured three-fifths of the Senate to agree to a limitation on debate. So the maiden would remain in good health even if, should the Senator from South Carolina give us the chance to pass judgment, the pending resolution were adopted. Yes, she will remain in good health—in radiant health. She will go on talking at length, as before.

Mr. HOLLINGS. One last summary point. If we allow this fair maiden of the Senate to be seduced by six Senate votes, I daresay she will not be virtuous any longer. Rather, she will have become impregnated. How long it will take to deliver 10 or more, I do not know. But, we will be back with the 51 to 49 rule.

Mr. PELL. Mr. President, will the Senator from South Carolina yield?

Mr. HOLLINGS. I yield.

Mr. PELL. I just have one comment on one point the Senator from South Carolina made in his dialog with the Senator from Idaho, where he referred to this country as having the youngest of governments but the oldest of democracies.

I think, in fact, we are about the oldest unchanged government as well as the oldest among democracies. So it is a question of academic interpretation here.

Mr. HOLLINGS. I thank the Senator from Rhode Island.

Now, Mr. President, under the unanimous-consent agreement, I am now delighted to yield to my distinguished colleague from Massachusetts (Mr. KENNEDY), notwithstanding the requirement of the Pastore rule of germaneness.

S. 483—INTRODUCTION OF SELECTIVE SERVICE ACT OF 1971

Mr. KENNEDY. Mr. President, in June of this year, the Selective Service Act expires and Congress must confront the complex of controversial issues surrounding the future of the draft. For many, the basic question to be decided is whether to continue the draft or to establish a volunteer army. For my part I continue to believe that a volunteer army is not now in the best interests of the United States.

This is not an easy conclusion. Historically, the draft was rejected by succeeding Congresses and Presidents and only in 1940, when the German Army occupied France, did the Congress vote to establish the first peacetime draft. The draft remains unpopular with the public and it would be much more comfortable today to advocate a volunteer army.

As I have stated before, I would support a volunteer army in peacetime. But when, as now, we are engaged in a major war effort, I do not believe a volunteer army is either wise or equitable.

First, it is inequitable to permit the risks of battle to fall only on those less affluent Americans who are induced to join the Army by the attraction of higher military pay. Second, it is unwise to insulate from the horrors of war, middle and upper class Americans who might lead the protest against senseless foreign adventures. I frankly would question, for example, whether the current pressure for deescalation of the Indochina war would be as great if young men from every social background were not threatened with service in that war. Third, when, as now, we have pressing budgetary problems and domestic needs, I think a volunteer army may be too costly.

I recognize that, because of present deferment policies, the present draft system contains many of the inequities of a voluntary system. But the draft can be made more equitable as the bill I shall introduce today demonstrates. A wartime volunteer army is inherently inequitable.

There are some who argue that we never would have become involved in a large-scale war in Indochina, if there had been no draft. This is sheer speculation. The one certain fact is that we are in Indochina now, and the process for determining who shall serve there must be fair.

Some suggest that if the draft were ended, American involvement in Indochina would have come to a grinding halt. This too is speculation. In any event if the Congress wishes to end the war, it can do so by legislation directly aimed at that goal—such as last year's McGovern-Hatfield amendment.

I wish to emphasize that the cost of moving to a volunteer army is at least $3.2 billion in the first year. When the Nation must resolve the despair of the ghetto, and clean the filth from its air and its rivers, I sharply question whether a volunteer army, even if desirable, should rank so high on our list of national priorities. The $3.2 billion additional cost would be greater than the

total Federal support for elementary and secondary education in fiscal 1971. It is three times greater than the total Federal expenditures for law enforcement and the fight against crime. It is six times greater than the Federal expenditures for control of air and water pollution. When we are no longer spending billions of dollars in the madness of the Indochina war, we will be better able to afford a volunteer army.

However, there is one advantage to the concept of the volunteer Army as proposed by Senators HATFIELD and GOLDWATER which appears to me immediately desirable. It provides greater congressional control over military adventures by the Executive since it would deprive the President of the power to call up unlimited manpower through the draft. Instead, it would require the President to come to the Congress to reinstate a draft.

I believe, however, that the same benefit of congressional control can also be assured under a draft system. In my bill, I would restrict the number of inductees to 150,000 men for each of the 2 years of the proposed draft extension. This would be slightly higher than the Defense Department budget estimate of 125,000 as their upper limit on the number of men that would have to be drafted during the next fiscal year to meet its manpower needs. By setting a specific ceiling on inductees, which can only be raised by joint congressional resolution, we would reinstate an important aspect of congressional control.

The draftee ceiling would not hamper the President's ability to conduct foreign policy since he has immediate control over all those already in the armed services and the Reserves. Also, since the timelag between induction and combat readiness is 5 to 6 months, the necessity of coming back to the Congress for action would not directly affect the President's ability to respond to an immediate crisis. More important, this action would reinstate the intent of the Founders of this Republic when they specified in article I, section 8 of the Constitution: "The Congress shall have the power—to raise and support armies." They believed that the responsibility lay with the Congress rather than the President, and I believe that much of our difficulty during the recent involvement of the United States in Indochina has resulted from our permitting a distortion in the balance between executive and congressional responsibilities in this area.

The primary purpose of the bill I am introducing today is draft reform. Such reform is necessary for as long as we continue the draft. It is necessary if we move to a voluntary army: Because even then, a standby draft will be required.

Over the past 30 years, the movement for draft reform rarely has achieved organized public support. But the various elements in Congress and in the larger society coalesced and began to gather momentum as the monthly draft calls increased during the Vietnam war. It became clear to many Members of Congress and to much of the Nation that our draft system had basic and glaring defects.

It permitted many registrants, in general the more educated and the more affluent, to escape service altogether through a variety of student and occupational deferments.

Local draft boards had such enormous discretion in making classification decisions that there was a complete lack of national uniformity. A busdriver in San Francisco might be deferred but one in Boston would not. A teacher in Peoria might be deferred while one in Chicago would face the draft.

It relied on a selective service organization which did not always have the expertise or manpower to deal with its broadened responsibilities.

It denied registrants basic procedural safeguards.

These were just a few of the defects that caused me to join with Senators and others to call for reform when the Universal Military Training and Service Act, the successor to the 1940's Selective Training and Service Act, was due to expire on June 30, 1967. Then the Congress was called upon to make either a simple extension or an extension and revision before that date. Preliminary hearings were held by the House Armed Services Committee in June 1966, at which I and others urged a comprehensive reform of the law, to include a random selection system, uniform standards and restricted deferments.

In July 1966, President Johnson appointed a National Advisory Commission on Selective Service, chaired by former U.S. Assistant Attorney General Burke Marshall, to make a thorough public study of draft reform. The chairman of the House Armed Services Committee, Mendel Rivers, appointed a civilian advisory panel on military manpower procurement, chaired by retired Army Gen. Mark Clark, for a similar purpose.

Following these two reports, the President on March 6, 1967, sent to the Congress his message on selective service. This message recommended adoption, either legislatively or by Executive action, of most of the major reforms proposed by the Marshall commission. Earlier I had introduced in the Senate a concurrent resolution—on February 23, 1967—which would have declared it to be the sense of the Congress that these reforms were necessary and that the President should institute them by Executive action.

During March, April, and May 1967, three congressional committees held hearings on draft reform: the Senate Subcommittee on Employment, Manpower, and Poverty; the Senate Armed Services Committee; and the House Armed Services Committee. The hearing in the Subcommittee on Employment, Manpower, and Poverty, which it was my privilege to chair, concerned themselves with the manpower implications of selective service; the other hearings were concerned more directly with the military implications.

On May 4, 1967, the Senate Armed Services Committee reported out an extension and revision of the draft law. This bill would have left wide discretionary authority with the President to institute the reforms recommended both by the Marshall commission and the President himself, and it explicitly endorsed many of them. The Senate passed this bill on May 11, 1967.

Unfortunately the House Armed Services Committee greatly changed the Senate-passed bill, adding many punitive and restrictive provisions. The House adopted its committee's bill with little change, on May 25, 1967. Virtually all of these provisions were adopted in the Senate-House conference, and this conference bill was accepted by the Senate on June 14 by a vote of 72 to 23. I was strongly opposed to accepting the conference bill. In light of the suggestion by some individuals that it would be unpatriotic to vote against any draft bills, while fighting was going on in Vietnam, I think it was some measure of Senate feeling that 23 Senators voted against the conference report. The House accepted the conference bill on June 20, 1967, and it was signed by the President in this form on June 30, 1967, the day it was due to expire.

But precisely because this bill did not make any of the badly needed reforms, and, in fact, made the draft law more restrictive and punitive, there have been subsequent efforts to change it. In February 1968, I introduced a bill which would have completely revised the draft law, instituting a random selection system, drafting the youngest first, and accepting the other basic reforms recommended by the Marshall commission. Also, in February 1968, the Senate Subcommittee on Administrative Practices and Procedures held hearings on a bill to afford draft registrants the right to be present at proceedings affecting them, and to have counsel present. Neither my bill nor the right to counsel bill was enacted.

In February 1969, I again introduced a bill to institute a random selection system and adopt the other reforms recommended by the Marshall commission. The need for reforms was substantiated by extensive hearings held by the Senate Subcommittee on Administrative Procedures, of which I am chairman, in the fall of 1969.

Seven days of testimony by expert witnesses as well as the responses from 4,000 questions sent to the local boards and State directors showed once again the inequities of deferment policies which favored the more affluent Americans. In early 1970, the subcommittee issued a study of the Selective Service System which in addition to recommending structural reforms and changes in deferment policy called for new procedural safeguards for registrants.

As a result of these pressures for reform, some significant changes in the Selective Service System have been made. In 1968, graduate student deferments were abolished by Executive order. In 1969, Congress authorized and the President implemented a random selection system. In 1970, occupational deferments were eliminated by Executive order. It is with great pride and sense of accomplishment, that those of us who have labored long for an end to the most blatant inequities of the Selective Service System, witnessed these changes. I welcome the recent recommendations of

the President concerning a national call and an end to undergraduate deferments. However, even with these additions the task of reform is still not complete. That is why today I am introducing a comprehensive new selective service reform.

Let me summarize its major provisions:

First, my bill would make the random selection system by which the youngest are drafted first as a legislative rather than merely as an administrative requirement.

Second, it alters the existing lottery by requiring that calls for induction be made on a national basis.

Third, it would eliminate all new student deferments beyond high school, although it would not affect undergraduates who now hold deferments.

Fourth, it would abolish all occupational deferments as a statutory requirement.

Fifth, it broadens the definition of conscientious objectors to conform to the recent Supreme Court decision of *Welsh* v. *U.S.*, 398, U.S. 333.

Sixth, it restores the role of the Justice Department in reviewing conscientious objector cases.

Seventh, it affords new legal rights to registrants including the right to counsel and the right to present witnesses at all selective service proceedings.

Eighth, it legislatively prohibits use of the draft as a punishment for protest activities by limiting the definition of draft delinquency.

Ninth, it eliminates previous statutory restrictions on judicial review of questions of law regarding classification proceedings.

Tenth, it reorganizes the Selective Service System along the lines recommended by the Marshall Commission.

Eleventh, it requires that all selective service officials be civilians, as recommended by the Marshall Commission.

Twelfth, it prohibits discrimination of any kind in the makeup of any selective service panels which determine an individual's draft status.

Thirteenth, it calls for a thorough public study of a national service corps, in which individuals seeking nonmilitary service might fulfill their obligation of service to the Nation.

Fourteenth, it calls for a thorough public study of military youth opportunity schools, which would offer special educational and physical assistance to those falling below induction standards who desired to volunteer for military duty.

Fifteenth, it calls for a thorough public study of the ramifications of granting amnesty to those young men who were convicted for refusing induction or who fled the country rather than face the draft.

Sixteenth, it calls for a thorough public study of all aspects of the issue of selective conscientious objectors.

The changes I have summarized are the major reforms in my bill and because certain of them are particularly far-reaching, I would like to discuss them in detail.

DRAFT LOTTERY

As a longtime supporter of random selection, I applauded the President's speedy initiation of a draft lottery following Congress' action in removing the previous restriction in November 1969. However, I believe the lottery can be improved.

The call of inductees should be on a national basis so that everyone with the same lottery number would be called at the same time. Under the present local quota system, a young man with a number of 195 may be drafted in Worcester, Mass. But if he lived in a neighboring town with a different draft board he might never be called. Last year, the range of numbers went from 166 in some towns to a high of 195.

DEFERMENTS

This bill abolishes the undergraduate deferment although permitting a student now receiving an undergraduate deferment to retain it until he completes his undergraduate studies. I have argued that student deferments are grossly inequitable. Seventy-six percent of college students come from families whose income is above the median. In wartime, it is patently unfair that these wealthier registrants should be permitted to stand on the sidelines while their less affluent contemporaries face death on the battlefield.

But even in peacetime, I can see no reason why college students alone should be permitted to pursue their life plans without any interruption while all other young men must have their personal lives and their careers interrupted by military service.

Our experiences in World War II and Korea demonstrate that the problems created by an interruption of college education can be overcome, particularly if Congress provides GI education benefits. Thus, there is no overriding national interest in permitting college deferments, whether in peacetime or in wartime.

CONSCIENTIOUS OBJECTORS

In *Welsh* v. *The United States*, 398 U.S. 333, the Supreme Court interpreted our present conscientious objector laws to mean that any registrant shall be exempted from combatant training and service in the Armed Forces of the United States. If by reason of religious beliefs or by reason of moral or ethical beliefs which are held with the strength of traditional religious convictions, he is conscientiously opposed to participation in war in any form. I believe the Supreme Court's interpretation was constitutionally required and I believe that the statute should now be rewritten to conform to the Court's interpretation. This will permit selective service officials to properly assess an individual registrant's claim that he is a conscientious objector.

Treatment of conscientious objectors has been unequal throughout the country as testimony before the Subcommittee on Administrative Practices and the Marshall Commission demonstrated. Some State systems simply do not agree with the congressional position on conscientious objectors and refuse to confer that status on qualified registrants. My bill would help establish greater uniformity by requiring the Justice Department to play a key role in cases where conscientious objector status has been denied.

PROCEDURAL SAFEGUARDS

Under the current Selective Service System, registrants have neither the the right to counsel nor the right to present witnesses in classification proceedings. Yet, a lawyer and witnesses often are required to present the legal and factual basis for a registrant's claim to conscientious objector status or a hardship deferment.

Under my bill, registrants are accorded the right of a personal appearance, the right to present witnesses and the right to a lawyer at every stage of the classification process.

It has been argued that extending these rights to registrants would greatly complicate the task of the Selective Service System and cause lengthy delays. However, with the establishment of a lottery system from a pool of 19-year-olds and the elimination of most deferments, the Selective Service System will have more time to concentrate on protecting due process in the fewer classification decisions which remain. When the nation threatens a citizen with the possibility of loss of life or liberty, then surely all of the due process guarantees of the Constitution must be afforded him.

DRAFT AS PUNISHMENT

I am opposed to using the draft as punishment for those who engage in activities protesting either the Vietnam war or the draft itself. If a protestor has in fact taken part in illegal activity, then he should be prosecuted under the law's criminal provisions. If found guilty, he should be punished accordingly. But under no circumstances, do I see any justification for local draft boards to reclassify protestors and subject them to immediate induction for their protest. The Supreme Court adopted this position in *Gutknecht* v. *U.S.* 396 U.S. 295. My bill would conform the statute to the Supreme Court decision by prohibiting the use of the draft as punishment.

JUDICIAL REVIEW

My bill would permit judicial review of classification proceedings as to questions of law by eliminating section 10(b)(3) of the 1967 law. This section foreclosed judicial review of classification decisions except as a defense in a criminal proceeding or except in a habeas corpus proceeding after induction. Permitting an expanded judicial review would not unduly hamper the work of the Selective Service System, particularly since the number of deferments has been sharply reduced.

DRAFT SYSTEM REORGANIZATION

My bill incorporates the recommendations of the Marshall Commission regarding reorganization of the Selective Service System, as follows:

A national office, similar to that now existing;

A series of regional offices, perhaps eight in number, corresponding for national security reasons to the eight regions of the Office of Emergency Planning;

A series of area offices, numbering 300 to 500, corresponding to the 231 standard metropolitan statistical areas, the 149 cities over 25,000 outside these SMSA's, with at least one area office in every State;

Appeals boards operating contiguous to these three types of offices.

Under this plan, registration and classification would be handled at the area offices. Local boards would be retained, but their function would be changed. The local boards would become the registrant's court of first appeal, and they would have the authority to sustain or overturn classifications made in the area offices. This insures that the great strength of the local boards—a group of citizens divorced from the Federal system—would be applied where it is most critical.

This new structure will increase the likelihood that the draft law will be administered not by rules of discretion, but by rules of law.

LOCAL BOARD DISCRIMINATION

Before the current draft law was enacted in 1967, local board members were all men. The present law prohibits discrimination on the basis of sex; but it says nothing about discrimination on racial grounds.

Consequently, it is not surprising to see that 97 percent of all local board members in 1966 were white, while only 3 percent of the 16,632 board members were Negro, Spanish, Puerto Rican, oriental, or Indian. However, the following year, some 16 percent of all inductees were from these ethnic minorities.

Although since 1966, some progress has been made, 1969 figures still showed black representation on the local boards at 6 percent while their representation in the total population was 12 percent.

My bill requires the membership of all local boards to represent all elements of the public it serves. My bill also prohibits discrimination based on sex, race, creed, or color.

I believe that the question of a national service alternative to military service when world tensions lessen might be a desirable national policy. However, there is a need to explore questions of length of service, wage levels, and other factors relating to equity if we are to permit a national service such as the Peace Corps or Teacher Corps to be an alternative to the military. For these reasons, I believe we should have a public study of this also. My bill would require it, and the President would have to submit his report to the Congress in 1 year.

MILITARY YOUTH OPPORTUNITY SCHOOLS

Consistent with the legitimate desire to increase the incidence of voluntarism, I believe we must look more closely as ways to achieve the best use of all of the Nation's manpower resources. Although some 2 million men reach draft age each year, our military manpower needs now call for only about 150,000 as draftees. However, another 600,000 men are found to be unqualified for service because of their inability to meet minimum physical and mental standards for active duty. It is estimated that there are more than 5 million men between the ages of 18 and 34 who are unfit for military service.

The Marshall Commission studied the implications of these truly "alarming statistics" and concluded that they reflect weaknesses within our society and directly affect the national security. The Department of Defense responded to this situation in 1966 by instituting Project One Hundred Thousand.

By accepting men who otherwise would have been disqualified because of mental qualifications or easily correctable physical defects and providing them extra tutorial and training assistance, a substantial number have successfully completed basic training. A total of 275,000 men have been accepted into the program through December 1969 who otherwise would have been disqualified. In the first 2 years of the program, some 162,600 men were accepted and 96 percent successfully completed basic training. More than 60 percent went on to receive training in technical specialities which will permit them to return to civilian life after military service with useful and marketable skills.

Unfortunately, thousands of young men still are rejected each year and remain in civilian life unable to compete effectively and prey to the frustrations of all those who are isolated from the mainstream of a society.

My bill would require the Secretary of Defense, in consultation with the Secretaries of Labor and Health, Education, and Welfare, to study and investigate the feasibility of establishing military youth opportunity schools. These schools could build on the successful experience of Project one hundred thousand adding to the number of men who would be eligible for military service, but just as important, adding to the pool of talented and capable men within the Nation.

AMNESTY STUDY

One of the most difficult public policy issues facing the Congress today involves the thousands of young Americans who fled the country or accepted conviction rather than face the draft. Students place this issue on the same high level of moral concern that determines their views about Vietnam, about civil rights, about the draft, and about the quality of American life.

The number of our young men now living outside this country is uncertain. They face criminal prosecution with a sentence up to 5 years and a fine up to $10,000 should they ever return home. Some 4,000 have decided to stand trial, as did Thoreau, and accept the consequences of their opposition to the war. Many are serving Federal prison sentences. In the past, this Nation has been magnanimous enough to grant amnesty following a war. President Andrew Johnson decreed amnesty in 1868 to the southerners and President George Washington did the same in the 18th century to those involved in the Whisky Rebellion.

We must ask whether following the conclusion of the Indochina war, we shall have a permanent band of exiles who cannot return to the United States because they would have to face criminal prosecution for acts long past. We also must consider the equity of permitting amnesty during the war when thousands of young men who did not leave the country or avoid the draft have fought and died in Vietnam.

These are complex issues that cannot be simply answered. It would be extremely helpful to the Congress if we received the thoughts of a special commission on this subject. My bill would require the President to establish the study and to report its conclusions to the Congress within 6 months.

SELECTIVE CONSCIENTIOUS OBJECTORS

A substantial proportion of those Americans who have chosen exile or prison in the face of induction are not opposed to all wars. But they would accept those consequences rather than fight in a war which they regard as immoral. Although there are serious philosophical and administrative problems if we were to consider granting an exemption to persons who oppose a particular war, I believe that Congress and the President should at least consider the question.

I would emphasize that selective conscientious objector's would not need to be exempted from all military service, but only from direct participation in the war they oppose. However, even this limited exemption might severely impair the effectiveness and the morale of the Armed Forces. Furthermore unless every registrant's claim was taken at face value, selective conscientious objector exemptions might present insuperable burdens for the Selective Service System. These are the issues which a study would consider. My bill would require such a study by the President and a report to Congress within 6 months.

CONCLUSION

In conclusion, I believe that my bill completes the work of draft reform begun by the initiation of random selection and the abolition of occupational deferments. It creates a draft system which as far as practicable is equitable, uniform and procedurally fair. I believe this draft system must remain in effect for at least the next 2 years and that it should provide the guideposts for any standby draft we establish in the future.

My bill also increases congressional control over the conduct of foreign affairs by placing a ceiling on the number of persons the President can induct without further congressional action. This provision should receive the support of congressional proponents of the volunteer army legislation.

Mr. President, I ask unanimous consent that the bill I am introducing today be printed at this point in the RECORD.

The PRESIDING OFFICER (Mr. COOK). The bill will be received and appropriately referred; and without objection, the bill will be printed in the RECORD, as requested by the Senator from Massachusetts.

The bill (S. 483) to amend the Military Selective Service Act of 1967 to provide for a fair and random system of selecting persons for induction into military service, to provide for the uniform application of Selective Service policies, to raise the incidence of volunteers in military service, and for other purposes,

introduced by Mr. KENNEDY, was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the RECORD, as follows:

S. 483

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Selective Service Act of 1971."

TITLE I—PURPOSE AND DEFINTIONS

Sec. 101. Short Title
Sec. 102. Findings and Declaration of Purpose
Sec. 103. Definitions
Sec. 104. Saving Provision
Sec. 105. Effective Date

TITLE II—SELECTIVE SERVICE SYSTEM

Sec. 201. Organization
Sec. 202. Emergency Medical Care
Sec. 203. Penalties
Sec. 204. Nonapplicability of Certain Laws
Sec. 205. Selection
Sec. 206. Authority to order Reserve Components to Active Federal Service

TITLE III—THE INDIVIDUAL AND THE SELECTIVE SERVICE SYSTEM

Sec. 301. Registration
Sec. 302. Classification, Training, and Service
Sec. 303. Procedural Rights
Sec. 304. Induction; Limitations
Sec. 305. Length of Service
Sec. 306. Enlistment
Sec. 307. Pay and Allowances
Sec. 308. Decrease in Period of Service
Sec. 309. Medical and Dental Officers
Sec. 310. Exemptions from Registration, Training, and Service
Sec. 311. Veterans' Exemptions
Sec. 312. Reserve Components Exemptions
Sec. 313. Officers' Training; Officials; Ministers of Religion
Sec. 314. Student and Apprentice Deferments
Sec. 315. Conscientious Objectors
Sec. 316. Duration of Exemptions or Deferment
Sec. 317. Minority Discharges
Sec. 318. Moral Standards
Sec. 319. Sole Suriving Son
Sec. 320. Bounties; Substitutes; Purchases of Release
Sec. 321. Reemployment
Sec. 322. Right To Vote
Sec. 323. Civil Relief
Sec. 324. Notice of Title, Voluntary Enlistments
Sec. 325. Repeal of Conflicting Laws; Appropriations
Sec. 326. Aliens

TITLE IV—MISCELLANEOUS

Sec. 401. Military Youth Opportunity Schools
Sec. 402. National Service Corps Study
Sec. 403. Amnesty Study
Sec. 404. Selective Conscientious Objector Study

SHORT TITLE

SEC. 101. This Act may be cited as the "Selective Service Act."

FINDINGS AND DECLARATION OF PURPOSE

SEC. 102. (a) The Congress finds that the maintenance of an adequate armed force is essential to the security of the United States.

(b) The Congress further finds that so long as all eligible persons are not required to serve in the Armed Forces, those who are required to serve should be selected under a system which is fair, just, and adequate to meet the needs of the national defense and at the same time consistent with the enhancement of an effective national economy.

(c) The Congress further finds that the military manpower needs of the Nation should be met to as high a degree as practicable by reliance upon voluntary accessions to military duty.

(d) The Congress further finds that civilian personnel shall be used wherever practical in noncombat positions within the military establishment, and that women should be encouraged to serve both in the Armed Forces and in civilian positions in support of such forces.

(e) It is, therefore, the purpose of this Act to establish procedures for the fair and equitable selection of qualified young men to meet the continuing military manpower needs of the Nation.

DEFINITIONS

SEC. 103. When used in this title—

(a) The term "between the ages of eighteen and twenty-six" shall refer to men who have attained the eighteenth anniversary of the day of their birth and who have not attained the twenty-sixth anniversary of the day of their birth; and other terms designating different age groups shall be construed in a similar manner.

(b) The term "United States", when used in a geographical sense, means the several States, the District of Columbia, Puerto Rico, the Virgin Islands, and Guam.

(c) The term "Armed Forces" includes the Army, the Navy, the Marine Corps, the Air Force, and the Coast Guard.

(d) The term "district court of the United States" includes the courts of the United States for the territories and possessions of the United States.

(e) The term "Director" means the Director of the Selective Service System.

(f) (1) The term "duly ordained minister of religion" means a person who has been ordained, in accordance with the ceremonial ritual, or discipline of a church, religious sect, or organization established on the basis of a community of faith and belief, doctrines and practices of a religious character, to preach and to teach the doctrines of such church, sect, or organization and to administer the rites and ceremonies thereof in public worship, and who as his regular and customary vocation preaches and teaches the principles of religion and administers the ordinances of public worship as embodied in the creed or principles of such church, sect, or organization.

(2) The term "regular minister of religion" means one who as his customary vocation preaches and teaches the principles of religion of a church, a religious sect, or organization of which he is a member, without having been formally ordained as a minister of religion, and who is recognized by such church, sect, or organization as a regular minister.

(3) The term "regular or duly ordained minister of religion" does not include a person who irregularly or incidentally preaches and teaches the principles of religion of a church, religious sect, or organization and does not include any person who may have been duly ordained a minister in accordance with the ceremonial, rite, or discipline of a church, religious sect, or organization, but who does not regularly, as a vocation, teach and preach the principles of religion and administer the ordinances of public worship, as embodied in the creed of principles of his church, sect, or organization.

(g) The term "organized unit", when used with respect to a reserve component, means a unit in which the members thereof are required satisfactorily to participate in scheduled drills and training periods as prescribed by the Secretary of Defense.

(h) The term "reserve component of the Armed Forces" includes, unless the context otherwise requires, the federally recognized National Guard of the United States, the federally recognized Air National Guard of the United States, the Officers' Reserve Corps, the Regular Army Reserve, the Air Force Reserve, the Enlisted Reserve Corps, the Naval Reserve, the Marine Corps Reserve, and the Coast Guard Reserve, and shall include, in addition to the foregoing, the Public Health Service Reserve when serving with the Armed Forces.

SAVINGS PROVISION

SEC. 104. Nothing in this title shall be deemed to amend any provision of the National Security Act of 1947 (61 Stat. 495).

EFFECTIVE DATE

SEC. 105. This title shall become effective immediately.

TITLE II—SELECTIVE SERVICE SYSTEM

ORGANIZATION

SEC. 201. (a) (1) There is hereby established in the executive branch of the Government an agency to be known as the Selective Service System, and a Director of Selective Service who shall be the head thereof.

(2) The Selective Service System shall be composed of (A) the National Selective Service System Office, to be located in Washington, District of Columbia; (B) eight regional headquarters distributed throughout the United States; and (C) such area offices, appeal boards, and other agencies as are hereafter provided.

(3) The Director shall be appointed by the President for a term of six years, with the advice and consent of the Senate, and shall not be eligible for more than two terms.

(4) The Director and all other officers and employees of the Selective Service System shall be civilians.

(5) The Selective Service System shall, to the maximum extent practicable, utilize automatic data processing equipment in carrying out the provisions of this title.

(6) The functions of the Office of Selective Service Records (established by the Act of March 31, 1947) and of the Director of the Office of Selective Service Records are hereby transferred to the Selective Service System and the Director of Selective Service, respectively. The personnel, property, records, and unexpended balances (available or to be made available) of appropriations, allocations, and other funds of the Office of Selective Service Records are hereby transferred to the Selective Service System. The Office of Selective Service Records shall cease to exist upon the taking of effect of the provisions of this title: *Provided,* That, effective upon the termination of this title and notwithstanding such termination in other respects, (A) the said Office of Selective Service Records is hereby reestablished on the same basis and with the same functions as obtained prior to the effective date of this title, (B) said reestablished Office shall be responsible for liquidating any other outstanding affairs of the Selective Service System, and (C) the personnel, property, records, and unexpended balances (available or to be made available) of appropriations, allocations, and other funds of the Selective Service System shall be transferred to such reestablished Office of Selective Service Records.

(b) The President is authorized—

(1) to prescribe the necessary rules and regulations to carry out the provisions of this title;

(2) to appoint a regional director for the Selective Service System for each regional headquarters, who shall be in immediate charge of the regional headquarters; to employ such number of officials as may be necessary for the administration of the national and of the several regional headquarters and area offices of the Selective Service System;

(3) to create and establish one or more area offices in each State with an area of jurisdiction to be established by the Director of the Selective Service on a population basis. Each area office shall consist of an area director, assisted by appropriate staff.

Each area director shall have the power within the respective jurisdiction of such an area office to hear and determine, in strict conformity with the rules and regulations prescribed by the President, and subject to a right of appeal to the local board and from the local board to the appeal boards herein authorized, all questions or claims with respect to inclusion for, or examination or deferment from training and service under this title, of all individuals within the jurisdiction of such area offices, together with such other duties as may be assigned under this title; and

(4) to create and establish within the Selective Service System local boards as well as such other agencies of appeal, as may be necessary to carry out its functions. Each local board shall function in conjunction with an area office as provided in section 24(b)(3) of this title and shall consist of three or more members. The local board shall, under rules and regulations prescribed by the President, and under appropriate precedents have the power within the jurisdiction of such area office to hear and determine appeals from the decisions of an area director subject to the right of further appeal to the appeal boards herein authorized and all other questions relating to inclusion for, or exemption or deferment from, training and service arising under this title. There shall be not less than one appeal board, together with such additional separate panels thereof as may be prescribed by the President, located within the area of each regional headquarters of the Selective Service System. The decision of such appeal boards shall be final in cases before them on appeal unless modified or changed by the President.

(c) No citizen shall be denied membership in any component of the Selective Service System established pursuant to this section on account of race, color, creed, or sex. Composition of the membership on local and appeal boards shall represent, as far as practicable, all elements of the public which the board serves. No citizen shall serve on any such component for more than twenty-five years, or after he has attained the age of sixty-five years.

(d) No person who is an officer, member, agent, or employee of the Office of Selective Service Records, or the Selective Service System, or of any local board or appeal board or other agency of such Office or System, shall be excepted from registration or deferred or exempted from training and service, as provided for in this title, by reason of his status as such officer, member, agent, or employee.

(e) The President is authorized—

(1) to appoint pursuant to the provisions of title 5, United States Code, and to classify and pay pursuant to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, such officers, agents, and employees as he may deem necessary to carry out the provisions of this title: *Provided*, That their compensation may be fixed without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title.

(2) to utilize the services of any or all departments and any and all officers or agents of the United States, and to accept the services of all officers and agents of the several States, territories, and possessions, and subdivisions thereof, and the District of Columbia, and of private welfare organizations, in the execution of this title;

(3) to purchase such printing, binding, and blankbook work from public, commercial, or private printing establishments or binderies upon orders placed by the Public Printer or upon waivers issued in accordance with section 12 of the Printing Act approved January 12, 1895, as amended, and to obtain by purchase, loan, or gift such equipment and supplies for the Selective Service System, as he may deem necessary to carry out the provisions of this title, with or without advertising or formal contract;

(4) to prescribe eligibility, rules, and regulations governing the parole for service in the Armed Forces, or for any other special service established pursuant to this title, or any person convicted of a violation of any of the provisions of this title;

(5) subject to the availability of funds appropriated for such purpose, to procure such space as he may deem necessary to carry out the provisions of this title and Public Law 26, Eightieth Congress, approved March 31, 1947, by lease pursuant to existing statutes, except that the provisions of the Act of June 30, 1932 (47 Stat. 412), as amended by section 15 of the Act of March 3, 1933 (47 Stat. 1517; 40 U.S.C. 278a), shall not apply to any lease entered into under the authority of this title;

(6) subject to the availability of funds appropriated for such purposes, to determine the location of such additional temporary installations as he may deem essential; to utilize and enlarge such existing installations; to construct, install, and equip, and to complete the construction, installation, and equipment of such buildings, structures, utilities, and appurtenances (including the necessary grading and removal, repair or remodeling of existing structures and installations), as may be necessary to carry out the provisions of this title; and, in order to accomplish the purpose of this title, to acquire lands, and rights pertaining thereto, or other interests therein, for temporary use thereof, by donation or lease, and to prosecute construction thereon prior to the approval of the title by the Attorney General as required by section 355, Revised Statutes, as amended;

(7) to delegate any authority vested in him under this title, and to provide for the subdelegation of any such authority.

(f) In the adminstration of this title, gifts of supplies, equipment, and voluntary services may be accepted.

(g) The Chief of Finance, United States Army, is authorized to act as the fiscal, disbursing, and accounting agent of the Director in carrying out the provisions of this title.

(h) The Director is authorized to make final settlement of individual claims, for amounts not exceeding $50, for travel and other expenses of uncompensated personnel of the Office of Selective Service Records, or the Selective Service System, incurred while in the performance of official duties, without regard to other provisions of law governing the travel of civilian employees of the Federal Government.

(i) The Director of Selective Service shall submit to the Congress semiannually a written report covering the operation of the Selective Service System and such report shall include, by States, information as to the number of persons registered under this Act; the number of persons inducted into the military service under this Act; the number of deferments granted under this Act and the basis for such deferments; and such other specific kinds of information as the Congress may from time to time request.

EMERGENCY MEDICAL CARE

SEC. 202. Under such rules and regulations as may be prescribed by the President, funds available to carry out the provisions of this title shall also be available for the payment of actual and reasonable expenses of emergency medical care, including hospitalization, of registrants who suffer illness or injury, and the transportation, and burial, of the remains of registrants who suffer death, while acting under orders issued under the provisions of this title, but such burial expenses shall not exceed an amount to be determined by the President.

PENALTIES

SEC. 203. (a) Any member of the Selective Service System or any other person charged as herein provided with the duty of carrying out any of the provisions of this title, or the rules or regulations made or directions given thereunder, who shall knowingly fail or neglect to perform such duty, and any person charged with such duty, or having and exercising any authority under said title, rules, regulations, or directions who shall knowingly make, or be a party to the making, of any false, improper, or incorrect registration, classification, physical or mental examination, deferment, induction, enrollment, or muster, and any person who shall knowingly make, or be a party to the making of, any false statement or certificate regarding or bearing upon a classification or in support of any request for a particular classification, for service under the provisions of this title, or rules, regulations, or directions made pursuant thereto, or who otherwise evades or refuses registration or service in the Armed Forces or any of the requirements of this title, or who knowingly counsels, aids, or abets another to refuse or evade registration or service in the Armed Forces or any of the requirements of this title, or of said rules, regulations, or directions, or who in any manner shall knowingly fail or neglect or refuse to perform any duty required of him under or in the execution of this title, or rules, regulations, or directions made pursuant to this title, or any person or persons who shall knowingly hinder or interfere or attempt to do so in any way, by force or violence or otherwise, with the administration of this title or the rules or regulations made pursuant thereto, or who conspires to commit any one or more of such offenses, shall, upon conviction in any district court of the United States of competent jurisdiction, be punished by imprisonment for not more than five years or a fine of not more than $10,000, or by both such fine and imprisonment, or if subject to military or naval law may be tried by court martial, and, on conviction, shall suffer such punishment as a court martial may direct. No person shall be tried by court martial in any case arising under this title unless such person has been actually inducted for the training and service prescribed under this title or unless he is subject to trial by court martial under laws in force prior to the enactment of this title. Precedence shall be given by courts to the trial of cases arising under this title, and such cases shall, upon request of the Attorney General, be advanced on the docket for hearing at the earliest practicable date.

(b) Any person (1) who knowingly transfers or delivers to another, for the purpose of aiding or abetting the making of any false identification or representation, any registration certificate, alien's certificate of nonresidence, or any other certificate issued pursuant to or prescribed by the provisions of this title, or rules or regulations promulgated hereunder; or (2) who, with intent that it be used for any purpose of false identification or representation, has in his possession any such certificate not duly issued to him; or (3) who forges, alters, knowingly destroys, knowingly mutilates, or in any manner changes any such certificate or any notation duly and validly inscribed thereon; or (4) who, with intent that it be used for any purpose of false identification or representation, photographs, prints, or in any manner makes or executes any engraving, photograph, print, or impression in the likeness of any such certificate, or any colorable imitation thereof; or (5) who has in his possession any certificate purporting to be a certificate issued pursuant to this title, or rules and regulations promulgated hereunder, which he knows to be falsely made, reproduced, forged, counterfeited, or altered; or (6) who knowingly violates or evades any

of the provisions of this title or rules and regulations promulgated pursuant thereto relating to the issuance, transfer, or possession of such certificate, shall, upon conviction, be fined not to exceed $10,000 or be imprisoned for not more than five years, or both. Whenever on trial for a violation of this subsection the defendant is shown to have or to have had possession of any certificate not duly issued to him, such possession shall be deemed sufficient evidence to establish an intent to use such certificate for purposes of false identification or representation, unless the defendant explains such possession to the satisfaction of the jury.

NONAPPLICABILITY OF CERTAIN LAWS

SEC. 204. (a) Nothing in section 203, 205, or 207 of title 18 of the United States Code, or in the second sentence of subsection (a) of section 9 of the Act of August 2, 1939 (53 Stat. 1148), entitled "An Act to prevent pernicious political activities", as amended, shall be deemed to apply to any person because of his appointment under authority of this title or the regulations made pursuant thereto as an uncompensated official of the Selective Service System, or as an individual to conduct hearings on appeals of persons claiming exemption from combatant or noncombatant training because of conscientious objections, or as a member of the National Selective Service Appeal Board.

(b) All functions performed under this title shall be excluded from the operation of the Administrative Procedure Act (60 Stat. 237) except as to the requirements of section 3 of such Act.

SELECTION

SEC. 205. (a) The selection of persons for training and service will be made in a fair and impartial manner from the persons who are liable for such training and service and who at the time of selection are registered and classified, but not deferred or exempted.

(b) The order of induction of registrants found qualified for induction shall be determined as follows:

(1) Selection of persons for induction to meet the military manpower needs shall be made from persons in the prime selection group, after the selection of delinquents and volunteers.

(2) The term "prime selection groups" means persons who are liable for training and service under this title, and who at the time of selection are registered and classified and are nineteen years of age and not deferred or exempted;

(3) A person shall remain in the prime selection group for a period of twelve months, unless inducted into the Armed Forces during such period. Any person in a deferred status upon reaching the age of nineteen shall, upon the termination of such deferred status, and if qualified, be liable for twelve months for induction as a registrant within the prime selection group irrespective of his actual age, unless he is otherwise deferred. Any person removed from the prime selection group because of a deferment shall again be placed in the prime selection group, if he otherwise qualifies, whenever such deferment is terminated. But no person shall remain in the prime selection group for any period or periods totaling more than twelve months.

(4) The order of call for induction from among those persons in the prime selection group shall be determined as follows:

Under such rules and regulations as the President shall prescribe—

(A) the Selective Service System shall publish a list of days randomly arranged, corresponding to the days in the year;

(B) those persons first called from the prime selection group for the particular year will be those whose day of birth is the same as the first day on the list; those next called will be those whose day of birth is the second day on the list; and this procedure shall be followed until the particular year's quota is met;

(C) the Selective Service System shall also from time to time publish a list of the letters of the alphabet randomly arranged. In the event that the procedure described in clause (B) just above does not serve to distinguish clearly an order of call as between two or more persons, then reference shall be made to the list of letters and the first letter of the last names of such persons to determine such an order of call; and

(D) the determination of order of call shall be made upon a national basis.

(b) The President shall have the power to provide, through appropriate rules and regulations, for the orderly transition to the random selection system enacted herein from any such system already in existence on the effective date of this Act.

(c) Nothing herein shall be construed to prohibit the President, under such rules and regulations as he may prescribe, from establishing a separate and distinct selection system for persons found by him to have special skills essential to the national defense.

(d) There shall be no discrimination against any person on account of race, color, or creed in the selection of persons for training and service under this title or in the interpretation and execution of any provision of this title.

(e) No order for induction shall be issued under this title to any person who has not attained the age of nineteen years unless the President finds that such action is in the national interest.

(f) Notwithstanding any other provision of law, except section 314 of the Immigration and Nationality Act (8 U.S.C. 1425), no person who is qualified in a needed medical, dental, or allied specialist category, and who is liable for induction under section 4 of this title, shall be held to be ineligible for appointment as a commissioned officer of an armed force of the United States on the sole ground that he is not a citizen of the United States or has not made a declaration of intent to become a citizen thereof, and any such person who is not a citiezn of the United States and who is appointed as a commissioned officer may, in lieu of the oath prescribed by section 1331 of title 5, United States Code, take such oath of service and obedience as the Secretary of Defense may prescribe.

(g) For the purposes of regulations issued under this Act, a delinquent is a person who is required to be registered under this Act and who fails to perform or who violates any duty, with respect to his own status, required of him under the provisions of this Act and the regulations issued thereunder.

AUTHORITY TO ORDER RESERVE COMPONENTS TO ACTIVE FEDERAL SERVICE

SEC. 206. Until July 1, 1953, and subject to the limitations imposed by section 2 of the Selective Service Act of 1948, as amended, the President shall be authorized to order into the active military or naval service of the United States for a period of not to exceed twenty-four consecutive months, with or without their consent, any or all members and units of any or all Reserve components of the Armed Forces of the United States and retired personnel of the Regular Armed Forces. Unless he is sooner released under regulations prescribed by the Secretary of the military department concerned, any member of the Inactive or Volunteer Reserve who served on active duty for a period of twelve months or more in any branch of the Armed Forces between the period December 7, 1941, and September 2, 1945, inclusive, who is now or may hereafter be ordered to active duty pursuant to this section, shall upon completion of seventeen or more months of active duty since June 25, 1950, if he makes application therefor to the Secretary of the branch of service in which he is serving, be released from active duty and shall not thereafter be ordered to active duty for periods in excess of thirty days without his consent except in time of war or national emergency hereafter declared by the Congress: *Provided*, That the foregoing shall not apply to any member of the Inactive or Volunteer Reserve ordered to active duty whose rating or specialty is found by the Secretary of the military department concerned to be critical and whose release to inactive duty prior to the period for which he was ordered to active duty would impair the efficiency of the military department concerned.

The President may retain the unit organizations and the equipment thereof, exclusive of the individual members thereof, in the active Federal service for a total period of five consecutive years, and upon being relieved by the appropriate Secretary from active Federal service, National Guard, or Air National Guard units, shall, insofar as practicable, be returned to their National Guard or Air National Guard status in their respective States, territories, the District of Columbia, and Puerto Rico, with pertinent records, colors, histories, trophies, and other historical impedimenta.

TITLE III—THE INDIVIDUAL AND THE SELECTIVE SERVICE SYSTEM

REGISTRATION

SEC. 301. (a) It shall be the duty of every male citizen of the United States, and of every male alien in the United States in the status of an alien admitted for permanent residence, upon attaining the eighteenth anniversary of his date of birth to register with the Selective Service System in accordance with such rules and regulations as may be prescribed by the President. Any male alien in the United States in the status of an alien admitted for permanent residence who has not heretofore registered with the Selective Service System shall be required to do so within six months after the date of enactment of the Selective Service Act of 1969.

(b) It shall be the duty of every registrant to keep the Selective Service System informed as to his current address and changes in status according to the terms of such rules and regulations as the President may prescribe.

CLASSIFICATION, TRAINING, AND SERVICE

SEC. 302. (a) Except as otherwise provided in this title, every person registered under the provisions of section 3 of this title who is between the ages of eighteen years and six months and twenty-six years shall be liable for training and service in the Armed Forces of the United States.

(b) Each registrant shall be liable immediately for classification and examination, and shall, as soon as practicable following his registration, be examined physically and mentally in order to determine his suitability for induction for training and service in the Armed Forces. Each registrant shall be classified on the basis of such examination to indicate his availability for induction for training service in the Armed Forces.

(c) Notwithstanding any other provision of law, any registrant who has failed or refused to report for a physical and mental examination in order to determine his suitability for induction in the Armed Forces, shall continue to remain liable for such examination and induction until relieved of this liability under such conditions as the President shall prescribe.

(d) Any alien admittted for permanent residence shall not be liable for training and service until he has resided in the United States for a total period of one year: *Provided*, That any alien relieved from liability for training and service under an existing treaty shall be permanently ineligible to become a citizen of the United States: *Provided further*, That any alien shall be re-

lieved from liability for training and service under this title if, prior to his induction, his status is adjusted to that of a nonimmigrant, but any alien who obtains such an adjustment pursuant to section 247(c) of the Immigration and Nationality Act, as amended, shall be permanently ineligible to become a citizen of the United States: *And provided further,* That any alien who has been in the United States as a nonimmigrant and whose status is adjusted to that of a permanent resident, or who is readmitted to the United States as a permanent resident within one year of his departure shall have his liability for training and service extended as if he had been deferred and his liability had been extended under the provisions of this title.

(d) Nothing in this section shall be construed as superseding the provisions of any existing treaties of the United States.

PROCEDURAL RIGHTS

SEC. 303. Each registrant shall be afforded the opportunity to appear in person before the area office, regional office, local board, or other agency of the Selective Service System to present testimony or other evidence regarding his status. He shall also have the right to present witnesses on his behalf, under such rules and regulations as the President may prescribe. Each registrant shall further have the right to be represented before such office, board or other agency by private counsel. If any registrant is financially unable to provide his own counsel, upon his request such counsel shall be made available without charge, under such rules and regulations as the President may prescribe.

A quorum of the office, board or other agency shall be present during the registrant's personal appearance. Every decision by such office, board or other agency shall be accompanied by a written opinion setting forth the reasons for the decision.

INDUCTION; LIMITATIONS

SEC. 304(a) The President is authorized to induct for training and service in the Armed Forces 150,000 persons each year unless authorized to induct a greater number by a joint resolution of the Congress. This authorization shall obtain whether or not a state of war exists and shall be exercised in the manner provided in this title.

(b) Persons inducted into the Armed Forces for training and service under this title shall be assigned to stations or units of such forces. Persons inducted into the land forces of the United States pursuant to this title shall be deemed to be members of the Army of the United States; persons inducted into the naval forces of the United States pursuant to this title shall be deemed to be members of the United States Navy or the United States Marine Corps or the United States Coast Guard, as appropriate; and persons inducted into the air forces of the United States pursuant to this title shall be deemed to be members of the Air Force of the United States.

(c) Every person inducted into the Armed Forces pursuant to the authority of this section shall, following his induction, be given full and adequate military training for a period of not less than four months, and no such person shall, during this four months period, be assigned for duty at any installation located on land outside the United States, its territories and possessions (including the Canal Zone).

(d) No person in the medical, dental, and allied specialist categories shall be inducted under the provisions of this section if he applies or has applied for an appointment as a Reserve officer in one of the Armed Forces in any of such categories and is or has been rejected for such appointment on the sole ground of a physical disqualification.

(e) No person, without his consent, shall be inducted for training and service in the Armed Forces, except as otherwise provided in this title, after he has attained the twenty-sixth anniversary of the day of his birth.

(f) No person shall be inducted into the Armed Forces for training and service under this title until his acceptability in all respects, including his physical and mental fitness, has been satisfactorily determined under standards prescribed by the Secretary of Defense. The physical and mental standards which a person must meet in order to qualify for induction shall be no lower than those prescribed for persons who voluntarily enlist for service in the Army of the United States.

(g) No person shall be inducted for such training and service until adequate provision shall have been made for such shelter, sanitary facilities, water supplies, heating and lighting arrangements, medical care, and hospital accommodations for such persons as may be determined by the Secretary of Defense (or the Secretary of Transportation with respect to the United States Coast Guard) to be essential to public and personal health.

(h) Notwithstanding any other provision of law, any registrant who has failed or refused to report for induction shall continue to remain liable for induction until relieved of this liability under such conditions as the President shall prescribe.

LENGTH OF SERVICE

SEC. 305. (a) Each person inducted into the Armed Forces under the provisions of this title shall serve on active training and service for a period of twenty-four consecutive months, unless sooner released, transferred, or discharged in accordance with procedures prescribed by the Secretary of Defense (or the Secretary of Transportation with respect to the United States Coast Guard) or as otherwise prescribed by this title. The Secretaries of the Army, Navy, and Air Force, with the approval of the Secretary of Defense (and the Secretary of Transportation with respect to the United States Coast Guard), may provide, by regulations which shall be as nearly uniform as practicable, for the release from training and service in the Armed Forces prior to serving the periods required by this section of individuals who have volunteered for and are accepted into organized units of the Army National Guard, the Air National Guard, and other reserve components of the Armed Forces.

(b) Each person who hereafter and prior to the enactment of the 1951 Amendments to the Universal Military Training and Service Act is inducted, enlisted, or appointed and serves for a period of less than three years in one of the Armed Forces and meets the qualifications for enlistment or appointment in a reserve component of the armed force in which he serves, shall be transferred to a reserve component of such armed force, and until the expiration of a period of five years after such transfer, or until he is discharged from such reserve component, whichever occurs first, shall be deemed to be a member of such reserve component and shall be subject to such additional training and service as may now or hereafter be prescribed by law for such reserve component: *Provided,* That any such person who completes at least twenty-one months of service in the Armed Forces and who thereafter serves satisfactorily (1) on active duty in the Armed Forces under a voluntary extension for a period of at least one year, which extension is hereby authorized, or (2) in an organized unit of any reserve component of any of the Armed Forces for a period of at least thirty-six consecutive months, shall, except in time of war or national emergency declared by the Congress, be relieved from any further liability under this subsection to serve in any reserve component of the Armed Forces of the United States, but nothing in this subsection shall be construed to prevent any such person, while in a reserve component of such forces, from being ordered or called to active duty in such forces.

ENLISTMENT

SEC. 306. (a) Any person between the ages of eighteen years and six months and twenty-six years shall be offered an opportunity to enlist in the Regular Army for a period of service equal to that prescribed in this title: *Provided,* That, notwithstanding the provisions of this or any other Act, any person so enlisting shall not have his enlistment extended without his consent until after a declaration of war or national emergency by the Congress after the date of enactment of the Selective Service Act of 1971.

(b) Any enlisted member of any reserve component of the Armed Forces may, during the effective period of this title, apply for a period of service equal to that prescribed in section 6 of this title, and his application shall be accepted if his services can be effectively utilized and his physical and mental fitness for such service meet the standards prescribed by the head of the department concerned. Active service performed pursuant to this section shall not prejudice the status of any such as a member of a reserve component. Any person who was a member of a reserve component on June 25, 1950, and who thereafter continued to serve satisfactorily in such reserve component, shall, if his application for active duty made pursuant to this paragraph is denied, be deferred from induction under this title until such time as he is ordered to active duty or ceases to serve satisfactorily in such reserve component.

(c) Any person between the ages of eighteen years and six months and twenty-six years shall be afforded an opportunity to volunteer for induction into the Armed Forces of the United States for the training and service prescribed in section 5, but any person who so volunteers shall be inducted for such training and service, so long as he is deferred after classification, only as prescribed by the President.

(d) Any person after attaining the age of seventeen shall, with the written consent of his parents or guardian, be afforded an opportunity to volunteer for induction into the Armed Forces of the United States for the training and service prescribed in section 5.

PAY AND ALLOWANCES

SEC. 307. (a) With respect to the persons inducted for training and service under this title, there shall be paid, allowed, and extended the same pay, allowances, pensions, disability and death compensation, and other benefits as are provided by law in the case of other enlisted men of like grades and length of service of that component of the Armed Forces to which they are assigned. Section 3 of the Act of July 25, 1947 (Public Law 239, Eightieth Congress), is hereby amended by deleting therefrom the following: "Act of March 7, 1942 (56 Stat. 143–148, ch. 166), as amended". The Act of March 7, 1942 (56 Stat. 143–148), as amended, as hereby made applicable to persons inducted into the Armed Forces pursuant to this title.

(b) Notwithstanding any other provision of law, any person who is inducted into the Armed Forces under this Act and who before being inducted, was receiving compensation from any person may, while serving under that induction, receive compensation from that person.

DECREASE IN PERIOD OF SERVICE

SEC. 308. (a) Upon a finding by him that such action is justified by the strength of the Armed Forces in the light of national and international conditions, the President, upon recommendations of the Secretary of Defense, is authorized by Executive order, which shall be uniform in its application to

all persons inducted under this title but which may vary as to age groups, to provide for (1) decreasing periods of service under this title but in no case to a lesser period of time than can be economically utilized, or (2) eliminating periods of service required under this title.

MEDICAL AND DENTAL OFFICERS

SEC. 309. (a) The President may order to active duty (other than for training), as defined in section 101(22) of title 10, United States Code, for a period of not more than twenty-four consecutive months, with or without his consent, any member of a reserve component of the Armed Forces of the United States who is in a medical, dental, or allied specialist category, who has not attained the thirty-fifth anniversary of the date of his birth, and has not performed at least one year of active duty (other than for training). This subsection does not affect or limit the authority to order members of the reserve components to active duty contained in section 672 of title 10, United States Code.

(b) For the purposes of computation of the periods of active duty (other than for training) referred to in subsection (1), credit shall be given to all periods of one day or more performed under component orders, except that no credit shall be allowed for periods spent in student programs prior to receipt of the appropriate professional degree or in intern training.

(c) Any person who is called or ordered to active duty (other than for training) from a reserve component of the Armed Forces of the United States after September 5, 1950, and thereafter serves on active duty (other than for training) as a medical, dental, or allied specialist for a period of twelve months or more shall, upon release from active duty or within six months thereafter, be afforded an opportunity to resign his commission from the reserve component of which he is a member unless he is otherwise obligated to serve on active military training and service in the Armed Forces or in training in a reserve component by law or contract.

(d) Any physician or dentist who meets the qualifications for a Reserve commission in the respective military department shall, so long as there is a need for the services of such a physician or dentist, be afforded an opportunity to volunteer for a period of active duty (other than for training) of not less than twenty-four months. Any physician or dentist who so volunteers his service, and meets the qualifications for a Reserve commission shall be ordered to active duty (other than for training) for not less than twenty-four months, notwithstanding the grade or rank to which such physician or dentist is entitled.

(e) Notwithstanding any other provision of law, any qualified person who—

(1) is liable for induction; or

(2) as a member of a reserve component is ordered to active duty,

as a physician, or dentist, or in an allied specialist category in the Armed Forces of the United States, shall, under regulations prescribed by the President, be appointed, reappointed, or promoted to such grade or rank as may be commensurate with his professional education, experience, or ability: *Provided*, That any person in a needed medical, dental, or allied specialist category who fails to qualify for, or who does not accept, a commission, or whose commission has been terminated, may be used in his professional capacity in an enlisted grade.

EXEMPTIONS FROM REGISTRATION, TRAINING, AND SERVICE

SEC. 310. (a) Foreign diplomatic representatives, technical attachés of foreign embassies and legations, consuls general, consuls, vice consuls, and other consular agents of foreign countries who are not citizens of the United States, and members of their families, shall not be required to be registered under section 3 and shall be relieved from liability for training and service under section 4.

(b) Any person who subsequent to June 24, 1948, serves on active duty for a period of not less than twevle months in the armed forces of a nation with which the United States is associated in mutual defense activities as defined by the President, may be exempted from training and service, but not from registration, in accordance with regulations prescribed by the President, except that no such exemption shall be granted to any person who is a national of a country which does not grant reciprocal privileges to citizens of the United States: *Provided*, That any active duty performed prior to June 24, 1948, by a person in the armed forces of a country allied with the United States during World War II and with which the United States is associated in such mutual defense activities, shall be credited in the computation of such twelve-month period: *Provided further*, That any person who is in a medical, dental, or allied specialist category not otherwise deferred or exempted under this subsection shall be liable for registration and training and service until the thirty-fifth anniversary of the date of his birth.

(c) Commissioned officers of the Public Health Service and members of the reserve of the Public Health Service while on active duty and assigned to staff the various offices and bureaus of the Public Health Service including the National Institutes of Health, or assigned to any endeavor which the President determines is necessary to the maintenance of the national health, safety, or interest shall be exempted from training and service, but not from registration.

VETERANS' EXEMPTIONS

SEC. 311. (a) No person who served honorably on active duty between September 16, 1940, and the date of enactment of this title for a period of twelve months or more, or between December 7, 1941, and September 2, 1945, for a period in excess of ninety days, in the Army, the Air Force, the Navy, the Marine Corps, the Coast Guard, the Public Health Service, or the armed forces of any country allied with the United States in World War II prior to September 2, 1945, shall be liable for induction for training and service under this title, except after a declaration of war or national emergency made by the Congress subsequent to the date of enactment of this title.

(b) No person who served honorably on active duty between September 16, 1940, and the date of enactment of this title for a period of ninety days or more but less than twelve months in the Army, the Air Force, the Navy, the Marine Corps, the Coast Guard, the Public Health Service, or the armed forces of any country allied with the United States in World War II prior to September 2, 1945, shall be liable for induction for training and service under this title, except after a declaration of war or national emergency made by the Congress subsequent to the date of enactment of this title, if—

(1) the local board determines that he is regularly enlisted or commissioned in any organized unit of a reserve component of the armed force in which he served, provided such unit is reasonably accessible to such person without unduly interrupting his normal pursuits and activities (including attendance at a college or university in which he is regularly enrolled), or in a reserve component (other than in an organized unit) of such armed force in any case in which enlistment or commission in an organized unit of a reserve component of such armed force is not available to him; or

(2) the local board determines that enlistment or commission in a reserve component of such armed force is not available to him or that he has voluntarily enlisted or accepted appointment in an organized unit of a reserve component of an armed force other than the Armed Force in which he served.

Nothing in this paragraph shall be deemed to be applicable to any person to whom subsection (a) of this section is applicable.

(c) Notwithstanding any other provision of this Act, no person who (1) has served honorably on active duty after September 16, 1940, for a period of not less than one year in the Army, the Air Force, the Navy, the Marine Corps, or the Coast Guard, or (2) subsequent to September 16, 1940, was discharged for the convenience of the Government after having served honorably on active duty for a period of not less than six months in the Army, the Air Force, the Navy, the Marine Corps, or the Coast Guard, or (3) has served for a period of not less than twenty-four months (A) as a commissioned officer in the Public Health Service or (B) as a commissioned officer in the Environmental Science Services Administration (previously the Coast and Geodetic Survey), shall be liable for induction for training and service under this Act, except after a declaration of war, or national emergency made by the Congress subsequent to the date of enactment of this Act.

(d) No person who is honorably discharged upon the completion of an enlistment pursuant to section 7 shall be liable for induction for training and service under this title, except after a declaration of war or national emergency made by the Congress subsequent to the date of enactment of this Act.

(e) For the purposes of computation of the periods of active duty referred to in paragraph (a), (b), or (c) of this subsection, no credit shall be allowed for—

(1) periods of active duty training performed as a member of a reserve component pursuant to an order or call to active duty solely for training purposes;

(2) periods of active duty in which the service consisted solely of training under the Army specialized training program, the Army Air Force college training program, or any similar program under the jurisdiction of the Navy, Marine Corps, or Coast Guard;

(3) periods of active duty as a cadet at the United States Military Academy or United States Coast Guard Academy, or as a midshipman at the United States Naval Academy, or in a preparatory school after nomination as a principal, alternate, or candidate for admission to any of such academies;

(4) periods of active duty in any of the Armed Forces while being processed for entry into or separation from any educational program or institution referred to in paragraph (2) or (3); or

(5) periods of active duty performed by medical, dental, or allied specialists in student programs prior to receipt of the appropriate professional degree or in intern training.

RESERVE COMPONENT'S EXEMPTIONS

SEC. 312. (a) Persons who, on February 1, 1951, were members of organized units of the federally recognized National Guard, the federally recognized Air National Guard, the Officers' Reserve Corps, the Regular Army Reserve, the Air Force Reserve, the Enlisted Reserve Corps, the Naval Reserve, the Marine Corps Reserve, the Coast Guard Reserve, or the Public Health Service Reserve, shall, so long as they continue to be such members and satisfactorily participate in scheduled drills and training periods as prescribed by the Secretary of Defense, be exempt from training and service by induction under the provisions of this title, but shall not be exempt from registration.

(b) (1) Any person, other than a person

referred to in subsection (d) of this section, who—

(A) prior to the issuance of orders for him to report for induction; or

(B) prior to the date scheduled for his induction and pursuant to a proclamation by the Governor of a State to the effect that the authorized strength of any organized unit of the National Guard of that State cannot be maintained by the enlistment or appointment of persons who have not been issued orders to report for induction under this title; or

(C) prior to the date scheduled for his induction and pursuant to a determination by the President that the strength of the Ready Reserve of the Army Reserve, Naval Reserve, Marine Corps Reserve, Air Force Reserve, or Coast Guard Reserve cannot be maintained by the enlistment or appointment of persons who have not been issued orders to report for induction, under this title;

enlists or accepts appointment, berfore attaining the age of twenty-six years in the Ready Reserve of any reserve component of the Armed Forces, the Army National Guard, or the Air National Guard, shall be deferred from training and service under this title so long as he serves satisfactorily as a member of an organized unit of such Reserve or National Guard in accordance with section 270 of title 10 or section 502 of title 32, United States Code, as the case may be, or satisfactorily performs such other Ready Reserve service as may be prescribed by the Secretary of Defense. Notwithstanding the provisions of section 16, no person deferred under this paragraph who has completed six years of such satisfactory service as a member of the Ready Reserve or National Guard, and who during such service has performed active duty for training with an armed force for not less than four consecutive months, shall be liable for induction for training and service under this Act, except after a declaration of war or national emergency made by the Congress after August 9, 1955. In no event shall the number of enlistments or appointments made under authority of this paragraph in any fiscal year in any reserve component of the Armed Forces or in the Army National Guard or the Air National Guard cause the personnel strength of such reserve component or the Army National Guard or the Air National Guard, as the case may be, to exceed the personnel strength for which funds have been made available by the Congress for such fiscal year.

(2) A person who, under the provision of law, is exempt or deferred from training and service under this Act by reason of membership in a reserve component, the Army National Guard, or the Air National Guard, as the case may be, shall, if he becomes a member of another reserve component, the Army National Guard, or the Air National Guard, as the case may be, continue to be exempt or deferred to the same extent as if he had not become a member of another reserve component, the Army National Guard, or the Air National Guard, as the case may be, so long as he continues to serve satisfactorily.

(3) Except as provided in section 13 and the provisions of this section, no person who becomes a member of a reserve component after February 1, 1951, shall thereby be exempt from registration or training and service by induction under the provisions of this Act.

(4) Notwithstanding any other provision of this Act, the President, under such rules and regulations as he may prescribe, may provide that any person enlisted or appointed after October 4, 1961, in the Ready Reserve of any reserve component of the Armed Forces (other than under section 511 (b) of title 10, United States Code), the Army National Guard, or the Air National Guard, prior to attaining the age of twenty-six years, or any person enlisted or appointed in the Army National Guard or the Air National Guard or enlisted in the Ready Reserve of any reserve component prior to attaining the age of eighteen years and six months and deferred under the prior provisions of this paragraph as amended by the Act of October 4, 1961, Public Law 87-378 (75 Stat. 807), or under section 262 of the Armed Forces Reserve Act of 1952, as amended, who mails to serve satisfactorily during his obligated period of service as a member of such a Ready Reserve or National Guard or the Ready Reserve of another reserve component or the National Guard of which he becomes a member, may be selected for train ing and service and inducted into the armed force of which such reserve component is a part, prior to the selection and induction of other persons liable therefor.

OFFICERS' TRAINING; OFFICIALS; MINISTERS OF RELIGION

SEC. 313. (a) (1) Within such numbers as may be prescribed by the Secretary of Defense, any person who (A) has been or may hereafter be selected for enrollment or continuance in the senior division, Reserve Officers' Training Corps, or the Air Reserve Officers' Training Corp, or the Naval Reserve Officers' Training Corps, or the naval and Marine Corps officer candidate training program established by the Act of August 13, 1946 (60 Stat. 1057), as amended, or the Reserve officers' candidate program of the Navy, or the platoon leaders' class of the Marine Corps, or the officer procurement programs of the Coast Guard and the Coast Guard Reserve, or appointed as ensign, United States Naval Reserve, while undergoing professional training; (B) agrees, in writing, to accept a commission, if tendered, and to serve, subject to order of the Secretary of the military department having jurisdiction over him (or the Secretary of Transportation with respect to the United States Coast Guard), not less than two years on active duty after receipt of a commission; and (C) agrees to remain a member of a regular or reserve component until the eighth anniversary of the receipt of a commission in accordance with his obligation under the first sentence of section 4(d)(3) of this Act, or until the sixth anniversary of the receipt of a commission in accordance with his obligation under the second sentence of section 4(d)(3) of this Act, shall be deferred from induction under this title until after completion or termination of the course of instruction and so long as he continues in a regular or reserve status upon being commissioned, but shall not be exempt from registration. Such persons, except those persons who have previously completed an initial period of military training or an equivalent period of active military training and service, shall be required while enrolled in such program to complete a period of training equal (as determined under regulations approved by the Secretary of Defense or the Secretary of Transportation with respect to the United States Coast Guard) in duration and type of training to an initial period of military training. There shall be added to the obligated active commissioned service of any person who has agreed to perform such obligatory service in return for financial assistance while attending a civilian college under any such training program a period of not to exceed one year. Except as provided in paragraph (5), upon the successful completion by any person of the required course of instruction under any program listed in clause (A) of the first sentence of this paragraph, such person shall be tendered a commission in the appropriate reserve component of the Armed Forces if he is otherwise qualified for such appointment. If, at the time of, or subsequent to, such appointment, the armed force in which such person is commissioned does not require his service on active duty in fulfillment of the obligation undertaken by him in compliance with clause (B) of the first sentence of this paragraph, such person shall be ordered to active duty for training with such armed force in the grade in which he was commissioned for a period of active duty for training of not less than three months or more than six months (not including duty performed under section 270(a) of title 10, United States Code), as determined by the Secretary of the military department concerned to be necessary to qualify such person for a mobilization assignment. Upon being commissioned and assigned to a reserve component, such person shall be required to serve therein, or in a reserve component of any other armed force in which he is later appointed, until the eighth anniversary of the receipt of such commission pursuant to the provisions of this section. So long as such person performs satisfactory service, as determined under regulations prescribed by the Secretary of Defense, he shall be deferred from training and service under the provisions of this Act. If such person fails to perform satisfactory service, and such failure is not excused under regulations prescribed by the Secretary of Defense, his commission may be revoked by the Secretary of the military department concerned.

(2 In addition to the training programs enumerated in paragraph (1) of this subsection, and under such regulations as the Secretary of Defense (or the Secretary of Transportation with respect to the United States Coast Guard) may approve, the Secretaries of the military departments and the Secretary of Transpotration are authorized to establish officer candidate programs leading to the commissioning of persons on active duty. Any person heretofore or hereafter enlisted in the Army Reserve, the Naval Reserve, the Marine Corps Reserve, the Air Force Reserve, or the Coast Guard Reserve who thereafter has been or may be commissioned therein upon graduation from an officers' candidate school of such armed forces shall, if not ordered to active duty as a commissioned officer, be deferred from training and service under the provisions of this Act so long as he performs satisfactory service as a commissioned officer in an appropriate unit of the Ready Reserve, as determined under regulations prescribed by the Secretary of the department concerned. If such person fails to perform satisfactory service in such unit, and such failure is not excused under such regulations, his commission may be revoked by such Secretary.

(3) Notwithstanding paragraph (1), upon the successful completion by any person of the required course of instruction under any Reserve Officers' Training Corps program listed in clause (A) of the first sentence of paragraph (1) and subject to the approval of the Secretary of the military department having jurisdiction over him, such person may, without being relieved of his obligation under that sentence, be tendered, and accept, a commission in the Environmental Science Services Administration instead of a commission in the appropriate reserve component of the Armed Forces. If he does not serve on active duty as a commissioned officer of the Environmental Science Services Administration for at least six years, he shall, upon discharge therefrom, be tendered a commission in the appropriate reserve component of the Armed Forces, if he is otherwise qualified for such appointment, and, in fulfillment of his obligation under the first sentence of paragraph (1), remain a member of a reserve component until the sixth anniversary of the receipt of his commission in the Environmental Science Services Administration. While a member of a reserve component he may, in addition to as otherwise provided by law, be ordered to active duty

for such period that, when added to the period he served on active duty as a commissioned officer of the Environmental Science Services Administration, equals two years.

(4) Fully qualified and accepted aviation cadet applicants of the Army, Navy, or Air Air Force who have signed an agreement of service shall, in such numbers as may be designated by the Secretary of Defense, be deferred, during the period covered by the agreement but not to exceed four months from induction for training and service under this title but shall not be exempt from registration.

(c) The Vice President of the United States; the Governors of the several States, territories, and possessions, and all other officials chosen by the voters of the entire State, territory, or possession; members of the legislative bodies of the United States and of the several States, territories, and possessions; judges of the courts of record of the United States and of the several States, territories, possessions, and the District of Columbia shall, while holding such offices, be deferred from training and service under this title in the Armed Forces of the United States.

(d) Regular or duly ordained ministers of religion, as defined in this title, shall be exempt from training and service (but not from registration) under this title.

DEFERMENTS

SEC. 314. (a)—

(1) Any person who is satisfactorily pursuing a course of instruction at a high school or similar institution of learning shall be deferred (A) until the time of his graduation therefrom, or (B) until he attains the twentieth anniversary of his birth, or (C) until he ceases satisfactorily to pursue such course of instruction, whichever is the earliest.

(2) As of the effective date of this act, no person shall be deferred because he is a student at a post-secondary school except for those persons already deferred on the ground that they are satisfactorily pursuing a full-time course of instruction at a college, university, or similar institution: *Provided*, that any person who while satisfactorily pursuing a full-time course of instruction at a college, university, or similar institution is ordered to report for induction under this title, shall be deferred (A) until the end of such academic year, or (B) until he ceases satisfactorily to pursue such course of instruction, whichever is the earlier, unless the President, through appropriate rules and regulations, orders otherwise.

(b) The President is authorized, under such rules and regulations as he may prescribe, to provide for the deferment from training and service in the Armed Forces (1) of any or all categories of persons in a status with respect to persons (other than wives alone, except in cases of extreme hardship) dependent upon them for support which renders their deferment advisable, and (2) of any or all categories of those persons found to be physically, mentally, or morally deficient or defective. For the purpose of determining whether or not the deferment of any person is advisable because of his status with respect to persons dependent upon him for support, any payments of allowances which are payable by the United States to the dependents of persons serving in the Armed Forces of the United States shall be taken into consideration, but the fact that such payments of allowances are payable shall not be deemed conclusively to remove the grounds for deferment when the dependency is based upon financial considerations and shall not be deemed to remove the ground for deferment when the dependency is based upon other than financial considerations and cannot be eliminated by financial assistance to the dependents. Except as otherwise provided in this subsection, the President is also authorized, under such rules and regulations as he may prescribe, to provide for the deferment from training and service in the Armed Forces of any or all categories of persons who have children, or wives and children, with whom they maintain a bona fide family relationship in their homes. No deferment from such training and service in the Armed Forces shall be made in the case of any individual except upon the basis of the status of such individual. There shall be posted in a conspicuous place in each area office a list setting forth the names and classifications of those persons who have been classified by such area office. Notwithstanding any other provision of this title the President shall establish national standards and criteria for the classification and deferment of persons registered under this title. Such standards and criteria shall be administered uniformly and impartially throughout all levels of the Selective Service System.

CONSCIENTIOUS OBJECTORS

SEC. 314. (a) Nothing contained in this title shall be construed to require any person to be subject to combatant training and service in the Armed Forces of the United States who, by reason of religious beliefs or by reason of moral or ethical beliefs which are held with the strength of traditional religious convictions, is conscientiously opposed to participation in war in any form.

(b) Any person claiming exemption from combatant training and service because of such conscientious objections whose claim is sustained by the Selective Service System shall, if he is inducted into the Armed Forces under this title be assigned to noncombatant service as defined by the President, or shall, if he is found to be conscientiously opposed to participation in such noncombatant service, in lieu of such induction, be ordered by the Selective Service System, subject to such regulations as the President may prescribe, to perform for a period equal to the period prescribed in section 305 of such civilian work contributing to the maintenance of the national health, safety, or interest as the Selective Service System pursuant to Presidential regulations may deem appropriate. Any such person who knowingly fails or neglects to obey any such order from the Selective Service System shall be deemed, for the purposes of section 203 of this title, to have knowingly failed or neglected to perform a duty required of him under this title.

(c) Any person claiming exemption from combatant training and service because of such conscientious objections shall, if such claim is not sustained by the area office or local board, be entitled to an appeal to the regional appeal board. Upon the filing of such appeal, the appeal board shall refer any such claim to the Department of Justice for inquiry and hearings. The Department of Justice, after appropriate inquiry, shall hold a hearing with respect to the character and good faith of the objections of the person concerned, and such person shall be notified of the time and place of such hearing. If after such hearings the Department of Justice finds—

(1) that the objections are sustained, it shall make recommendations to the appeal board in accordance with the procedures of subsection (b) of this section; or

(2) that the objections are not sustained, it shall so recommend to the appeal board. The appeal board shall, in making its decision, give consideration to but not be bound to follow the recommendation of the Department of Justice, together with the record on appeal from the local board.

DURATION OF EXEMPTION OF DEFERMENT

SEC. 316. No exception from registration, or exemption or deferment from training and service, under this title, shall continue after the cause therefor ceases to exist.

MINORITY DISCHARGES

SEC. 317. Notwithstanding any other provisions of law, no person between the ages of eighteen and twenty-one shall be discharged from service in the Armed Forces of the United States while this title is in effect because such person entered such service without the consent of his parent or guardian.

MORAL STANDARDS

SEC. 318. No person shall be relieved from training and service under this title by reason of conviction of a criminal offense, except where the offence of which he has been convicted may be punishable by death, or by imprisonment for a term exceeding one year.

SOLE SURVIVING SON

SEC. 319. If the father or one or more sons or daughters of a family were killed in action or died in the line of duty while serving in the Armed Forces of the United States, or subsequently died as a result of injuries received or disease incurred during such service, the sole surviving son of such family shall not be inducted for service under the terms of this title unless he volunteers for induction.

BOUNTIES; SUBSTITUTES; PURCHASES OF RELEASE

SEC. 320. No bounty may be paid to induce any person to be inducted into an armed force. A clothing allowance authorized by law is not a bounty for the purposes of this section. No person liable for training and service under this Act may furnish a substitute for that training or service. No person may be enlisted, inducted, or appointed in an armed force as a substitute for another. No person liable for training and service under section 4 may escape that training and service or be discharged before the end of his period of training and service by paying money or any other valuable thing as consideration for his release from that training and service or liability therefor.

REEMPLOYMENT

SEC. 321. (a) Any person inducted into the Armed Forces under this title for training and service, who, in the judgment of those in authority over him, satisfactorily completes his period of training and service under section 6 shall be entitled to a certificate to that effect upon the completion of such period of training and service. Such certificate shall include a record of any special proficiency or merit attained. Upon the completion of each such person's period of training and service under this title, each such person shall be given another physical examination and, upon his written request, shall be given a statement of physical condition by the Secretary concerned: *Provided*, That such statement shall not contain any reference to mental or other conditions which in the judgment of the Secretary concerned would prove injurious to the physical or mental health of the person to whom it pertains: *Provided further*, That, if upon completion of training and service under this title, such person continues on active duty without an interruption of more than seventy-two hours as a member of the Armed Forces of the United States, a physical examination upon completion of such training and service shall not be required unless it is requested by such person, or the medical authorities of the armed force concerned determine that the physical examination is warranted.

(b) In the case of any such person who, in order to perform such training and service, has left or leaves a position (other than a temporary position) in the employ of any employer and who (1) receives such certificate, and (2) makes application for reemployment within ninety days after he is relieved from such training and service or from hospitalization continuing after discharge for a period of not more than one year—

(A) if such position was in the employ of the United States Government, its territories, or possessions, or political subdivisions thereof, or the District of Columbia, such person shall—

(i) if still qualified to perform the duties of such position, be restored to such position or to a position of like seniority, status, and pay; or

(ii) if not qualified to perform the duties of such position by reason of disability sustained during such service but qualified to perform the duties of any other position in the employ of the employer, be restored to such other position the duties of which he is qualified to perform as will provide him like seniority, status, and pay, or the nearest approximation thereof consistent with the circumstances in his case;

(B) if such position was in the employ of a private employer, such person shall—

(i) if still qualified to perform the duties of such position, be restored by such employer or his successor in interest to such position or to a position of like seniority, status, and pay; or

(ii) if not qualified to perform the duties of such position by reason of disability sustained during such service but qualified to perform the duties of any other position in the employ of such employer or his successor in interest, be restored by such employer or his successor in interest to such other position the duties of which he is qualified to perform as will provide him like seniority, status, and pay, or the nearest approximation thereof consistent with the circumstances in his case,

unless the employer's circumstances have so changed as to make it impossible or unreasonable to do so;

(C) if such position was in the employ of any State or political subdivision thereof, it is hereby declared to be the sense of the Congress that such person should—

(i) if still qualified to perform the duties of such position, be restored to such position or to a position of like seniority, status, and pay; or

(ii) if not qualified to perform the duties of such position by reason of disability sustained during such service but qualified to perform the duties of any other position in the employ of the employer, be restored to such other position the duties of which he is qualified to perform as will provide him like seniority, status, and pay, or the nearest approximation thereof consistent with the circumstances in his case.

(c) (1) Any person who is restored to a position in accordance with the provisions of paragraph (A) or (B) of subsection (b) shall be considered as having been on furlough or leave of absence during his period of training and service in the Armed Forces, shall be so restored without loss of seniority, shall be entitled to participate in insurance or other benefits offered by the employer pursuant to established rules and practices relating to employees on furlough or leave of absence in effect with the employer at the time such person was inducted into such forces, and shall not be discharged from such position without cause within one year after such restoration.

(2) It is hereby declared to be the sense of the Congress that any person who is restored to a position in accordance with the provisions of paragraph (A) or (B) of subsection (b) should be so restored in such manner as to give him such status in his employment as he would have enjoyed if he had continued in such employment continuously from the time of his entering the Armed Forces until the time of his restoration to such employment.

(d) In case any private employer fails or refuses to comply with the provisions of subsection (b), subsection (c) (1) or subsection (g) the district court of the United States for the district in which such private employer maintains a place of business shall have power, upon the filing of a motion, petition, or other appropriate pleading by the person entitled to the benefits of such provisions, specifically to require such employer to comply with such provisions and to compensate such person for any loss of wages or benefits suffered by reason of such employer's unlawful action: *Provided,* That any such compensation shall be in addition to and shall not be deemed to diminish any of the benefits of such provisions. The court shall order speedy hearing in any such case and shall advance it on the calendar. Upon application to the United States attorney or comparable official for the district in which such private employer maintains a place of business, by any person claiming to be entitled to the benefits of such provisions, such United States attorney or official, if reasonably satisfied that the person so applying is entitled to such benefits, shall appear and act as attorney for such person in the amicable adjustment of the claim or in the filing of any motion, petition, or other appropriate pleading and the prosecution thereof specifically to require such employer to comply with such provisions: *Provided,* That no fees or court costs shall be taxed against any person who may apply for such benefits: *Provided further,* That only the employer shall be deemed a necessary party respondent to any such action.

(e) (1) Any person who is entitled to be restored to a position in accordance with the provisions of paragraph (A) of subsection (b) and who was employed, immediately before entering the Armed Forces, by any agency in the executive branch of the Government or by any territory or possession, or political subdivision thereof, or by the District of Columbia, shall be so restored by such agency or the successor to its functions, or by such territory, possession, political subdivision, or the District of Columbia. In any case in which, upon appeal of any person who was employed immediately before entering the Armed Forces by any agency in the executive branch of the Government or by the District of Columbia, the United States Civil Service Commission finds that—

(A) such agency is no longer in existence and its functions have not been transferred to any other agency; or

(B) for any reason it is not feasible for such person to be restored to employment by such agency or by the District of Columbia,

the Commission shall determine whether or not there is a position in any other agency in the executive branch of the Government or in the government of the District of Columbia for which such person is qualified and which is either vacant or held by a person having a temporary appointment thereto. In any case in which the Commission determines that there is such a position, such person shall be restored to such position by the agency in which such position exists or by the government of the District of Columbia, as the case may be. The Commission is authorized and directed to issue regulations giving full force and effect to the provisions of this section insofar as they relate to persons entitled to be restored to positions in the executive branch of the Government or in the government of the District of Columbia, including persons entitled to be restored under the last sentence of paragraph (2) of this subsection. The agencies in the executive branch of the Government and the government of the District of Columbia shall comply with such rules and regulations and orders issued by the Commission pursuant to this subsection. The Commission is authorized and directed whenever it finds, upon appeal of the person concerned, that any agency in the executive branch of the Government or the government of the District of Columbia has failed or refuses to comply with the provisions of this section, to issue an order specifically requiring such agency or the government of the District of Columbia to comply with such provisions and to compensate such person for any loss of salary or wages suffered by reason of failure to comply with such provisions, less any amounts received by him through other employment, unemployment compensation, or readjustment allowances: *Provided,* That any such compensation ordered to be paid by the Commission shall be in addition to and shall not be deemed to diminish any of the benefits of such provisions, and shall be paid by the head of the agency concerned or by the government of the District of Columbia out of appropriations currently available for salary and expenses of such agency or government, and such appropriations shall be available for such purpose. As used in this paragraph, the term "agency in the executive branch of the Government" means any department, independent establishment, agency, or corporation in the executive branch of the United States Government.

(2) Any person who is entitled to be restored to a position in accordance with the provisions of paragraph (A) of subsection (b), and who was employed, immediately before entering the Armed Forces, in the legislative branch of the Government, shall be so restored by the officer who appointed him to the position which he held immediately before entering the Armed Forces. In any case in which it is not possible for any such person to be restored to a position in the legislative branch of the Government and he is otherwise eligible to acquire a status for transfer to a position in the classified (competitive) civil service in accordance with section 2(b) of the Act of November 26, 1940 (54 Stat. 1212), the United States Civil Service Commission shall, upon appeal of such person, determine whether or not there is a position in the executive branch of the Government for which he is qualified and which is either vacant or held by a person having a temporary appointment thereto. In any case in which the Commission determines that there is such a position, such person shall be restored to such position by the agency in which such position exists.

(3) Any person who is entitled to be restored to a position in accordance with the provisions of pargaraph (A) of subsection (b) and who was employed, immediately before entering the Armed Forces, in the judicial branch of the Government, shall be so restored by the officer who appointed him to the position which he held immediately before entering the Armed Forces.

(f) In any case which two or more persons who are entitled to be restored to a position under the provisions of this section or any other law relating to similar reemployment benefits left the same position in order to enter the Armed Forces, the person who left such position first shall have the prior right to be restored thereto, without prejudice to the reemployment rights of the other person or persons to be restored.

(g) (1) Any person who after entering the employment to which he claims restoration, enlists in the Armed Forces of the United States (other than a reserve component) shall be entitled upon release from service under honorable conditions to all the reemployment rights and other benefits provided for by this section in the case of persons inducted under the provisions of this title, if the total of his service performed between June 24, 1948, and August 1, 1961, did not exceed four years, and the total of any service, additional or otherwise, performed by him after August 1, 1961, does not exceed four years (plus in each case any period of additional service imposed pursuant to law).

(2) Any person who, after entering the employment to which he claims restoration, enters upon active duty (other than for the purpose of determining his physical fitness and other than for training), whether or not voluntarily, in the Armed Forces of the United States or the Public Health Service in response to an order or call to active duty shall, upon his relief from active duty under honorable conditions, be entitled to all of the reemployment rights and benefits provided by this section in the case of persons inducted under the provisions of this title, if the total of such active duty performed between June 24, 1948, and August 1, 1961, did not exceed four years, and the total of any such active duty, additional or otherwise, performed after August 1, 1961, does not exceed four years (plus in each case any additional period in which he was unable to obtain orders relieving him from active duty).

(3) Any member of a reserve component of the Armed Forces of the United States who is ordered to an initial period of active duty for training of not less than three consecutive months shall, upon application for reemployment within thirty-one days after (A) his release from that active duty for training after satisfactory service, or (B) his discharge from hospitalization incident to that active duty for training, or one year after his scheduled release from that training, whichever is earlier, be entitled to all reemployment rights and benefits provided by this section for persons inducted under the provisions of this title, except that (A) any person restored to a position in accordance with the provisions of this paragraph shall not be discharged from such position without cause within six months after that restoration, and (B) no reemployment rights granted by this paragraph shall entitle any person to retention, preference, or displacement rights over any veteran with a superior claim under the provisions of title 5, United States Code, relating to veterans and other preference eligibles.

(4) Any employee not covered by paragraph (3) of this subsection who holds a position described in paragraph (A) or (B) of subsection (b) of this section shall upon request be granted a leave of absence by his employer for the period required to perform active duty for training or inactive duty training in the Armed Forces of the United States. Upon his release from a period of such active duty for training or inactive duty training, or upon his discharge from hospitalization incident to that training, such employee shall be permitted to return to his position with such seniority, status, pay, and vacation as he would have had if he had not been absent for such purposes. He shall report for work at the beginning of his next regularly scheduled working period after expiration of the last calendar day necessary to travel from the place of training to the place of employment following his release, or within a reasonable time thereafter if delayed return is due to factors beyond the employee's control. Failure to report for work at such next regularly scheduled working period shall make the employee subject to the conduct rules of the employer pertaining to explanations and discipline with respect to absence from scheduled work. If that employee is hospitalized incident to active duty for training or inactive duty training, he shall be required to report for work at the beginning of his next regularly scheduled work period after expiration of the time necessary to travel from the place of discharge from hospitalization to the place of employment, or within a reasonable time thereafter if delayed return is due to factors beyond the employee's control, or within one year after his release from active duty for training or inactive duty training, whichever is earlier. If an employee covered by this paragraph is not qualified to perform the duties of his position by reason of disability sustained during active duty for training or inactive duty training, but is qualified to perform the duties of any other position in the employ of the employer or his successor in interest, he shall be restored by that employer or his successor in interest to such other position the duties of which he is qualified to perform as will provide him like seniority, status, and pay, or the nearest approximation thereof consistent with the circumstances in his case.

(5) Any employee not covered by paragraph (3) of this subsection who holds a position described in paragraph (A) or (B) of subsection (b) of this section shall be considered as having been on leave of absence during the period required to report for the purpose of being inducted into, entering or determining by a preinduction or other examination his physical fitness to enter the Armed Forces of the United States. Upon his rejection, upon completion of his preinduction or other examination, or upon his discharge from hospitalization incident to that rejection or examination, such employee shall be permitted to return to his position in accordance with the provisions of paragraph (4) of this subsection.

(6) For the purposes of paragraphs (3) and (4), full-time training or other full-time duty performed by a member of the National Guard under sections 316, 503, 504, or 505 of title 32, United States Code, is considered active duty for training; and for the purpose of paragraph (4), inactive duty training performed by that member under section 502 of title 32, or sections 206(a) (b), and (d), 301(f), 309(c), 402(f), and 1002(a)–(d) of title 37, United States Code, is considered inactive duty training.

(h) The Secretary of Labor, through the Bureau of Veterans' Reemployment Rights, shall render aid in the replacement in their former position of persons who have satisfactorily completed any period of active duty in the Armed Forces of the United States or the Public Health Service. In rendering such aid, the Secretary shall use the then existing Federal and State agencies engaged in similar or related activities and shall utilize the assistance of volunteers.

(i) The Secretaries of Army, Navy, Air Force or Treasury shall furnish to the Selective Service System hereafter established a report of separation for each person separated from active duty.

RIGHT TO VOTE

SEC. 322. Any person inducted into the Armed Forces for training and service under this title shall, during the period of such service, be permitted to vote in person or by absentee ballot in any general, special, or primary election occurring in the State of which he is a resident, whether he is within or outside such State at the time of such election, if under the laws of such State he is otherwise entitled to vote in such election; but nothing in this subsection shall be construed to require granting to any such person a leave of absence or furlough for longer than one day in order to permit him to vote in person in any such election.

CIVIL RELIEF

SEC. 323. Notwithstanding the provisions of section 604 of the Act of October 17, 1940 (54 Stat. 1191), and the provisions of section 4 of the Act of July 25, 1947 (Public Law 239, Eightieth Congress), all of the provisions of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, including specifically article IV thereof, shall be applicable to all persons in the Armed Forces of the United States, including all persons inducted into the Armed Forces pursuant to this title or the Public Health Service, until such time as the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, is repealed or otherwise terminated by subsequent Act of the Congress: *Provided*, That, with respect to persons inducted into the Armed Forces while this title is in effect, wherever under any section or provision of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, a proceeding, remedy, privilege, stay, limitation, accounting, or other transaction has been authorized or provided with respect to military service performed while such Act is in force, such section or provision shall be deemed to continue in full force and effect so long as may be necessary to the exercise or enjoyment of such proceeding, remedy, privilege, stay, limitation, accounting, or other transaction.

NOTICE OF TITLE; VOLUNTARY ENLISTMENTS

SEC. 324. (a) Every person shall be deemed to have notice of the requirements of this title upon publication by the President of a proclamation or other public notice fixing a time for any registration under section 3.

(b) If any provision of this title, or the application thereof to any person or circumstance, is held invalid, the remainder of the title, and the application of such provision to other persons or circumstances, shall not be affected thereby.

(c) Except as provided in this Act, nothing contained in this title shall be construed to repeal, amend, or suspend the laws now in force authorizing voluntary enlistment or reenlistment in the Armed Forces of the United States, including the reserve components thereof, except that no person shall be accepted for enlistment after he has received orders to report for induction and except that, whenever the Congerss or the President has declared that the national interest is imperiled, voluntary enlistment or reenlistment in such forces, and their reserve components, may be suspended by the President to such extent as he may deem necessary in the interest of national defense.

(d) It shall be the duty of the Director to inform every registrant of all rights and procedures available to him under this title regarding classification, deferment, and exemption. Such information shall be in writing and shall be given to every person who registers under this title at the time of his registration, and shall in addition be available subsequently upon request of such registrant.

REPEAL OF CONFLICTING LAWS; APPROPRIATIONS

SEC. 325. (a) Except as provided in this title all laws or any parts of laws in conflict with the provisions of this title are hereby repealed to the extent of such conflict.

(b) There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this title.

ALIENS

SEC. 326. (a) Section 101(a)(15) of the Immigration and Nationality Act, as amended (8 U.S.C. 1101(a)(15)), is amended by changing the period at the end thereof to a semicolon and adding thereafter the following:

"(K) an alien who has requested and received an adjustment of status under section 247(c) and who is not a nonimmigrant within any of the classes (A) through (J) thereof: *Provided*, That any alien whose status has been adjusted to this class (K) shall depart from the United States within one year from such adjustment: *And provided further*, That any alien who is in this class (K) shall not be eligible for any further adjustment of status whatsoever."

(b) The Immigration and Nationality Act, as amended (8 U.S.C. 1101 et seq.), is amended by adding at the end of section 247 thereof the following new subsection:

"(e) The status of an alien lawfully admitted for permanent residence may be adjusted by the Attorney General, under such regulations as he may prescribe, to that of a nonimmigrant in class (K) under section 101(a)(15) of this Act, or in any other class under section 101(a)(15) for which he may

be eligible, if such alien requests an adjustment of status in order to be exempted from the requirements of the Universal Military Training and Service Act, as amended."

(c) Section 248 of the Immigration and Nationality Act, as amended (8 U.S.C. 1258), is amended by inserting immediately after the words "paragraph (15) (D)" the words "or paragraph (15) (K)".

(d) Subsection (a) of section 315 of the Immigration and Nationality Act, as amended (8 U.S.C. 1426), is amended to read as follows:

"(a) Notwithstanding the provisions of section 405(b), any alien who is granted exemption under an existing treaty or any alien who requests and obtains an adjustment of status under section 247(c) or who applies or has applied for exemption or discharge from training or service in the Armed Forces of the United States on the ground that he is an alien, and is or was relieved or discharged from such training or service on such basis, shall be permanently ineligible to become a citizen of the United States."

TITLE IV—MISCELLANEOUS

MILITARY YOUTH OPPORTUNITY SCHOOLS

SEC. 401. (a) The Secretary of Defense, with the cooperation and assistance of the Secretary of Labor and the Secretary of Health, Education, and Welfare, and other appropriate Federal agencies, shall conduct a comprehensive study and investigation to determine the feasibility and desirability of establishing and operating military youth opportunity schools which would provide special educational and physical training, for a period not exceeding one year, to volunteers who fail to meet the minimum physical and mental requirements for military service in order to enable such volunteers to qualify for service in the Armed Forces.

(b) The Secretary of Defense shall submit a written report to the Congress of the results of such study and investigation, together with such recommendations as he deems appropriate, not later than one year after the date of enactment of this section. The Secretary of Defense shall include in such report, findings with respect to—

(1) the average annual number of volunteers for military service who fail to meet the educational and physical standards for such service, but who, with a maximum of one year's training in opportunity schools of the kind referred to in subsection (a) of this section, could qualify for military service;

(2) an estimate of the costs and benefits to the Department of Defense of establishing and operating such opportunity schools;

(3) the administrative capacity of the Department of Defense to carry out such a program;

(4) an estimate of the reenlistment rate which could be expected from volunteers trained in such opportunity schools;

(5) the advisability of requiring longer enlistment periods for volunteers receiving training in such opportunity schools; and

(6) the most effective means and measures for implementing a program of the kind described in subsection (a) of this section.

NATIONAL SERVICE CORPS STUDY

SEC. 402. (a) The President shall conduct a study and investigation to determine the feasibility and desirability of establishing a national service corps in which citizens of the United States who are mentally and physically able and who desire to perform nonmilitary services designed to combat disease, ignorance, and poverty at home and abroad may serve.

(b) The President shall submit a written report to the Congress of the results of such study and investigation, together with such recommendations as he deems appropriate, not later than one year after the date of enactment of this section. The President shall include in such report such information as he deems appropriate, and in the event it is determined that the establishment of a national service corps as described in subsection (a) of this section is feasible and desirable, he shall specifically include in such report—

(1) a review of existing voluntary Federal service programs (nonmilitary) in which hardships are endured by the participants or extraordinary service is required of the participants, such as the Peace Corps and the Volunteers in Service to America, in order to determine the feasibility of establishing an expanded national service program with the broadest possible participation;

(2) a consideration of what the nature and scope of a national service program should be;

(3) the number of service opportunities which would be generated by such a program;

(4) the relationship of such a service system with the Selective Service System and the feasibility of authorizing service in such a national service corps program as an alternative to peacetime military service;

(5) the most effective means by which such a service program might be coordinated with appropriate private, local, and State programs of a public service nature;

(6) the impact of such a service program upon the labor force and the economy of the United States;

(7) the effect of such a service program upon secondary education and higher education;

(8) the role of women in such a service program;

(9) the cost of establishing and operating such a service program; and

(10) the mental and physical standards for participation, if any, and the duration of service in such a service program.

AMNESTY STUDY

SEC. 403. The President shall conduct a study to determine the appropriateness of granting amnesty in the near future to those registrants convicted for refusing induction and those presently outside the United States who are liable for prosecution under section 203 of this title. In conducting this study, the President shall consider the number of such registrants, the implications for the morale of the Armed Forces granting such amnesty would raise, the historical precedent for granting such amnesty, and such other factors as he deems appropriate. The President shall report the results of this study to the Congress, together with appropriate recommendations, within six months of the enactment of this section.

SELECTIVE CONSCIENTIOUS OBJECTOR STUDY

SEC. 404. The President shall conduct a study to determine the desirability and feasibility of permitting registrants to object to participation in a particular war because of religious, ethical or moral beliefs. In conducting this study, the President shall consider the possibility of requiring selective conscientious objectors to serve in the Armed Forces but in areas other than the war zone; the implications for the effectiveness and morale of the Armed Forces of granting such an exemption; the burden on the Selective Service System of determining who qualifies as a selective conscientious objector; and such other factors as he deems appropriate. The President shall report the results of this study to the Congress, together with appropriate recommendations within six months of enactment of this section.

ORDER OF BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senator from South Carolina is recognized.

Mr. HOLLINGS. Mr. President, I ask unanimous consent that I may yield to the Senator from Idaho without losing my right to the floor and without my subsequent remarks being counted as a second speech.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENSION OF TIME FOR SPECIAL COMMITTEE ON AGING TO FILE REPORT

Mr. CHURCH. Mr. President, I ask that the time for filing of the report of the Special Committee on Aging be extended to March 10, 1971.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. HOLLINGS. Mr. President, I ask unanimous consent that I may yield to the Senator from Rhode Island (Mr. PELL) without losing my right to the floor and without my subsequent remarks being counted as a second speech.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 482—INTRODUCTION OF A BILL TO ESTABLISH A COMMISSION TO STUDY THE USAGE, CUSTOMS, AND LAWS RELATING TO THE FLAG OF THE UNITED STATES

Mr. PELL. Mr. President, for decades—indeed, throughout the history of our Nation—there has been some degree of confusion and disagreement over the proper procedures for display and usage of the flag of our country.

In recent years, it is true, these disagreements have been sharply accentuated by deep divisions among the American people on vital issues of both foreign and domestic policy. Questions of custom and protocol regarding the display of the flag have become accentuated through efforts by various groups to utilize our flag as a symbol of support or opposition to policies.

I think it is important to recognize, however, that the recent disputes over the flag only underscore a long-standing problem: We do not have a standard, comprehensive code prescribing accepted procedures for display of our national emblem.

We have an ambivalent flag code, and confusion is compounded by conflicting formal and informal regulations, procedures, and interpretations promulgated by individual Government agencies and private organizations.

I believe a single, comprehensive uniform code for display and usage of the flag of the United States would be welcomed by all Americans.

To provide for such a code I am introducing today, on behalf of myself and the senior Senator from Texas (Mr. TOWER) a bill providing for establishment of a commission to study and make recommendations regarding the usage, customs, and laws relating to the flag of the United States. Actually, the Senator from Texas and I have introduced legislation on this subject in the previous three Congresses.

The bill being introduced today, Mr. President, is identical to legislation introduced in the last Congress by the senior Senator from Texas and myself. It proposes that a commission be created comprising 10 members appointed by the President: Two from the Senate, two from the House, one from the Department of Defense, and five from private life.

Mr. President, our flag is a symbol of a dynamic nation unprecedented in its accomplishments, yet also beset by certain faults. As a symbol of our Nation, it represents a people constantly striving to rectify such problems. The flag we display today is thus an emblem of a nation which has endeavored to preserve what is good while also attempting to correct what is imperfect. It represents a people who look to the future but do not forget their past. In essence, the flag is therefore a symbol of our national life, a symbol of cumulative contributions of sacrifice, of courage, of love, and of labor that have shaped and will continue to shape and form our national life.

It is with this respect for the flag that I introduce with Mr. TOWER for appropriate reference this bill.

Mr. President, the senior Senator from Texas has long advocated a comprehensive review of the customs, laws, and regulations relating to the flag. I ask unanimous consent that a statement by Senator TOWER, as cosponsor of this bill, be printed at this point in the RECORD.

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

STATEMENT OF SENATOR TOWER

I join again today in the sponsorship of a bill to establish the United States Flag Commission. Over the years, there has been much confusion in this country over just what is the proper method for displaying the Flag of the United States. As an example of this confusion, all branches of the Armed Services have their own codes, which differ considerably from each other. Some say that the Flag must not be flown at night; others say that it is all right to do so. Some codes say that the Flag must not be flown in inclement weather; others contend that this is all right as long as an all-weather flag is used. Also, it is not completely settled where the proper place of honor is for the Flag of the United States. Some authorities say that it should be in the middle, while others say that it should always be to the right of all other standards. I could go on and on with examples, but I believe that this will give Senators a good idea of the current situation.

For the past few years, the Senator from Rhode Island, (Mr. Pell), and I have been sponsoring legislation that would correct this situation. Stated very simply, it would provide for the establishment of a commission called the United States Flag Commission made up of representatives of the Congress, the Executive Branch and certain lay members who have particular expertise in this matter, to be appointed by the President. This commission would be empowered to review the entire matter of a United States Flag Code and to present to the Congress its report which would recommend specific legislation to correct this confusing situation. The Congress could then determine, with the help of the commission's report, a Flag Code for the United States.

With the fast approaching date for the Bicentennial of the United States, I believe that it is becoming critical that the commission begin its work at the earliest possible moment. I ask that the Judiciary Committee give this matter expeditious consideration, if at all possible, so that the full Senate may consider the measure. The time has come to clear up this confusion and establish a viable Flag Code for the United States.

The PRESIDING OFFICER (Mr. CHILES). The bill will be received and appropriately referred.

The bill (S. 482) to establish a commission to study the usage, customs, and laws relating to the flag of the United States, introduced by Mr. PELL (for himself and Mr. TOWER), was received, read twice by its title and referred to the Committee on the Judiciary.

AMENDMENT OF RULE XXII OF THE STANDING RULES OF THE SENATE

The Senate continued with the consideration of the motion to proceed to the consideration of the resolution (S. Res. 9) amending rule XXII of the Standing Rules of the Senate with respect to the limitation of debate.

Mr. HOLLINGS. Mr. President, resuming my comments and still responding to my distinguished colleague from Idaho (Mr. CHURCH), I am not sure that the country is up in arms and entirely disenchanted with the Senate as a body. I think sometimes we lose perspective and become exercised about the actual terms entailed in coming to grips with certain issues and we downgrade the accomplishments of the last Congress. It was stormy and it did take a long time. Two things that took the longest time; namely, the Carswell nomination and the Cooper-Church amendment, were not involved with what some Senators are involved with here in trying to change rule XXII.

In the January 24, 1970, issue of the Charlotte Observer, there was published a lengthy editorial. I will not read it all but I do wish to relate the editorial to the Senate because it outlines the accomplishments of the 91st Congress.

I submit we did accomplish much and that the country is not up in arms. They are looking to us to get on with the job and not dance around the fire each year in these spurious efforts to change the rules that have not caused our trouble, but rather to look at things that have made this a unique body.

The editorial from the Charlotte Observer of January 24, 1971, reads as follows:

THE 91ST CONGRESS WAS STORMY BUT IT ACCOMPLISHED MUCH

Sen. Hugh Scott of Pennsylvania spoke "the two most beautiful words" in the legislative language Saturday, and the 91st Congress adjourned, "sine die," after one of the longest, stormiest sessions in years.

Yet, despite its long sessions and the quarrelsome character it wore throughout, the 91st Congress left behind an impressive record of solid achievement—and some unfinished business.

As a Democratic legislature working under a Republican executive, the 91st Congress seemed more contentious than most, and perhaps it really was. It might be characterized as "the hard-nosed Congress."

In foreign affairs especially, and to an encouraging degree in domestic affairs, the 91st challenged the administration and the nation to make good on their claims and promises and reasserted the legislative branch's co-equal right to oversee the nation's business.

As the first President in this century to take office against an opposing Congress, Richard Nixon had to bear the brunt of these challenges. In the process he lost some of the battles he wanted most to win—his Supreme Court nominees from the South, his plan to reform the welfare system, his political promise to ease import pressure on the Southern textile industry.

He had other goals compromised by the Congress. His options in the Indochina war were limited, his deployment of Safeguard antiballistic missiles was scaled down, his pace in winding down the Vietnam war was seriously questioned as Congress asserted itself in foreign affairs.

The Congress also zeroed in on the Pentagon and the industrial community. Defense spending was cut $2.1 billion, the C–5A transport plan was revealed as an expensive error, and the fate of the supersonic transport (SST) was left hanging in serious doubt.

But this was not a negative Congress. It was busy in the fields of housing, education, health and welfare, writing a $2.5-billion housing program, appropriating $24.6 billion in aid to education over the next three years, renewing the Hill-Burton hospitals program for three more years and writing a $9.5 billion manpower training bill, all of which Nixon vetoed. His veto was overridden on hospitals and aid to schools.

Also, the Congress extended and broadened the food-stamp program, wrote a $285 million family planning program, doubled the school lunch program, brought 4.4 million more workers under the unemployment insurance laws and increased Social Security benefits by 15 percent.

In the area of reform, it wrote the first major revision of the U.S. tax code since 1913, imposed a strong set of regulations against air pollution, passed a comprehensive coal mine health and safety act and the nation's first occupational safety act. It also reformed some of its own procedures and left the door open for further changes in the next Congress.

In addition, it extended voting rights to 18-year-olds, refused to junk the Electoral College and said the issue of women's rights needed more definitive legislation than what was offered.

These and other accomplishments, including aid to mass transportation, a reorganized railway system and the creation of a public-private postal corporation, redound to the congressional credit, though they are perhaps obscured by the arguments and filibusters that marked the "lame duck" session.

That is exactly what caused the trouble. The lameduck session caused confusion by inserting all kinds of legislation, and major pieces of legislation, such as family assistance, foreign trade, social security, the SST, all into one omnibus bill, which, before Christmas, rule XXII did hold up a vote on.

It is not because of rule XXII that the people are up in arms. I think that the editorialists should heed the admonition of the distinguished Senator from Arkansas that it is not the matter of hours, but the matter of the Senate as an institution itself which is in issue. We would come to grips then with moving on to the people's business and realize what Senator Dirksen, former minority leader of this body, said so often in debate on this matter: Point out one good piece of legislation that was completely thwarted and completely defeated, on account of rule XXII. Sometimes held up,

yes, for refinement, for better phraseology, for better content, but ultimately never completely thwarted by rule XXII. On the contrary, rule XXII has saved the land from many, many bad pieces of proposed legislation.

Many, many of our predecessors in this body, as I have pointed out, have vigorously opposed cloture. I have cited the great names of Borah of Idaho, Mayfield of Texas, Townsend of Michigan, Smoot of Utah, Phelan of California, Brandegee of Connecticut, Reed of Missouri, and on down the list.

Having quoted several of them I would now like to go to President Woodrow Wilson, whose name can be added to the voices of those who have spoken in behalf of the principle of free debate in the Senate, when he wrote—and I would hope that the news media and those who write editorials would take time to see that this is not a southern filibusterer I am quoting. Civil rights legislation is over and gone; the issue is the Senate itself. President Wilson had this to say:

It is the proper duty of a representative body to look diligently into every affair of government and to talk much about what it sees. It is meant to be the eyes and the voice, and to embody the wisdom and the will of its constituents. Unless Congress have and use every means of acquainting itself with the acts and the dispositions of the administrative agencies of the government, the country must be helpless to learn how it is being served and unless Congress both scrutinize these things and sift them by every form of discussion the country must remain in embarrassing, crippling ignorance of the very affairs which it is most important that it should understand and direct.

The informing function of Congress should be preferred even to its legislative function. The argument is not only that discussed and interrogated administration is the only pure and efficient administration, but more than that, the only really self-governing people is that people which discusses and interrogates its administration.

Mr. President, it was extended debate on Cooper-Church which brought stability to the Republic at the time of the crisis of last year. It was in the debate on the Cooper-Church amendment when, rather than all of us being labeled "Communists", by questioning the Commander in Chief, we brought the whole thing from out of kilter and into the perspective of what we all were fearing, and that was another Vietnam in Cambodia.

There is the informing nature of the Senate. How else can you get the information to the people except through extended debate? What the Senator from Idaho said the week after May 8, after the invasion of Cambodia, was no different from what he said the last week of June, just prior to the passage by a substantial majority of this body of that amendment; but what he said the last week of June, by the informing process, was listened to, finally understood and appreciated and, as I said, brought stability to all of us and brought respect for representative government.

And of course no recitation of the history of the protection of minority rights would be complete without mention of the great John C. Calhoun. In his learned and still much-quoted "A Disquisition on Government," the famed South Carolina statesman wrote:

There are two different modes in which the sense of the community may be taken: one, simply by the right of suffrage, unaided; the other, by the right through a proper organism. Each collects the sense of the majority. But one regards numbers only, and considers the whole community as a unit, having but one common interest throughout; and collects the sense of the greater number of the whole. as that of the community. The other, on the contrary, regards interests as well as numbers;—considering the community as made up of different and conflicting interests, as far as the action of the government is concerned; and takes the sense of each, through its majority or appropriate organ, and the united sense of all, as the sense of the entire community. The former of these I shall call the numerical, or absolute majority; and the latter, the concurrent, or constitutional majority.

As there can be no constitution without the negative power, and no negative power without the concurrent majority—it follows, necessarily, that where the numerical majority has the sole control of the government, there can be no constitution; as constitution implies limitation or restriction,—and, of course, is inconsistent with the idea of sole or exclusive power. And hence, the numerical, unmixed with the concurrent majority, necessarily forms, in all cases, absolute government.

Recently, Mr. President, another giant has walked in our midst. He was the foremost legislator of the century. As I remarked on the occasion of his death last week, one would have to harken all the way back to the days of Clay, Calhoun, and Webster to find his peer. I speak, of course, of Richard Brevard Russell. How many times I sought his counsel, which was always given with wisdom and generosity. Richard Russell addressed himself to the very problem we are discussing today, and he did so with his usual insight. I deem it a service to bring his cogent remarks made on January 12, 1967, to your attention today, and I deem it an honor to be able to do so. On that day, the Senator from Georgia said:

This proposal goes much deeper, Mr. President, than the right of an individual Senator or a group of Senators to engage in a prolonged discussion that might be labeled a filibuster. The real issue, the real nub of the question before the Senate, is whether we are to alter the role and the position of this body in our great scheme of government.

Mr. President, it was said on the floor of the Senate yesterday that the Senate is the only parliamentary body in the United States where a Senator could not rise to his feet and make a motion that could be carried by a transient majority of one, to gag the other Members of that body and prevent them from speaking. It was said that rule existed in all other parliamentary bodies on earth, including the House of Commons of the British Parliament, by which a motion carried by one vote would gag the remainder of the body. And that statement is true.

It is true, Mr. President, because the Senate has individuality. It has qualities that are different from those of any other parliamentary body ever created by the mind and ingenuity of man.

Mr. President, the greatest difficulty confronted by the Constitutional Convention that wrote our basic charter—a charter which receives rather short shrift these days, not only in the courts but here in the Congress and at the hands of the executive departments, and, indeed, at the hands of some of the teachers of political science—the greatest difficulty they encountered in reaching agreement and accord on the basic charter of our liberties and the bulwark of our rights, the Constitution of the United States, was on the question of the composition of the parliament of this country, or, as they designated it, the Congress of the United States. The little States would not go along with the proposition that it should be based purely on population, and it took a long time to work out a compromise.

The compromise they eventually reached places on this body an indelible stamp that differentiates it from any other parliamentary body on earth; because under that agreement, the smallest State has the same representation in this body as the largest and most populous.

That is true today. Not only did they make that provision, but they provided the only limitation in the Constitution that is not subject to amendment without the consent of the States, because they went further and said in article V:

"And that no State, without its consent, shall be deprived of its equal suffrage in the Senate."

So when Senators speak lightly of invoking a gag rule in the forum of the States of this Union, on the ground that it is different from other parliamentary bodies, I say Mr. President that there is the strongest reason for not tampering with these rules, and for not shutting off or stifling the voice of any representative of any state, be it great or be it small, until he has had an opportunity to discharge his responsibilities here.

Why do men wish to be U.S. Senators? Why, Mr. President, do Members of the other body, which is a coordinate branch of this Congress with the Senate, so often desire to offer for the Senate of the United States? Why do men desire to come from Governors' chairs to the Senate of the United States? I submit that it is because of the very differences that distinguish this body from every other legislative body on earth.

Yet we are told that because the Senate is different, we have got to change it and make it like all the others, even though to do so would be a serious invasion of the whole theory of our republican form of government as contemplated by the Founding Fathers. Now we are being asked to whittle away and destroy the powers and the rights of those who serve here. In the old days they were referred to as ambassadors of their respective states. Now we are told we should make the Senate just another parliamentary body, exactly like any other. Now we are told that because in the Senate of the state of Georgia a member can rise, move the previous question, and shut off debate when Senators have not had an opportunity to express themselves, the same rule should apply in the Senate of the United States.

Mr. President, I have never heard a more fallacious argument. Yet Senators absorb it. You see them drink it in.

Here we are. Members of the greatest deliberative body on earth, bearing an honor in the parliamentary field that is greater than any that has ever existed except in the earlier days of the Roman Senate; yet some Senators are pressing us into destroying this body, into eroding their own powers, into disfranchising their own states, and preventing their States from being represented properly here.

It was done first, Mr. President, in the name of civil rights. They came forward and said, "We have got to make these changes because we can't pass any civil rights bills." Well, a number of sweeping civil rights bills have been passed in the last few years. The last one proposed, the open housing bill, did not pass. I do not know whether or not it would have been enacted if we had had the majority gag cloture rule that is being urged

on the Senate. But we passed bills that dealt with every other subject. We voted on, I think, some 70 amendments in 1964, dealing with every facet of the relationships between the races, and between the races and the government, and we did it under the present rules of the Senate.

Mr. President, I have waited a long time for a Senator to come forward with a list of bills vital to the security and progress of the United States that have been killed because of the right of free speech in the Senate of the United States. I have never seen one example brought out here. But I have sat in the Senate for the past 34 years and have seen the exercise of that right prevent the passage of many bad bills, bills that would have been injurious to the people of the United States.

Make no mistake about it. If we go ahead and pass this majority gag cloture, we will soon be met with a change in the rules that will deny or limit or restrict the right of amendment in this body. Mark that prediction. We will have a situation in the Senate in which a mere majority, a bare majority, a temporary majority, of one will get some kind of rule, such as they have in the other body, that will keep a Senator from offering an amendment to a bill. It will make a U.S. Senator run around and beg to get the chance to speak for 3 minutes on a bill.

That is where the proponents are trying to take us with this type of change in the rules. It will destroy the prestige of the Senate. The Senate has had prestige in this country despite the efforts of many Senators to shatter or destroy that prestige.

This would destroy or impair the greatest element of checks and balances among the three divisions in our government, the judicial, the legislative and the executive.

The Senate is the foundation of that division of powers. It is the balance wheel on which the division of powers in the system of checks and balances revolves.

It is because of the fact that it is different from all other parliamentary bodies that it has been able to make its contribution in war and in peace under rules permitting more freedom of debate than the present rules would permit, without impairing the welfare of the Nation, but contributing mightily to the building of the greatest society that has ever existed under the canopy of Heaven.

It has contributed to the making of the American way of life that is the envy of mankind everywhere. It has been done under these rules, and yet they say "we come in here now with a form of gag to deny the right of meaningful debate in the Senate. And do it in the name of democracy."

Mr. President, when they talk about amending the rule because it is necessary to pass civil rights bills, that is sheer hypocrisy. It has been demonstrated that they can pass such bills under the present rules. Not only that but a determined majority in the Senate has passed every bill they desired to pass when in the hearts and minds of the majority of the Senators they wanted the bill, since I became a member of this body.

Where are we going to have our debate? How are we going to take the question to the people of this country? Make no mistake about it, we are not living in the simple days, of the early life of this Republic and I admit that but I say that that is all the more reason to have the right of free speech in the Senate.

It is hard to get through to the people of this country what is involved in the very complex and complicated issues that pass through here in the way of legislation. However, if the proponents can just get a gag rule through, they can then go forward and destroy or limit the right of amendment in the Senate of the United States. They can then pass the economic and social legislation they want, legislation that will revolutionize this country and will destroy this system that has afforded men the opportunity to make progress and to go forward and to succeed in accordance with their abilities, in accordance with their talent and their energies, the opportunity that has made this great country of ours.

Mr. President, Senators talk about a majority of the Senate having the right to vote at any time. There are a number of things that have been put beyond the limit of the majority. The right of private property in this country was supposed to be protected in the Constitution of the United States. The Founding Fathers did not leave it to the mercy of a simple majority in the House of Representatives or in the Senate of the United States. They put it in the Constitution, where it would require not only a vote of two-thirds of all the Senators, but also the approval of three-fourths of all the States.

They did the same thing with respect to the right of religious liberty and the right to worship God according to one's own wishes and ideas, or the right not to worship any god if one saw fit.

They said that that could not be changed by any mere statute, but must be changed by a two-thirds vote.

Even the Founding Fathers, with all their brilliance, could not look down the lane 190 years and anticipate what would happen. Even with all their brilliance, they could not possibly have predicted or envisioned what we have done in this country and the developments of the 20th century that have within the period of 60 years changed the manner of living and habits and thinking of mankind to a greater extent than in any other period of a thousand years in human history.

So please, I beg, Senators, even those who in a moment of weakness have made some commitment with respect to this matter, to go over it in your minds and think over again what the effect would be.

I know about the frustrations of long debate here. I suppose I have been involved in my share of it on both sides of the fence.

It is human nature that if you have a bill up and have a majority of one in the Senate, you are ready to vote then, and any debate against that bill is something that is irritating and frustrating, because you cannot bring the bill to a vote immediately with that majority of one.

Mr. President, the majority is not always right. Down through the years there are great monuments, tragic monuments, to the failure of the majority to be right, the errors of a temporary majority such as it is proposed to subject the Senate to, a proposal to turn loose all the fires of partisanship to a mere majority, to close off debate and silence the opponents before they have had a full and fair chance to make their case before the American people.

It is sometimes hard to let it seep through. Sometimes when you are defending what you believe in, but which may be unpopular for the moment, you do not have the great media of communications to support you. They have a way of getting together sometimes, and they will exalt statements in favor of the issues they support and will minimize statements in opposition to those issues.

It is more difficult today than ever before to get both sides of the case before the American people. But I can assure, Senators, on the basis of almost 35 years of service in this body, that there are two sides to every question.

Maybe most of us think, "There is my side and there is the wrong side," but often the side you are for and the side I am for is the wrong side—it happens time and again.

Mr. President, the Senate was created to give a full chance to expose here the errors of the other branches of the Government. One of its main purposes was to permit a complete revision or canvass of the acts of the other body, to have full sway to offer amendments, and to make speeches to point out those mistakes.

Over the years, when you balance it up, the right of free speech in this body has been vastly more beneficial in the preservation of our system of Government, in maintaining our system of checks and balances, in trying to maintain the division of powers between the three separate branches of the Government, than the action of any army. The Senate is the last bulwark of the minority in this land.

Mr. President, I shall not delay the Senate much longer.

I have sat in this Chamber with men who were real liberals. They did not have to get a big badge and write on it, "I am a liberal," and run around saying, "I am a liberal. Look at it. Here is my badge." I mean men like Bill Borah, George Norris and Hiram Johnson. I did not serve with the elder LaFollette, but I served with his distinguished son, who was completely indoctrinated with his father's political philosophy. Every one of them defended the right of free speech in this body as the last defense of a minority that might be oppressed.

Now, the majority will work its will. It may have a little trouble. It may have delays. The members of the majority may get tired of sitting around listening to debate that men of good faith are making; to speeches made in the Senate, with which I thoroughly disagree, but upon which Senators had spent hours of labor. They rendered a public service, because they helped to open up before the American people both sides of the question.

This is not a partisan matter. This is a matter that goes to the heart of our system. The Senate of the United States is a unique body. It has been the most useful instrumentality of government down through the years. It has served this Nation well as a continuing body, with two-thirds of its Members going over from election to election, as the Founding Fathers provided, to carry with them experience and an understanding of the operations of the other branches of the Government, so that they might help to protect the people of this country from the excesses of the executive branch of the Government or to undo some excess or wrong that was worked by the decisions of the judicial branch of the Government.

The Senate has had a proud history. Oh, we have made mistakes, because we are human. We are fallible, as are all other men who are born of women, and as are women who are born of women. But, Mr. President, the Senate owes its greatness to the right of the representatives of the States of this Union to stand up and speak their pieces. This is the only place where that can be done.

I do not guarantee these figures, but I think they are correct. The last time I checked them they were correct. In the other body, the solid votes of nine States can overcome the resistance of all the Representatives of the other 41 States in affairs of legislation that would be beneficial to those large States.

In the general scheme of things, the smaller States are always disadvantaged and handicapped. That is true in the organization of our political parties. It is true in the other body. Until recent years, very few men from very small states were even appointed to the President's Cabinet. The one place where the small States had a right to be heard, where they could defend the interests of their people, was the Senate of the United States.

I never cease to be amazed when I see representatives from some of the smaller States come into the Senate and attempt to denigrate the only power of the small States which equalizes them with the larger. It is not true anywhere else. It is not true in an

election. It is not true in the other body. It is true only in the Senate of the United States.

Let those who wish to have gag rule that is more inflexible than the existing rule 22 bring a bill of particulars, and say: Here are the bills that are vital to our people, that were defeated because we did not have immediate gag rule to shut off debate in the Senate of the United States .

Let them bring a bill of particulars. Certainly in over 190 years there must have been a number of such bills. If the situation is so bad that we have to go through this procedure at the beginning of every Congress, and it is said, "The Senate is not a continuing body; therefore we have a right to shortcut the rules," even though the rules specifically provide that they shall carry over from one Congress to the other, let the proponents bring in a bill of particulars.

In spite of all that, this drive goes on and on and on. I can understand it on the part of Senators from the very large States.

Mr. President, from the standpoint of the Senate itself as a body—I have great respect for the Senate of the United States as an institution—I think the right of free speech in this body has been one of the factors that has made this Government, this system of ours, the oldest operating system of government on the earth today. Our Constitution is the oldest charter. I do not like to see Senators take lightly these proposals to so drastically change the rules.

As a matter of fact, up until 1917 there was no way on earth to prevent any Senator or group of Senators from speaking as long as they wished. During the First World War and afterwards, in connection with the so-called armed-ship bill and two or three other measures, rule 22 has been modified two or three times. Now it is proposed to strike it out almost completely, with a great statement of words. The proponents say that to do so will protect the rights of Senators. Mr. President, the only way the rights of Senators can be protected in representing the States that sent them to the Senate is to preserve the right of free speech in the Senate. When that right is limited, the power of every Senator is limited, and the rights of the State that sent him here are circumscribed.

I realize that there are those who are committed to the doctrine that the States no longer serve any useful purpose and that it would be better to have everything, from parking regulations on up to the treaties that under the present Constitution, must be submitted to the Senate, decided by some vast bureaucracy on the banks of the Potomac. But if that is true, it flies in the teeth of human experience; because the shores of history are littered with the wrecks of civilizations that have tried that, that have enticed men to surrender their rights to someone who is going to be able to be more benevolent to a person than he could be to himself—the old "something-for-nothing" theory.

That is the objective of some of those who are seeking to bring about various changes in our system. This rule has worked no great wrong on the American people. To change it and institute gag rule in the Senate will work great wrong on them.

If the Senate in a moment of weakness adopts this gag rule, I do not doubt that a time will come when the authors will have the unfortunate end of Haman, who built the gallows for Mordecai and was hanged on it himself.

Those are words of sagacity, Mr. President, and I would hope that we are wise enough to heed them today.

Of all those statesmen I have quoted today, two or three have been from the South, the remainder from other sections of the land. Deliberate debate is not a sectional issue, it is not the particular weapon of one geographical area against the other. To prove this assertion, I have only to point to the record of the recently concluded 91st Congress. During the last session, the tactic of extended debate was used by both liberals and conservatives. It was used to forestall the improvident dismantling of the electoral college, and it was used to block funds for the supersonic transport, the SST. It was used during the discussion of the family assistance plan and it was used by those seeking to limit Presidential authority to commit American troops to military action abroad. In brief, extended debate cut across party lines, ideological lines, and sectional lines. The filibuster, Mr. President, is section-blind, color-blind, and policy-blind. And its demise would be a cruel blow to the American way of government.

Some of the statements put forward by the advocates of easy cloture could lead people to believe that the Senate has unlimited debate right now. That, of course, is not true. Rule 22, for the information of those unfamiliar with the tangle of legislative affairs, provides that debate can be shut off when two-thirds of all Senators present and voting decide to end it. And under rule 22, debate has been shut off on more than one occasion. In the last 10 years alone, the rule has been invoked a dozen times. In fact, Mr. President, it has been invoked more in the past 10 years than in the preceding 50. These were, by and large, occasions during which the national consensus was against those using extended debate. Thus cloture was achieved and the debate was shut off. So those who argue that a small minority can hold up legislation in the face of an overwhelming majority to the contrary would do well to get their facts and their history straight.

Another argument proffered by advocates of limited debate is that the House of Representatives gets along without it. To those people I reply that the House and the Senate are two very different bodies.

Before any change in the present cloture rule is made, I suggest that Members consider that they, as Senators, represent the people in a somewhat different way than do Members of the House of Representatives. Seats in the House are apportioned among the States on the basis of population, and the House may be said therefore to represent the American people as such, on a national basis. The Senate also represents the people, but it represents the people of the States, and the people of each one of the States have the same number of Senators to represent them as the people in every other one of the States. The State of Delaware has as many Senators as the State of California. And this is how it should be. This is federalism, the system of government under which we have functioned since the 18th century. The Senate itself is not only a national, but a federal body. It is responsible at once to the people and to the States as States.

I would also point out that the House was purposely designed to be more responsive to the ever-changing opinion of the people. That is why Representatives are elected every 2 years—to represent the moods of public opinion. The Senate was designed to provide a check on these changes being carried too swiftly into law. The Founders knew full well that unrestrained majoritarianism would lead to chaos, with new laws appearing every day, and with Government policy becoming a never-ending series of dizzying somersaults. The Senate was their response—a Chamber wherein careful deliberation would focus the spotlight on haste and waste, a body where the rights of all, inalienable rights, could be given the protection envisioned at Philadelphia in 1787. George Washington himself embraced this concept of the Senate. He expressed his feelings to Thomas Jefferson by pointing out that occasionally the House of Representatives would act in haste and that the Senate would be needed to cool things off, to make legislation more palatable to the many interests that were represented by the Senate.

The Members of the Senate are intended to have more opportunity to immerse themselves in the intricacies of complex legislation. The Members eventually go to the ultimate court of opinion—the people—but they have, theoretically, at least somewhat more independence. They have, theoretically at least, somewhat more insulation from the pressures exerted by the executive branch. A large body like the House tends more often than not to go along with the administration in power, although there are obviously many exceptions to that. That was true last session, for example, with regard to the SST and also to electoral reform. In the Senate matters turned out otherwise, some would say for the better, others would argue for the worse. But the fact remains that although the Senate was less efficient timewise in acting on the legislation, it was more deliberative in its studies. Open debate has thus helped maintain the independence of the Senate, and the integrity of representative government.

I am concerned, Mr. President, that the Senate preserve for its Members the right to listen and the obligation to learn. These rights and obligations are particularly important for new Members with less experience. The business of Congress is to formulate legislation for the entire country. But the fact is that most new Members of Congress have more knowledge about their own people and their own area than they have about the opinions of other people in other areas. That is only natural. But my point is that free, frank, and open debate provides the opportunity to learn.

Is there any Senator possessed of such detailed and comprehensive knowledge of every section of our country that without further education of a kind—the kind of education to be derived from thorough debate—he can give full consideration to interests shared by people in States of the East and West, North and South? Is there any Senator who would presume to propose laws binding on the people of a State far distant from his own without giving careful and patient attention to Senators from that

State who have the most direct and intimate knowledge of the problems and needs and achievements of the people whom they represent?

Or should any group of Senators, because they are in the majority or because the combined numbers of people they represent are a majority of the Nation, feel justified on the basis of numbers in denying to other Senators freedom to make known to the majority the points of view and the communities of interest shared by people in their own States?

The answers to these questions are obvious, they are self-evident, if we simply pause long enough to reflect upon them. And that is what this whole debate is all about—shall we guarantee that the opportunity for that pause always exists, or shall we throw away the opportunity for reflection?

Mr. President, let me cite one example of what restrictions on free debate can bring. And although this event occurred far away under different circumstances, few in that country thought it could happen to them. I am speaking of the circumstances surrounding Adolf Hitler's climb to power. Hitler, as you will recall, was appointed Prime Minister through the orderly process of the law. Hitler had a majority in the German Parliament upon coming to power, and he soon sent up a measure called the Enabling Act. The Enabling Act gave Adolf Hitler the power to amend the Constitution by decree. It gave him the power to raise and spend money, to negotiate treaties, and much more. In the Parliament were significant numbers of representatives who opposed the Enabling Act. Unfortunately for them, there was no rule of free debate in the Reichstag and so the Enabling Act was rammed through. And when it was, Adolf Hitler became the overlord of Germany with all the fateful results that had for the rest of the world. Yes, Mr. President, the Senate is a unique legislative body with its open debate—thank God it is.

Mr. President, I am tired of being put on the defensive year after year because of my defense of freedom of deliberation for the Senate. This is not a matter for which I should apologize, it is not an attitude that causes me any discomfort. On the contrary, I hold that open and unfettered debate is a positive good, not a detriment. I believe that it is a curbstone of representative government, not a useless appendage.

I am tired of hearing those who disagree with me single out one side of the political spectrum and one section of the country for their attacks. I believe I have shown today that such assumptions are historically wrong and politically prejudiced. Indeed, it is nothing short of hyprocisy to engage in such attacks. I am proud of the privilege, the right to engage in free debate on behalf of those I represent. And I will mourn not only for this Chamber, but for the entire Nation, if ever that right is denied any Member of the Senate.

For some reason, Mr. President, those who seek to curtail the liberty of debate have come to be identified in the public mind as the apostles of good, the agents of reform, the harbingers of some brave new world. They symbolize change and movement, but unfortunately change for the sake of change is too often equated with meaningful reform. This identification is largely the creation of superliberals so impatient with things as they are that they welcome any movement as a sign of advance and progress. Certain agents of the communications media have fallen victim to this prostitution of true liberalism and, as a result, millions of Americans are daily subjected to their analyses.

Given the growing pervasiveness of this dogma, politicians find it more and more difficult to caution against undue haste, more and more difficult to stand on the principles and institutions of the past. If they so much as dare to, they are immediately dragged before the unrelenting glare of the communications spotlight and are identified as symbols of the dead past, relics of an age that supposedly has no lesson for our own enlightened era.

It is time to speak out frankly, Mr. President, if we are to get away from the tired cliches and pat ideology that too often passes for reform or progressivism. It is time to insist that the case against cloture be given the same attention as the case for cloture. Yet in preparing materials for my talk today, I noted with disappointment that the news media give significantly more heed to the advocates of limiting debate than they do those on the other side of the argument. This is just one more example of what I discussed earlier—the ability in the modern era to form ephemeral majorities who, unarmed with all the facts, insist on misguided change. It is one more argument in favor of free and open debate in the U.S. Senate.

Summing up, Mr. President, I will briefly present what I feel are the overriding arguments which favor freedom of debate in the U.S. Senate.

First. Minorities have rights which no majority should override. Government is constituted to protect minorities against majorities. A strategy of delay is justifiable as a means of preventing a majority from trampling upon minority rights until a broad political consensus has developed.

Second. A Senate majority does not necessarily represent a consensus of the people or even of the States. Frequently popular opinion upon a question has not been formulated or, if it has been, it is often not effectively expressed. Prolonged debate may prevent hasty majority action which would be out of harmony with genuine popular consensus. The confidence of the people is essential to representative government, but such confidence cannot be retained when minority rights are not fully protected.

Third. It is the special duty of the Senate, sitting in an appellate capacity, carefully to inspect proposed legislation, a duty that cannot be adequately performed without freedom of debate. In our system of government, where legislation can be gaveled through the House of Representatives at breakneck speed with only scanty debate under special rules framed by a partisan committee, it is essential that one place be left for thorough-going debate.

Fourth. Free and open debate really do not prevent needed legislation, because almost every important measure defeated by prolonged debate has been enacted later. No really meritorious measure has been permanently defeated and some vicious proposals have been killed, thanks to the deliberate nature of senatorial debate.

Fifth. It is a unique function of the Senate to act as a check upon the Executive, a responsibility it could not perform without full freedom of debate. Unrestricted debate in the Senate is the only check upon Presidential and party autocracy. It is justified by the nature of our governmental system of separated powers.

Sixth. Majority cloture in the Senate would destroy its deliberative function and make it a mere annex of the House of Representatives.

Seventh. Simple majority cloture would have brought many a decision which would have accorded ill with the sober second thought of the American people.

Eighth. The Senate, without majority cloture, actually passes a larger percentage of bills introduced in that body than does the House of Representatives, with cloture.

Ninth. Unlimited debate is essential whenever a vital, fundamental, constitutional question is presented and a majority is trying to override the organic law of the United States. Under such circumstances, Senators as ambassadors of the States in Congress have a duty to protect the rights of the States.

Tenth. People from all sections and representing all shades of political opinion have used prolonged debate in the past and the rights guaranteed us in the Constitution have been the better for it. I submit that all these groups will have occasions to utilize the safeguard we are discussing many times in future years.

It is neither prudent nor rational to overthrow processes and institutions which have served us well over the years. Why exchange the proven institutions of past and present for an ill-considered scheme which could disrupt government as we have been practicing it since our independence? Do we need this change? Obviously not, Mr. President. It is simply change for the sake of change. It is not reform at all. It is simple, unadulterated regression. And I shall have no part of it. I most sincerely hope that upon reflection, and thanks to the opportunities afforded us by free debate, my colleagues will arrive at a similar conclusion. Then we can get on with the many pressing problems which the country has summoned us to confront.

Mr. President, I yield the floor.

SENATE RESOLUTION 28—INTRODUCTION OF A RESOLUTION AUTHORIZING ADDITIONAL EXPENDITURES BY THE COMMITTEE ON RULES AND ADMINISTRATION FOR A STUDY ON PRIVILEGES AND ELECTIONS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that I be permitted to submit, on behalf of the Senator from Nevada (Mr. CANNON),

a resolution authorizing additional expenditures by the Committee on Rules and Administration for a study of matters relating to privileges and elections.

The PRESIDING OFFICER. Without objection, it is so ordered. The resolution will be received and appropriately referred.

The resolution, which reads as follows, was referred to the Committee on Rules and Administration:

S. RES 28

Resolved, That, in holding hearings, reporting such hearings, and making investigations as authorized by sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, the Committee on Rules and Administration, or any subcommittee thereof, is authorized from February 1, 1971, through February 29, 1972, for the purposes stated and within the limitations imposed by the following sections, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

SEC. 2. The Committee on Rules and Administration, or any subcommittee thereof, is authorized from February 1, 1971, through February 29, 1972, to expend not to exceed $113,000 to examine, investigate, and make a complete study of any and all matters pertaining to—

(1) the election of the President, Vice President, or Members of Congress;
(2) corrupt practices;
(3) contested elections;
(4) credentials and qualifications;
(5) Federal elections, generally; and
(6) presidential succession.

SEC. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 29, 1972.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

AMENDMENT OF RULE XXII OF THE STANDING RULES OF THE SENATE

The Senate continued with the consideration of the motion to proceed to the consideration of the resolution (S. Res. 9) amending rule XXII of the Standing Rules of the Senate with respect to limitation of debate.

Mr. BYRD of West Virginia. Mr. President, for the information of the Senate, what is the pending question before the Senate?

The PRESIDING OFFICER (Mr. COOK). The question is on agreeing to the motion of the Senator from Alabama (Mr. ALLEN) to postpone until the next legislative day the consideration of the motion of the Senator from Kansas (Mr. PEARSON) that the Senate proceed to the consideration of Senate Resolution 9, a resolution to amend rule XXII of the Standing Rules of the Senate with respect to the limitation of debate.

Mr. BYRD of West Virginia. I thank the distinguished Presiding Officer. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL 12 NOON ON MONDAY, FEBRUARY 1, 1971

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in recess until 12 o'clock meridian on Monday next.

The motion was agreed to; and (at 4 o'clock and 46 minutes p.m.), the Senate took a recess until Monday, February 1, 1971, at 12 o'clock meridian.

EXTENSIONS OF REMARKS

HALTING BROADCAST ABUSES

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 26, 1971

Mr. ROSENTHAL. Mr. Speaker, the poor quality of radio and TV broadcasting is almost universally acknowledged. TV programing, in particular, has appropriately been called a "vast wasteland." This situation is due largely to the absence of effective monitoring by the FCC of the 7,500 broadcast stations in this country, which often leads to flagrant and continuing violations of stations' public responsibilities.

A highly imaginative petition to correct these abuses was filed with the FCC on January 8 by students of consumer spokesman, John F. Banzhaf III of the George Washington University Law Center. Adopting the acronym STATIC—Student Taskforce Against Telecommunication Information Concealment—the students' petition, if adopted, would require stations to broadcast spot announcements informing the listening public of station programing requirements and procedures governing renewal of broadcast licenses.

Armed with this knowledge the public could critically monitor the stations and make both the FCC and the individual stations aware of violations. In my view such action could lead to increased efforts by the stations to serve the public interest, and ultimately to significant improvements in radio and TV broadcasting.

The petition follows:

HALTING BROADCAST ABUSE—BEFORE THE FEDERAL COMMUNICATIONS COMMISSION, WASHINGTON, D.C.

In re: Public Rights in the Broadcasting Media.

PETITION FOR RULEMAKING

JANUARY 8, 1971.

Pursuant to 5 USC Section 553, the statutory authority, and 47 CFR Section 1, 40(a), the Commission authority, STATIC, Student Taskforce Against Telecommunication Information Concealment, a group of students from George Washington University Law School, as members of the general public, respectfully requests that the Commission adopt as part of their Rules and Regulations requirements for licensees designed to give the public effective notice of their rights vis a vis the licensees as established by statute, administrative policies and decisions, and judiciary review decisions.

II. SUMMARY OF THE PROBLEM

The Federal Communications Act of 1934 was passed in part in recognition that the electronic mass media should serve the public. The Act empowered the Federal Communications Commission to regulate the use of the frequency spectrum. The rights of the public to complete coverage of controversial subjects and to inoffensive and factual transmission of news were included in the statutory language.[1] Correlatively, the licensee, as a condition of being granted the license to broadcast, has the duty to serve the public interest by respecting these rights.

The duties the licensee owes the public have been further delineated since 1934 through administrative policy statements and judicial review. The licensee's programming, it is now recognized, must be balanced and fair, and

Footnotes at end of article.

"THAT THE LICENSEE RESPONSIBILITY IS TO BE EXERCISED IN THE INTEREST OF, AND AS A TRUSTEE FOR THE PUBLIC AT LARGE."[2]

Furthermore, the public has standing at Commission hearings. Nonetheless, the public is not made aware of their rights, and they are unable to fully protect their interests. The duties of the licensee must include informing the public of its rights through the media. Otherwise, the statutory rights of the public serve merely to protect the licensees from competition. They will not insure that the interests of the public be served.

The Commission does not have the resources to effectively monitor and identify the licensees who violate the public trust. In the thirty-six years of existence, the Commission has expanded the personnel in its broadcast bureau three-fold, while the number of licensed stations has increased ten-fold. The Commission requires the licensee to ascertain the community needs and program accordingly. In this way the licensees satisfy their statutory requirement of public service. The Commission cannot independently evaluate each community's needs, and should not depend solely on the licensees evaluation of its own performance.

Therefore, as a mode of illucidating the public interest the Commission should invite the licensee to open direct avenues of communication with the public.

III. PROPOSED SOLUTION

In order to actualize the statutory intent and purpose it is necessary that the licensees be required to inform the public of its rights and of the duties owed by the licensees. In order to effectively administer the Act, and present Commission policy, the Commission should adopt our petition for rulemaking which would require the licensees to give effective notice to the public of its rights.

IV. THE RATIONALE OF THE PRESENT SYSTEM

The original Federal Radion Commission (1927) and the succeeding Federal Communi-

cations Commission (1934) were created in response to two problems involving the allocation of the frequency spectrum: the prevention of technical interference and the choice of who is to operate upon the limited number of frequencies.[3] The allocating mechanism adopted by Congress was licensing.

The problem of preventing technical interference was easily solved. The FCC limited the number of licenses to transmit and regulated their power and frequency transmission.

The second problem was more intractable. The Commission is instructed to grant or renew a license "if in public interest, convenience, or necessity." [4] This language was taken from public utility legislation and lacked any definite criteria for the Commission.

The relationship between the broadcast industry and the public is special and unique. The FCC could not issue licenses on a first come basis and depend upon competition to protect the public interest. The major theorem of the competitive model is that the interaction of buyers and sellers insures the interest of each one is maximized. However, in commercial broadcasting, the licensees are the sellers and the advertisers are the buyers. Therefore, the public interest is not directly considered if the broadcasting industry is unregulated.

Moreover, the technically limited frequency spectrum created an oligopolistic industry structure which necessitates regulation.

However, regulating the profits of the licensee as if he were a common carrier or public utility was quickly rejected. It was felt that this type of regulation would in no way protect the public interest.

On the other hand if the public was merely a third party beneficiary of a contract between the owner of the broadcast station and its advertisers who pay to broadcast, the public would not have any rights cognizable in a judiciary forum. This is not the case.

Thus, the vague language of the statute considering the "public interest" must involve a special kind of regulation. One side argued for precise legislative standards for licenses while the other side advocated permitting administrative discretion.[5] The statutory language permits administrative discretion.

The FCC enabling legislation, subsequent FCC policy statements and decisions, and judicial review decisions have better defined the rule of the public and formalized the relation among the parties of interest.

V. THE RIGHTS OF THE PUBLIC

Numerous conflicting policies and actions can be rationalized under the rubric of public interest. Nonetheless, some definite meaning to "serving the public interest" has been acquired, since the Federal Communications Act of 1934, through administrative policy decisions and judicial review.

The statutory language explicitly defined three aspects of what would serve or insure the public interest: the airways were to be fully utilized;[6] controversial subjects were to be covered completely; [7] offensive and unfactual transmission of news was prohibited.[8]

The function of the FCC is not only to issue and renew licenses, but as importantly to insure that the public interest is considered by the licensee. To those who argued that we should "regard the Commission as a kind of traffic officer, policing the wave lengths to prevent stations from interfering with each other, Mr. Justice Frankfurter answered:

"But the Act does not restrict the Commission merely to supervision of traffic. It puts upon the Commission the burden of determining the composition of that traffic. The facilities of radio are not large enough to accommodate all who wish to use them. Methods must be devised for choosing from among the many who apply. And since Congress itself could not do this, it committed the task to the Commission.

"The Commission was, however, not left at large in performing this duty. The touchstone provided by Congress was the 'public interest, convenience or necessity.'

". . . The facilities of radio are limited and therefore precious; they cannot be left to wasteful use without detriment to the public interest. . . . The Commission's licensing function cannot be discharged, therefore, merely by finding that there are no technological objections to the granting of a license. If the criterion of 'public interest' were limited to such matters, how could the Commission choose between two applicants for the same facilities, each of who is financially and technically qualified to operate a station? Since the very inception of federal regulation of radio, comparative consideration as to the services to be rendered have governed the application of the standard of 'public interest, convenience or necessity.' " [9]

In subsequent proceedings the Commission further defined the statutory language. Full utilization of the airways means in part that the public is to be protected from overcommercialization.[10] The licensee's programming must be balanced; thus, the Commission identified fourteen areas in which the licensee must provide programming. These areas include programming of religion, education, politics, sports, entertainment, news, agriculture, weather and public affairs, editorializing, service to children and minority groups, opportunities for local expressions, and development and use of local talents.[11]

Recognizing the importance in a democracy of public response to controversial issues, the Commission formulated the Fairness Doctrine.[12]

The licensee's programming must be relevant to the community. In Simmons v. F.C.C. 169 F. 2d 670 /1948/, the D.C. Court of Appeals upheld an F.C.C. ruling that a licensee who makes no effort to structure its programs to the particular needs of the community does not satisfy the public service responsibility of a broadcast licensee. A licensee must not only be cognizant of the community needs, but his programming must reflect the various interests of the community.[13]

In the Office of Communication of United Church of Christ v. FCC, 359 F. 2d 994, it was recognized that the public does have standing before the FCC to enforce its rights. Thus the court recognized the public as an active participant in broadcasting. In order to make this participation more effective the public must be informed of its rights.

Considering that the airways are public property which the licensee is merely given permission to use at nominal cost, the duties the licensee owes the public are not oppressive. They do not even endanger the licensee's monopoly profits.

VI. IN RESPECT OF THE RIGHTS OF THE PUBLIC

The rights of the public are essential in the mass communication media industrial structure, and yet the licensees appear to pay more lip service to the public's needs and interest. To realize how true this statement is, students of the mass communication media consider it axiomatic that the present performance of licensees with respect to public service can be improved.[14]

Thus, under the present system. the rights of the public are well documented and recognized, and yet there is no effective mechanism to insure that these rights are honored.

Unsurprisingly, the public has not acted vigorously to protect its own rights. In fact, most of the public is unaware of its rights.

"Most people believe that radio and television are like the weather. Bad weather exists. But it is no one's fault. Accordingly, nothing can be done about it. The same is widely believed to be true of radio and television." [15]

The public may also be apathetic to the duties the licensee owes them. Even if the people are apathetic, an opinion that no one has taken the trouble to verify, their apathy is no excuse for not informing them of their rights. Democracy is principled upon the proposition that the public has rights and has the freedom and information to exercise those rights. Rights of which the public has no knowledge are not rights at all.

VII. THE TREND TOWARD ACTIVE PUBLIC PARTICIPATION

The broadcast license is issued by the FCC for a three year term. Upon expiration, the licensee is eligible to renew.[16] The statutory criterion for licensing is: "whether the public interest, convenience and necessity will be served by the granting of such application." [17] Since the statutory language of licensing criterion is vague, the Commission has had to develop its own operational criteria consonant with the statute.

As recently as ten years ago, the Commission's criteria was criticized as confusing. The reason, Judge Friendly argued, was that the Commission mistook evidentiary items for elements of policy. He sought to isolate two main elements of policy: the community should have the programming best adapted to its needs, and ownership of the mass communications media should be diversified.[18] The FCC officially adopted similar guidelines.[19] The evidentiary items such as local ownership, integrated ownership management, and management participation in civic affairs are supposed to relate to an applicant's ability to achieve the policy goals.[20] For example, the local applicant was considered better aware of the community needs, and therefore more likely to be able to program in accordance with those needs. It was even better if the local applicant participated in civic affairs, because that indicated an awareness and interest in the welfare of the community. Furthermore, the fulltime participation by the applicant in the station's operation was of substantial importance because that enhanced the probability the station would be responsive to public needs and demands.

The use of such propositions to develop evidentiary items is understandable in hearings for new licenses. In an application for a license, empirical evidence concerning the relevance of the proposed programming to the community's needs is not available. However, in a license renewal hearing, the public's evaluation of the licensee's programming is readily available, is pertinent, and should be ascertained.[21]

The 1970 Policy Statement directly addresses this issue in the first step. In addressing this issue, the Commission has neglected to create a mechanism by which it can obtain an objective evaluation of the public's needs. It must be remembered that the adversarial function within the administrative system is different from that within the courts. The Commission has two roles—advocate for the public—and judge. The Commission cannot independently assess the public's interest and needs, so it gives that duty to the licensee. The licensee is required to complete FCC Form 303 Sec. IV–B Part I which asks: "to state the methods used . . . to ascertain the needs and interests of the public served by the station (and to identify) representative groups, interests, and organizations which were consulted." To satisfy this requirement, a licensee need simply talk to many important ("representative") people and organizations in the community.[22] The applicant is also asked to list typical programs which "have served public needs and interest." Still missing is any well defined idea of what are the public needs and interests to be served. More bla-

Footnotes at end of article.

tantly missing is the use of any general public response in order to ascertain the needs and interests of that public. Unsurprisingly, two commissioners concluded in 1968 that the licensee's local surveys were useless.[23] Nonetheless, in determining whether the licensee's programming has been "substantially attuned," the Commission relies upon the licensee's own local surveys.

It is unquestioned that the FCC lacks the resources to properly police the licensees as the representative of the public. In 1969, the Commission's broadcast bureau staff was only three times larger than when it began operations. That staff was responsible for more than 7500 operating broadcasting stations, an amount ten times greater than the number of operating stations when the Commission began operation. Although the Act of 1934 provided for "any party in interest (to) file with the Commission a petition to deny any application," the public was not considered a party in interest until 1966. Chief Justice (then Judge) Warren Burger recognized that the Commission lacked resources and that:

The theory that the Commission can effectively represent the listener interest in a renewal proceeding . . . is no longer a valid assumption.[24]

The remedy was to extend standing to intervene in license proceedings to "responsible spokesmen for representative groups in the listening community." It remains for the public to protect its own interests in light of Chief Justice Burger giving judicial recognition to the right of the public to protect its rights.

The trend toward public participation in the mass electronic media is not complete. The FCC requires the licensees to consider the public interest in forming its programming by consulting representative public groups. It is our contention that the community's needs cannot be ascertained adequately by delegating the duty to the licensee. A more efficient means would be to give the public the duty to protect its rights.

Therefore, we propose that the FCC adopt the following rule:

I. The licensee shall be required to provide a specified period of time, to be determined by the FCC, to broadcast informative, impartial and effective notice to the public at large of its rights and the licensee's duties under existing statutes and administrative policy decisions. Such broadcasts shall be aired at intervals specified by the FCC, but in no event less than once every six months, and shall be made during the prime hours of 7:00 to 10:00 P. M.

II. Such broadcasts should be designed to impartially and effectively inform the public at large of its rights and licensee's duties including the following topics which are not meant to be exhaustive.

a) The Fairness Doctrine including:

1) right to reply to controversial programs, editorials, or opinions aired or expressed by licensee.

b) right to reply to personal attacks made by persons whose views have been broadcast by the individual licensee. Such time being provided by such licensee.

c) complete coverage of controversial subjects or programs.

d) right to unoffensive and factual transmission of news.

e) right to complaint either to station itself or to the FCC concerning any and all grievances felt by individual members of the community by licensee.

f) right to intervene in licensee renewal proceeding including:

1) right to petition against granting of said license

2) right of complaint to licensee or FCC

3) explanation of the requirements under Rule 1.580 concerning license renewal.

(g) the licensee's duty to provide balanced programming in the interest of public spirit and taste without overcommercialization by such licensee's sponsors

(h) the licensee's duty to actively elicit public opinion concerning its overall operation

(i) activities of other groups contesting renewals

In order to insure the public's right under the proposed rule we recommend that each individual licensee be required to maintain a log of all responses made by the public to said licensee concerning all aspects of the licensee's performance as well as the action taken by the licensee regarding such responses. The maintainance of such a log would greatly facilitate the interaction between the licensee and the community being served as well as providing an effective aid in determining a licensee's performance in regard to the license renewal procedure. By having the individual licensee be responsible for maintaining a record of public response and actions taken accordingly, a large portion of the burden of policing the broadcast frequencies would be handled by the public at large, thereby reducing the role of the FCC in this area.

Thus, we believe that the individual licensees and the communities they serve, could through the operation of the proposed rule reach a considerably higher level of mutual discourse and cooperation while furthering broadcast standards, community interest, and effective utilization of the broadcast frequencies. This proposed rule will also make Rule 1.580 more effective by giving the public information upon which to make complaints.

We do not believe that this rule would be followed by increased dependence of the public on the Commission or an increased workload on the Commission's staff. Rather, just the opposite will occur. This rule will encourage critical monitoring and discourage frivolous complaints by the public because the public will be aware of what the licensee's duties are. Furthermore, this rule will encourage the formation of responsible civic groups which can open avenues of discourse with the licensee, and when necessary, provide the means to make program agreements like those in Rochester and Texarkana, bypassing the Commission.

Unlike the Illinois committee,[24] the present petition for rulemaking does not ask the licensees to delegate to an outside organization the right to broadcast announcements. It does not depend on the FCC finding license renewal a controversial issue falling under the Fairness Doctrine but rather follows the Commission's implicit suggestion that the proper method through which to enlarge the licensee's requirement for publication of information is the rulemaking procedure.

Wherefore, these arguments considered, the Commission is respectfully requested to issue an appropriate notice of proposed rulemaking.

Respectfully submitted,

———— ————.

FOOTNOTES

[1] 47 U.S.C. 315a 303 m/1/d.

[2] Office of Communication of the United Church of Christ v. FCC 359 F. 2d 994 (1966).

[3] Coase, Federal Communications Commission, 2 J. Law & Econ. 8 Oct. '59.

[4] 47 U.S.C. 309a.

[5] McDonald, Need for Standards in Selection of Licensees, 17 L.R. 61 Fall '64.

[6] 47 U.S.C. 303.

[7] 47 U.S.C. 315a.

[8] 47 U.S.C. 303/m/1/d.

[9] National Broadcasting Co. v. United States, 319 U.S. 190, 213, 215–17 (1943).

[10] 317 FCC Annual Report 92 (1963).

[11] 25 Federal Regulation 7291, 7295 (1960).

[12] In the Matter of Editorializing by Broadcast Licensees, Docket No. 8516 13 FCC 1246 (1949) Sec. 3.

[13] Capital Broadcasting Co.

[14] Barrow, The Attainment of Balanced Program Service in Television, 52 Va. L. R. 633 (1966).

[15] Broadcasting in America and the FCC's License Renewal Process: An Oklahoma Case Study. A Statement by Commissioners Kenneth A. Cox and Nicholas Johnson, 14 FCC 2dl (1968).

[16] 47 U.S.C. 307.

[17] 47 U.S.C. 309a.

[18] The Fed. Admin. Agencies, 1962, 57–9.

[19] 1 FCC 2d 393, 1965.

[20] Ibid. p. 58.

[21] One reason the 1970 Policy Statement omits diversification of ownership as an item of policy is because diversification is a surrogate measure of the likelihood of diverse programming designed to meet the community needs. In license renewal proceedings, direct evidence of licensee's past record is available to evaluate whether his programming was substantially attuned to the community needs, and surrogate measures are not needed.

[22] WHDH: The FCC and Renewal Proceedings, 82 Harv. L. Rev. 1693 (1963).

[23] 14 FCC 2d 9.

[24] Federal Communications Commission reply to Illinois Citizens' Committee for Broadcasting, FCC 70 1141 Oct. 21, 1970.

WELFARE REFORM

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Friday, January 29, 1971

Mr. BYRD of Virginia. Mr. President, one of the most pressing problems which the Government faces today is reform of the national welfare system.

Last year, during hearings conducted by the Senate Finance Committee, an outstanding contribution to understanding of this problem was made by the distinguished former Senator from Delaware, John Williams.

In the January 27 edition of the Northern Virginia Daily, an excellent editorial was published outlining the problems of welfare reform and paying tribute to the great role played by Senator Williams.

The Northern Virginia Daily is published at Strasburg, Va. Its editor is James J. Crawford.

I ask unanimous consent that the text of the editorial, entitled "Welfare Reform," be printed in the Extensions of Remarks.

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

WELFARE REFORM

Because of his penetrating insight and his dogged insistence that legislative boondoggling be exposed for what it entails rather than for what it appears to be, recently retired Senator John Williams of Delaware had been described as the "conscience of the Senate."

It was a high compliment. Sen. Williams had earned it because through the years he appeared to put the people's right to know before legislative maneuvering and political dealing. He was one of that relatively small group of congressmen in both chambers to whom personal ambition is less important than the public trust.

The Delaware senator followed this course to the end of his tenure. One of the last services he performed for the nation was his expose of what is involved in the Administration's welfare reform.

The welfare reform which President Nixon proposed in his State of the Union message is essentially a revival of the family assistance and so-called work incentive plan introduced by the Administration in the 91st Congress last year. This bill, which passed the House last session but died in the Senate, had as its base a federal relief allowance of $1600 a year for each family of four. The new Administration bill has not yet reached the Hill, but when it does it is expected to be largely a replay of last year.

Stressing the fact that since not one welfare recipient in any state of the Union would receive one dime less under the expected Nixon proposal than he is now getting under existing laws and after having this finding collaborated by the Secretary of HEW, Sen. Williams concluded:

"We therefore proceed on the premise that there is no reform in this bill, assuming there are abuses now. Quite to the contrary, all the inequities in existing law will be frozen into the new program, plus some more being added."

Human Events reported what would happen under the currently awaited new welfare reform legislation which will also have as its base $1600 per year per family of four. Though the figures would vary somewhat from state to state, here are decidedly impressive reasons why Sen. Williams and others opposed the Nixon plan last year in the Senate, and why those remaining will probably oppose it again.

Human Events compressed much of the reasoned opposition to the Nixon Administration's concept of welfare reform into the following two paragraphs:

The program would work in the following way. The federal government would furnish $1,600 for a family of four on welfare, but this sum is only the beginning. For the federal subsidy would automatically trigger mandatory supplementary payments. In New York, for instance, the $1,600 payments triggers in $2,156 additional state supplemental payments, 70 percent of which is paid for by the federal government. This brings the family's cash income to $3,756, tax-exempt. But this isn't all. The family can also collect food stamps worth $312, Medicaid benefits averaging $1,153 annually, plus another $989 in rent supplements or public housing. This is a total of $6,210 for this family in New York City.

But suppose, said Wiliams, "the city letter carrier that is delivering this welfare check has a family of four. His income is taxable, and after he pays taxes he has $6,209 left, or $1 less by working and earning $7,000 a year than the same size family gets if on relief. Is that a work incentive?"

Instead of acting as a work incentive measure, the Administration's new bill "will pay a premium to the man who slides back into welfare." In addition, it will cost untold new billions of dollars more than present welfare costs, which already threaten to engulf many large cities. But, worst of all, it will be a way to give away more money—not reform.

This newspaper has supported the need for welfare reform for many years. Heaven knows, reform is overdue. But, except for the fact that it is labeled "reform," there isn't much to recommend the Administration's expected proposal.

Work incentive? People being people, how can we inspire the average welfare recipient to go to work and to improve his job skills if he can continue to have as much money coming in without working.

BOY SCOUTS 61ST ANNIVERSARY

HON. WILLIAM H. NATCHER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. NATCHER. Mr. Speaker, beginning on Monday, February 1, the Boy Scouts of America will launch a month's observance of the anniversary celebration of this outstanding organization. As you know, in the past we have had a national week in which attention was focused on the activities and accomplishments of the Nation's largest youth organization, but now this celebration will extend for a full month.

This year marks the 61st official birthday anniversary of this worldwide movement which was incorporated here in Washington on February 8, 1910. Certainly I think it is entirely proper to designate this longer period of time for mental protection, and during this annual anniversary, and once again I am proud and pleased to take this opportunity to express my wholehearted interest in and genuine admiration for this splendid organization.

Since it was founded in 1910, the Boy Scouts of America has been teaching and practicing conservation and environmental protection, and during this anniversary celebration a year-long program identified as Project SOAR—Save Our American Resources—will be initiated. It is estimated that over 6 million boys and their leaders will join forces with organizations and agencies at the community, Federal, State, and citizen levels to aid in saving our American resources. What better evidence do we need to illustrate the overall aim of scouting to make this splendid organization thoroughly relevant to the needs and interests of our youth and our Nation?

The long-range dynamic expansion plan known as Boypower 1973, which was adopted by the Boy Scouts of America last year, is going forward extremely well and will continue until 1976 which year will mark the 200th anniversary of the founding of our country.

As I have stated on previous occasions, I always enjoy recalling with true appreciation the many fine and interesting experiences which were mine as a Boy Scout, and I firmly believe that the basic concepts of this organization cannot fail to generate a sincere realization of one's duty to God and country as well as a keen respect for the fundamental rights of all people.

The fact that presently one out of four boys of Scout age is a member of the BSA fully supports the meaningful slogan "America's manpower begins with boypower" and reassures us that scouting is definitely one of the best proven methods of developing individual character and the qualities of leadership.

In Kentucky the scouting movement has expanded significantly and I am naturally pleased with the progress that has been made in the Second Congressional District.

Mr. Speaker, our Boy Scouts continue to be among our greatest assets and as they undertake a month-long observance of their 61st birthday I consider myself both fortunate and privileged to have this opportunity to congratulate them and to wish each and every one of them continued success in all their future endeavors.

CONVERSION: THE NEW MANAGEMENT GAME

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. MORSE. Mr. Speaker, a perceptive and enlightening contribution to the current discussion of economic conversion was recently made by Dr. Albert J. Kelley, dean of the Boston College School of Management, and chairman of the Massachusetts Board of Economic Advisers. In a speech delivered on January 21, 1971, before the Smaller Business Association of New England, Dr. Kelley pointed out the vital need for action by the Federal Government to assist companies in adjusting from defense-contract work to civilian-oriented production. Since the conversion problems cited and some of the solutions offered by Dr. Kelley are directly relevant to the Economic Conversion Act which I have reintroduced at this session, I would like to share the speech with my colleagues.

The speech follows:

CONVERSION: THE NEW MANAGEMENT GAME

(By Dr. Albert J. Kelley)

Conversion is a popular word these days. It is a subject about which there is lots of talk and little action. It reminds me of the way many problems are approached in the academic world these days. Many academicians feel that if they have talked about a problem long enough they've solved it. We're far from a solution to this increasingly important subject and the basic causes underlying it.

The problem is, of course, the deep cutbacks by the federal government in defense and space spending. In order to attack a problem and attempt to find solutions for it, we must first define it and admit it exists.

These cutbacks are having a very serious impact, an impact which will become more serious over the next year when one analyzes the three most recent federal budgets. The latest publicity on shipyard phase-outs, while important and even alarming in itself is only a manifestation of a problem that we all know has existed for some time.

Thus far, we have not seen a willingness on the part of our Administration in Washington to admit cutback problems exist, let alone tackle them. There seems to be a feeling in Washington that the impact on industry, from Government defense and space cutbacks, is either not the Government's problem, or will go away if we don't worry about it, or will be taken care of by overly optimistic projections of an upturn in economy.

Let me state categorically from studies that we at Boston College and others have run and my own personal review of federal and state information, that these cutbacks create a serious problem to our national and local economy, a problem which is going to get worse before it gets better. There are measures that the federal and state govern-

ment can undertake. I will propose a few of them before this talk is over. I hope to elicit more from you before this meeting is adjourned.

Many are worrying about individual unemployment and some are doing something about it. I will concentrate my attention in this meeting on the *unemployed company* and what we might do to help it.

Small business has many unique problems in this current cutback situation. Many of our small companies are sub-contractors, often to prime contractors located out of state. The sub-contractor is hit a double blow in a cutback situation.

When the prime contract is reduced, he is immediately reduced by his proportionate share. In addition as you all well know the prime contractor then begins to "pull in his horns", to do more work in-house, and to sub-contract less. His "make or buy" decision becomes much easier, in fact, often obvious.

In order to best solve our regional economic and unemployment problem, we must get at the *root cause* and insure that industrial corporations maintain economic and industrial health with reasonable profit margins. If we can do this, maintaining strong companies, we can cut back on unemployment by causing less people to be released from the payroll and providing plenty of new job opportunities for those who are in transition.

Whether or not to convert and what to convert to is, of course, an individual corporate decision. I think it is important however, that each and every corporation decide for itself fairly quickly what market and product mix it desires to have over the next few years. It may be that a company, as many have, will decide to retrench and continue as a solely government contractor; it may be that a company will decide to go into wholly commercial markets; or it may be that a company will decide to establish some mix between government and commercial markets, the important thing is the company have a strategy and a plan.

A few general principles to help separate fact from fiction in your conversion decision and serve as an input to your own thinking:

It is fact that there is a serious cutback in government defense spending. It is fiction that there is non-defense government funding which will pick up the slack or differential.

Despite all the publicity in Washington about shifting our defense industries to environmental control transportation, urban systems, etc. etc., etc., neither I nor anyone else has been able to find significant or meaningful governmental funding in these new areas which could be considered in any way a dollar volume substitute for defense dollars eliminated from recent federal budgets.

It is fact that many new technologies have been developed under the Department of Defense and NASA's programs. It is fiction that these technologies have only to find the right problems in other areas and we will solve all our earthly woes.

We have too many technology solutions and advocates of them going around looking for problems to solve. We need more applications orientation, more down to earth market analysis. Sophisticated technology developed for military and space applications will not alone solve our problems. Mundane applications of it together with *good management* and realistic problem-solving might.

It is fact that many sophisticated management techniques have been developed under DOD and NASA sponsorship such as systems analysis, PERT, etc. It is fiction that these are a panacea for non-aerospace enterprises and management operations.

Many of these techniques are indeed excellent and have great potential for other applications. We have only begun, however, to sift out those which have real transferability from those which are applicable only to the unique military-industrial-space project.

It is fact that marketing is the key to any successful business operation. It is fiction that there is any similarity between government and commercial marketing.

The dissimilarity in different types of markets presents, in my opinion, the greatest problem for a company wishing to convert out of a defense dependence. It is a primary reason why many companies who have been in both markets have had to run essentially two different operations. It is a primary reason why very few people, even within a company, have crossed lines between the government and commercial divisions.

Conversion is easy to define but hard to accomplish. But, before we accomplish we still must define the differences between the business environment a company is in now and business environment it wishes to enter.

Let's look at the government contractor for a minute and assess his business environment. He deals with a very sophisticated customer—the Federal Government. This customer writes good specifications and knows what he wants, sometimes almost too much so, down to the last comma, decimal point and fraction.

Marketing is largely of a personal nature, depending heavily on personal contacts and the reputation of the company. The market is very narrow and very deep. That is, a company expects to get relatively few contracts over a period of years, that is, make few individual sales, but expects these to run for some time and lead to follow-on contracts.

There is a unique budgeting, costing and contracting process in government business. Different financial incentives exist for a corporation in government business as compared with a commercial enterprise. While profit may be very small, return on investment for a government contractor can be very large—that is the name of the game.

On the other hand, the commercial company deals largely with a relatively unsophisticated customer. Market characteristics are quite different. Usually a higher number of sales of smaller dollar value are required to achieve the same market volume. The markets are diffuse and often fractionated.

There is a different cost approach and attitude in a commercially oriented company with tighter financial controls, which are not subject to government regulation and inspection and permit more ingenuity on the part of the manager and greater operating flexibility. Corporate management must run leaner than with the overheads allowable on Government contracts and the resulting numbers of middle managers.

In the commercial company there is a greater financial risk from the external investment viewpoint and from the internal financial control viewpoint. Profit and other performance measures are more directly tied to management performance and decisions.

By and large, it should be easier for the small company to convert than for the large defense contractor. The large aerospace companies have had a great deal of difficulty, as you know, in conversion. Their basic problem, in my opinion is they are accustomed to large overhead and large management and staff structures, so that they approach these other markets with all the complexity and overhead which they have been used to on large government contracts.

As a result, they often over-kill the problem and bring to it a solution that requires a budget in the seven and eight figures when only a six figure budget is available. This six figure budget, in turn, may be ideal for a small company, which can turn around fast and run lean and hard.

In addition to the decision and subsequent action by the individual company, I think there is much that can be done by the federal and state governments to help ease this conversion and turn-around situation. There has been little done up to this point, and I see no reason why an organization such as SBANE could not provide information and apply appropriate pressure on government officials to help bring some action about.

Let me propose here a few steps which would be taken. They are not necessarily the best, the list is by no means complete. They are a few that I think can work and which our government can take action on relatively quickly. First the federal government:

We should take a hard look at the defense budget. Have we cut, in fact, too deep? In my opinion, we are dangerously close. At the time of the Cambodian invasion eight months ago the President released information indicating that a large gap was emerging between the defense strengths of our country and the Soviet Union. His own budget should serve to close this gap, not widen it.

The Federal Government should put money into conversion projects if it expects government defense contractors to work in these new areas, to turn around, to make the conversion. It should invest some seed money to get them started so that they can tackle these new problems in the business environment—that is government contracting—in which they've been previously involved.

The Federal Government should help reduce the risk conversion by providing some form of government guaranteed loans such as World War II and post War V-Loans. The commercial financial institution would provide funds, but their risk would be considerably reduced by a government-backed guarantee. This would stimulate more money flow into high risk conversion.

Take steps to reduce foreign competition in those areas to which American companies can convert. It makes no sense to have American capital, technology, and management spend the energy and take the risk to move into new areas when foreign competition could come in shortly thereafter and clean up the market, as we've seen too often recently.

There are many things that states and regions such as Massachusetts and New England can do.

Provide seed money and initial subsidy for academic institutions to institute training programs for executives *in companies*. Massachusetts is engaged in helping the unemployed retread or convert, and this is good. But, we must be careful that we don't spend all our energy trying to catch the horse after he leaves the barn. It's just as important to help *executives learn new management techniques* for new markets and businesses *while they are in the company so that they can convert the company as well as themselves.*

Provide industry-wide and individual corporate assistance to companies who are interested in converting. This could consist of state sponsored market surveys, assistance in locating government contracts, and many peripheral services which the smaller company is not able to provide for itself, either because of lack of information or funds.

Provide incentives to attract private risk capital to turn-around situations or new ventures. This could take the form of tax incentives, investment incentives, steps which would attract the private investor to conversion situations.

I think that we in the universities can help in this situation also. We have already taken steps at Boston College. In our School of Management we formed a Management Institute over two years ago to work with small and medium size companies by providing educational services such as seminars and courses.

Now that the economic situation has changed and we have matured our programs,

we think we can provide a valuable service to the community and are in the process of doing this.

We have run two national and international seminars on venture capital and management, the joining of technology, management and money.

We have run evening programs on such subjects as financial management for technical executives and modern marketing methods.

Under the sponsorship of the New England Regional Council, we have put on a program to educate regional and industrial development officials in New England on the process of forming new companies and of joining the entrepreneur with the financier.

We are putting on, in cooperation with the Institute of Electrical & Electronic Engineers and the American Institute of Aeronautics and Astronautics a seminar series beginning February 9 on the organization and management of new enterprises. By new enterprises we mean not only new companies, but new divisions and new projects in existing companies. This seminar is keyed specifically to new market areas and, therefore, conversion.

We have just started to work with individual companies who need updating or reorientation on modern business methods and techniques, particularly in new business and market areas. Our first program will start late in February, a four-day seminar for a well-known, and fast-growing technology company.

Until recently, I believed that the conversion problem was one which industry had to solve by itself and could solve by itself.

I am convinced now, however, that conversion requires some form of federal assistance. The alternative is to deal a serious blow to our economy on a national scale.

The snowballing and multiplier effect of a high technology community out of business cannot be isolated. It affects every element of our national and international strength and posture.

Also, I feel, the Federal Government has a duty and an obligation to assist high technology government oriented companies in the transition to other business areas.

The "management shock" of moving into a new business area, while at the same time assimilating new business methods and criteria, is just too much to expect many of these companies to absorb. Either one, new products or new business methods, would be difficult in itself. The cummulative combination of these two is a lot to absorb and a lot to expect.

There is much which groups such as SBANE can do to help bring about this government support. I would be glad to work with you in any way I can.

HELP FOR OUR ELDERLY

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. ZWACH. Mr. Speaker, in the 91st Congress we acted on, and passed the social security amendments. Contained in that bill were provisions to provide an increase in benefits along with an automatic cost-of-living increase. We also provided that the allowable income levels would be raised to $2,000.

These were steps in the right direction, and we, of course, still have to enact this legislation. I do believe, however, that we can go further to help our elderly citizens who are living on low fixed incomes.

Many of our people who have retired, or semiretired, still want to work and many of them must work in order to supplement their retirement income. A needed benefit that we should provide to our retired citizens is to increase the allowable income.

I have supported in the past, and I am again introducing today, legislation to increase the allowable income to $3,000. With this increase, our elderly will not have to take a reduction in their social security benefits and this would certainly help them in meeting their expenses in these inflationary times.

I hope my colleagues here in the House of Representatives will join with me in supporting this legislation.

THE LATE HONORABLE L. MENDEL RIVERS

HON. JAMES A. HALEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. HALEY. Mr. Speaker, the death of Mendel Rivers has removed from the House a man the Congress, the Nation, and indeed the whole free world can ill afford to lose. I join my colleagues and his family in a deep sense of personal loss and grief.

As the Chairman of the House Armed Services Committee, Mendel Rivers was a controversial figure, in the Congress and in the news media, but I would believe that there are few if any Members of this body or of the general public who would believe that this eloquent son of South Carolina was other than totally dedicated to his State, his country, and to his beliefs and principles.

His vigorous and eloquent support of those beliefs and principles—the belief in his country as the greatest country in the world and the principle that to remain in that role in this competitive world it must be always prepared to defend itself against any aggressor—was in fact the reason he became a controversial figure.

Men who fight, as Congressman Rivers always did, for their beliefs tend to become controversial. But the attacks of his opponents never daunted Mendel Rivers. He believed devoutly in what he believed, and he never deviated in the face of opposition. And even those who disagreed with some of his positions respected him for this.

Some of Mendel Rivers' opponents in the news media sought to portray him as the slave of the high brass in the military machine. But the truth—the demonstrable truth—is that he, more than any man in my memory in Congress, fought more vigorously and consistently in defense of the constitutional principle of civilian control of the military and in defense of the constitutional powers of the Congress with respect to civilian control.

Nor was Mendel Rivers the "slave" of the high brass when it came to the enlisted personnel of the armed services. They, rather than the officers, were always his first concern. He was always their friend—and they knew it, as witness the flood of tributes paid him by the rank-and-file soldier and sailor both before and after his death.

Mendel Rivers was an intensely human person. He was devoted to his family and to his people—and, properly so, they to him. He was a prophet not without honor in his home country.

This House will sorely miss his eloquence, his forcefulness, his determination, his wisdom, and his all-encompassing knowledge of his legislative field.

REVENUE SHARING

HON. WILLIAM B. SPONG, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Friday, January 29, 1971

Mr. SPONG. Mr. President, yesterday representatives of Virginia's urban communities met with members of the Virginia congressional delegation to discuss ways of helping cities meet their financial crisis. One spokesman for that group was Dr. Joseph L. Fisher, chairman of the Arlington County Board, who submitted a statement on revenue sharing. While details of the administration's proposal still are not known, I nevertheless wanted to share with the Senate Dr. Fisher's views and I ask that his statement be printed in the RECORD.

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

STATEMENT ON REVENUE SHARING FOR VIRGINIA'S URBAN 12 TO VIRGINIA CONGRESSMEN

(By Joseph L. Fisher)

We in State and local government need revenue sharing, urban people deserve it, and Virginia's Urban 12 will work for it. The time has come to nationalize the Federal Income Tax and make it the American Income Tax.

The revenue sharing bill proposed by President Nixon and described generally in his State of the Union Message offers the best hope on the horizon for municipal governments to meet their fiscal crisis, which is an excruciatingly severe one. Local governments in 1971 are victims of inflation to a degree beyond anything they have ever known. Local revenue systems are not equal to these inflationary pressures. Property tax bills are skyrocketing, but local governments are still in deep trouble. In most instances, they cannot bleed property for more money and they cannot realistically expect to get much more from the State, so they must look to the Federal Income Tax for help.

Arlington—my community, one with admittedly well above average resources—today faces a short-fall of $7.1 million in its budget for the fiscal year 1971–72, and this does not include salary increases for its employees and school teachers.

The revenue sharing bill soon to be considered by the Congress has several features that strongly appeal to Virginia's Urban 12. First, the distribution formula bases the share of each local government on its present local general revenue in relation to total State and local general revenue. Urban centers are where the people and the problems are; the Urban 12 jurisdictions have necessarily exerted a strong tax effort. Conse-

quently, their revenue sharing distributions would also be relatively high and reasonably related to their pressing needs. The distribution formula puts the money where the people and problems are.

The second intriguing feature of the bill is the ten per cent incentive that a State and its local governments can qualify for if they can jointly agree on a new State-local fiscal system. In our judgment, this is a powerful incentive for causing Virginia State and local governments to sit down to consider seriously whether revenue sources should be reallocated and whether there should be transfers of expenditure responsibilities between the State and its local government. They could evaluate the financing of education, welfare and transit, and consider such revenue system changes as an increased local sales tax, an income tax surcharge for local governments, gasoline tax changes, and perhaps others. Reduction or stabilizing of property tax bills would, of course, be a foremost objective. The governmental climate in Virginia augurs well for reaching a creative solution.

Under revenue sharing, the political accountability of State and local officials to the electorate would stand as a powerful and natural defense against wasteful fiscal practices. Local policymakers are keenly aware of a hard political fact—that they would be forced to ask their constituents to pay higher taxes if they frittered away revenue sharing funds. They are not, as has been claimed, evading responsibility for raising taxes to cover increases in expenditure programs.

We know that as revenue sharing grows, categorical aid programs may shrink in number and size. Arlington would welcome this shift. From Arlington's point of view the certainty of an annual revenue sharing allocation is infinitely preferable to the uncertainties of grantsmanship, which occupies key urban personnel and which often leads to dashed hopes, long project delays, and painful financial strain when the local share must be produced. We also know that local governments, when spending local dollars, start programs on a modest basis and build them cautiously. When they make one-shot Federal aid applications, they have then to contend with large and sudden increases if and when the Federal grant ceases. Revenue sharing, in short, promises certainty, flexibility, real economies, and the opportunity for orderly financial planning.

In conclusion, it should be underscored that the leading organizations that represent the States, the counties, and the cities have reached agreement that revenue sharing is the preferred and workable method of distributing Federal funds to meet problems at the State and local level. They are committed to presenting their case now in the hope that the 92nd Congress will go down in our history as the "Revenue Sharing" Congress.

WELCOME TO THE CLUB

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. LANDGREBE. Mr. Speaker, last week we heard in this Chamber a report by President of the United States on the state of the Union. A few nights later, we were treated to the Democrat version of the state of the Union. We were told that the Democratic Party had requested this equal time, yet the distinguished Speaker of the House had decided not to appear and the majority leader of the other body stated flatly that he was appearing only under protest. This leads to a question whether this time had really been requested by the Democrat Party, as the network said, or by the networks themselves. This suspicion was compounded by the aftermath of the presentation. The distinguished majority leader, a man with no presidential ambitions, was quite conciliatory in his approach and even made so bold as to utter the heresy that the Republican President of the United States actually placed country over party. For his moderation, the Senator from Montana was subjected, at least by CBS, to the snide and somewhat brutal instant analysis heretofore usually reserved for Republicans. To the distinguished majority leader of the other body, I can only offer my sympathies and say, "Welcome to the club."

FULFILLING THE AIMS OF THE CONSTITUTION

HON. ROGER H. ZION

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. ZION. Mr. Speaker, I am deeply gratified when a young man or woman takes an active interest in our Constitution. Too few understand this magnificent enabling document. A dedicated 14-year-old high school freshman from my district recently won the American Legion oratorical contest, using the theme "Fulfilling the Aims of the Constitution." I am proud of Bennie Lee Varner who has received this award from the Perry County 213 American Legion Post in Tell City.

Our Nation needs more Bennie Lee Varners with an abiding interest in our Nation's Foundation Document. I would like to share young Mr. Varner's timely remarks with my colleagues and include this winning essay in the RECORD at this point:

FULFILLING THE AIMS OF THE CONSTITUTION

(By Bennie Lee Varner)

The Preamble to the constitution states: "We the people of the United States of America, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this constitution for the United States of America."

This is in essence what our forefathers tried to do in writing the constitution. They wanted to set up a government that was firm enough to be a strong government, yet pliable enough to be a lasting government. Now I will go back through the preamble and take each section discussing in depth the ideas behind its writing.

"We the people"—this is a whole group meaning everyone in the United States. In today's society you find a lot of people thinking of themselves as black, white, protestant, Catholic, Jewish, poor, middle income or rich.

But when our forefathers wrote this preamble, their desire was to be Americans. Maybe they themselves were broken down into groups, but they did not want their children broken down into these superficial classifications.

Next they wanted a more perfect union. Our forefathers knew that beyond a doubt their country was not perfect, but they believed through hard work they could make it one of the better ones.

The third part of the preamble says to establish justice. Work toward this goal can be seen in several of the amendments to the constitution.

Amendment 13 abolished slavery. It made all men free in the eyes of the United States Government. Amendments 14, 15, and 19 furthered this cause by making all people born in the United States citizens and by giving all citizens over twenty-one years of age the right to vote.

Through Civil Rights laws and many rulings by the Supreme Court, an attempt to establish justice has been made. Whether this justice can become a fact instead of a quote on a piece of paper will be left to you and me and our descendants.

By establishing justice our forefathers hoped to insure domestic tranquility. They desired a land free from nationwide riots and protests. They did not want to necessarily stop these practices, because this would be an infringement on our basic freedoms. But these authors of the constitution did want a land free from the social problems which cause upheavals in our society.

We, in today's society, are faced with the exact misfortunes that the constitution tried to guard against. Our country, through the past decade, has been racked by protests, riots and demonstrations. People have become vociferous about everything from sex education in public schools to finding decent housing for the poor and aged population. Our government has passed laws upon laws to try and deal with these situations. Before these laws can really become effective the people of the United States are going to have to believe in their government with all their heart and all their soul.

To have perfect domestic tranquility is a Utopian fantasy that will always remain a dream. Yet you cannot just throw away this plan and expect to find something better, because of a few idiosyncrasies that you as an individual do not like on some interpretations of the constitution. The idea is to have a policy laid down by the people to work toward gaining this dream.

"To provide for the common defense"—This statement is a most integral part of the constitution. This historic document was written in a time when the United States was a very weak country. We had just finished the first major war on our land and to say, provide for the common defense, was a very large and unpopular assignment. The framers of the constitution, such as Washington, Madison, Franklin and some of the other famous citizens who worked on this historic document, set up a rather rough goal for themselves. On September 17, 1787, they put their plan into final form and signed it.

In only a few years after the acceptance of the constitution, the United States found itself in another war, this one being the War of 1812. And so it has continued, one war after another up to and including the present time. All the wars have been fought using the principle that it was for the common defense. Even the present war in Viet Nam is a war for the common defense and needs the physical and moral support of our nation as has all previous wars. In all wars the United States has participated in, there has always been a group which has dissented and refused to perform their obligated battle for their country, but today, the news media, in many instances, is taking up the views of the dissenters and giving them mass news coverages with the choice time spots on the airwaves and favorable coverage in their publications in many instances. In so doing, this has led to many of our younger people who are grasping at something to rebel at in their families, schools, and local communi-

ties to use this as their scapegoat. Maybe at this particular time it might be wise for us to remember a quote from President Richard M. Nixon's inaugural address, when he said: "To a crisis of the spirit, we need an answer of the spirit. And to find that answer we need only look within ourselves." I believe this is what our forefathers were doing when they were framing this wonderful and precious document for all humanity, especially to those of us living in the United States.

The writers of the constitution had already put down their ideas about establishing justice, insuring domestic tranquility and providing for the common defense when they began to think about promoting the welfare of the people. By accomplishing the first three this last statement was practically provided for. Establishing justice tried to give equality to the people. Insuring domestic tranquility kept a calm over the land by helping them to understand their government. Through the defense clause their protection was assured. But there were still three things which plagued this new found government; hunger, poverty and illiteracy. To this day, they still play a big part in our nation's problems. The presidents of the United States have been aware of these stains on our pride. A few have tried to do something about it, particularly the last three, including Mr. Nixon. This past decade has seen many government programs begun, such as Job Corps, Vista, Headstart, Medicare, and the more recent Environmental Protection Agency. These agencies were set up to deal with the soaring domestic problems of our nation. Whether they have been effective or not will be answered in the next decade.

The last section of the preamble says to secure the blessings of liberty to ourselves and our posterity. Liberty was a new word to the writers of the constitution. They had never experienced a lifetime of freedom. They had, until the Revolutionary War, lived under a government which was stationed 3,000 miles away. While writing this composition, I am sure they wondered if in some future time their children might not come under foreign rule again. Yes! To secure liberty was a blessing, but it was also a challenge. The United States of America, consisting of thirteen small states, was trying to do in a limited amount of time what took larger countries many years to accomplish. Our forefathers wanted to write an ideal document. When you read and study this constitution you find it isn't perfect, but it is the best the present world has, and I am proud to have the opportunity to grow up under it and will likewise be afforded the opportunity to defend it, thus fulfilling the aims of the constitution, while working with you as adults, hand in hand today.

DANGERS IN U.S. ROLE IN CAMBODIAN WAR

HON. PETER N. KYROS

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. KYROS. Mr. Speaker, I would like to bring to the attention of my colleagues an editorial which appeared in the Maine Sunday Telegram of January 24, 1971. In doing so I would like to stress that the author of this editorial, Mr. William Caldwell, has excellent and firsthand knowledge of this subject. He has just returned from a 3-month visit to Cambodia, Laos, Thailand, and South Vietnam. During this visit he spoke frequently with statesmen and soldiers alike and had numerous opportunities to observe both military and diplomatic aspects of our Nation's involvement in Indochina.

Maine citizens are fortunate to have as editor of their Sunday newspaper such a well-informed and well-traveled journalist. More important, however, is the importance to our entire Nation of Mr. Caldwell's well-informed and timely observations which I insert below:

DANGERS IN U.S. ROLE IN CAMBODIAN WAR

The United States is vastly increasing its direct military and economic involvement in the war in Cambodia, though no official announcements of the present size or future limits have been made.

As long as Cambodia is under major attack from North Vietnamese forces (which may be a long, long while) and as long as Cambodia cannot herself repulse such attacks (which is likely to be forever), there is a risk that American air, naval and logistic powers may become ever more heavily committed to support of the Lon Nol government now virtually beseiged in Phnom Penh.

Reports that the U.S. military was already heavily involved in the Cambodia war, and forecasts that the U.S. involvement would increase further were made in this newspaper last November, in news dispatches filed from Cambodia by the Telegram's Bill Caldwell. At that time he reported that 40,000 North Vietnam troops were in Cambodia, controlling over 40 per cent of the territory of that "neutral" nation. His articles in the Telegram reported last November that U.S. C–119 cargo planes, flown by South Vietnamese, were already flying U.S. made ammunition many times a day into Phnom Penh for use by the Cambodian army, plus air force ordnance for use by the tiny Cambodian Air Force. Last November the Telegram articles stated that the U.S. was then a huge, although indirect, supplier of weapons and training to the rapidly expanding Cambodian Army, and that three Cambodian divisions had been trained and reequipped in South Vietnam and others in Thailand.

Following an interview in Saigon last November with President Thieu, Caldwell reported the President as saying, that South Vietnam was ready to train 10,000 more Cambodian troops by December. In other dispatches, Caldwell reported that U.S. planes were even then flying direct tactical support missions for Cambodian ground troops in specified areas.

This week, the intensity and escalation of this direct U.S. involvement in this war in Cambodia has been widely reported in the newspapers and television.

Army helicopters are reported enaged in the battle for Route 4, over which oil supplies from Cambodia's only port are transported. B–52 bombers are reported in action over Cambodia, a U.S. helicopter carrier and other supporting vessels are reported off the Cambodia coast in the Gulf of Siam, playing a key role in Cambodia fighting.

Many thousands of U.S. trained and equipped South Vietnamese ground forces are now fighting deep inside Cambodia, which of course means that these troops cannot fight to repulse any attacks launched inside South Vietnam.

News reports from the area also say that the planned withdrawals of U.S. Air Force squadrons from South East Asia have been stopped. The planned withdrawal of Air Force planes from bases in Thailand have been frozen. These measures have been taken, to insure a large presence of U.S. air strength in the region. U.S. air strikes into Cambodia are over 50 a day, and increasing.

We recite these facts to underscore three points which deserve wide public attention.

1. The conspicuous absence of any official announcements from the White House of the present or future scope of U.S. involvement in Cambodia, although this has been mounting swiftly since last Fall. This is a mistake. For before long President Nixon may desperately need public understanding of the role U.S. air, naval, liaison and supply forces are playing in Cambodia, and why they are needed there. If he refuses to put these cards on the table, we believe the President risks another major confrontation with the Congress, the colleges and the public over increasing U.S. involvement in Cambodia. This could occur at the very moment that a major U.S. air assault in Cambodia may be necessary, in the President's judgment, to protect the withdrawal of U.S. troops at the rate to which he is so firmly committed. Therefore the President should prepare the ground now.

2. There is an inherent danger to the U.S. future in Asia if we continue wiping out whole Cambodian towns and cities with massive air strikes to achieve a short term reopening of one highway. (The once thriving provincial city of Prey Totung with 6000 inhabitants is now bombed to rubble.) There is an equal danger to the U.S. future in Asia if we continue aiding and supplying massive incursions into Cambodia of South Vietnamese troops. These troops can, in the short run, repulse the North Vietnamese far more competently than can the Cambodians. (The Cambodian Army, with U.S. assistance, has multiplied from less than 30,000 last March to over 180,000 spirited volunteers today. But it is no match for the North Vietnamese). But the danger is that Cambodians and the Vietnamese (be they from the North or South), are traditionally bitter enemies. Thus the huge presence of hated South Vietnamese inside Cambodia, sponsored by the U.S., could in the longer run drive Cambodians into war with South Vietnam and make them bitterly hostile to the U.S.

3. Perhaps the bitterest irony of all is that the Highway 4, now the scene of the bloodiest battles in the Cambodian war, is a U.S. highway, built with U.S. money and American engineers. Indeed this road was named the Khymer-American Friendship Highway. Indeed it was built to link that American-built port of Sihanoukville to the capital city of Phnom Penh. Since that time—so recent—we have swapped horses. We encouraged the overthrow of our former friend Sihanouk. And now the port and the highway which we built for him have become Cambodia's worst battlefield and the means by which the North Vietnamese are trying to throttle Cambodia.

The way Highway 4 has turned into a boomerang may be a warning. Massive U.S. bombardment of Cambodia today may also boomerang, working against future U.S. hopes of bringing any political and military peace to the area.

It is our belief that for the time being at least North Vietnam does not intend to deny to the Cambodians, to the Americans, to the South Vietnamese safe use of the major highways in Cambodia. If we force Hanoi to loosen their stranglehold on the oil road from the port to the capital, Hanoi will then tighten their grip on the rice road, which runs north and south from the capital. If they relax on oil, they tighten up on food. Then, on other occasions, Hanoi will try to put the stranglehold on the third major road, which links South Vietnam to the capital. Hanoi can in short lay siege to Phom Penh.

If each of these threats, as they arise, is to be countered by a combination of South Vietnamese ground troops and the United States air support, the danger should not be hidden from the American public. The embroilment of the U.S. and South Vietnam into long war in Cambodia may open a new and horrifying Pandora's box.

Our belief is that it is against U.S. interests

to see the ARVN, so long and expensively trained and equipped by us, embark on any major commitments in Cambodia. Stories from Saigon clearly report that the South Vietnamese government is asking for $20 millions in U.S. funds to pay for just the current ARVN operations on Highway Four. It is certainly not in U.S. interests to see American air power "blackmailed" into destroying more Cambodian cities and farm land. Our goal is peace, not expanded war, in Indochina.

But as long as there are U.S. troops and bases in the area, the dilemma will always plague us. For we must protect them. They are, in this way, hostages; and the price of their ransom may always be raised at will by the enemy. Hanoi, with Soviet and Chinese support, could make it a policy to keep the U.S. involved.

Thus, we believe the White House should define precisely to the Pentagon, the Congress and the public, the limits of U.S. involvement in Cambodia. For we are suffering today for our failure to define such limits many years ago in Vietnam. Let us not forget so soon that the Tonkin Gulf resolution, so innocently approved by Congress, ended up with 550,000 U.S. troops involved in the longest, losingest war in our history.

CONGRESSIONAL HOUSE SELECT COMMITTEE ON CRIME A GREAT SUCCESS

HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. MADDEN. Mr. Speaker, the news media has reported in the last few days that crime statistics in most major cities, and especially over the Nation, have recorded a percentage of decrease. This is certainly good news. The Federal Government, States, and municipalities should expand further their fight on crime and the causes thereof.

The Special Select Committee on Crime created by the House in the last session has contributed greatly to this recorded decrease in lawlessness. This committee has held hearings all over the Nation and especially in major cities from coast to coast during the last session. The newspaper, television, and radio publicity in the various localities where hearings were held extended wide information and encouragement to the law-enforcing bodies in these localities. One of the great results of the work of this committee has been through the news media inculcating into the minds of millions of our youth the dangers of the use of drugs to the human body and contribution of drugs toward "the making of criminals."

Mr. Speaker, I would like to take this opportunity to call the attention of this body to a resolution, House Resolution 115, introduced by our colleagues, Chairman CLAUDE PEPPER of Florida and Minority Chairman CHARLES WIGGINS of California that would reauthorize this Select Committee on Crime, which we created in the 91st Congress. Congressman PEPPER served as the able chairman of the Select Committee on Crime, and Mr. WIGGINS was the ranking minority member. That these two men have joined to sponsor the reconstruction of the committee is a sign of the harmony and dedication with which Members of both parties worked as they guided the Select Committee on Crime through its first 20 months of life.

Mr. Speaker, all of us realize that much work still must be done to reduce the appalling incidence of crime in America. Chairman Pepper said in a letter to his colleagues:

While I am highly pleased with the work the Select Committee on Crime has done in its short life, I am cognizant that we could not have ever begun to "solve" the problem of crime in so short a time. That is why I am asking you to support my resolution to reconstitute the Committee. If the House acts favorably on my resolution, the Crime Committee would continue its investigation into synthetic analgesics for morphine and blockage drugs for heroin addicts as well as the effects such drugs as methadone have on decreasing the crime rate. Our attention will also turn to the increasing penetration and infiltration of organized crime into the ranks of legitimate businesses. And we would like to conduct a major investigation into the ever worsening state of our correctional institutions.

Mr. Speaker, I have followed closely the activities of the Crime Committee since its formation and I would like to briefly review its work for the benefit of our new colleagues.

In its 20 months of life during the 91st Congress, the committee held 14 public hearings in 12 cities and towns across the Nation as well as here in the Capital. These hearings have delved into drug abuse and criminal justice, marihuana, illicit and dangerous drugs, amphetamines, organized crime, court delay, juvenile justice and corrections, street crime, juvenile delinquency, heroin paraphernalia, and youth gang warfare.

As a result of this intensive and exhaustive study and investigation, the Select Committee on Crime also issued four comprehensive reports to the 91st Congress: Marihuana, Heroin and Heroin Paraphernalia, Juvenile Justice and Corrections, and Amphetamines. Members of the committee made available 40,000 copies of the Marihuana report for their colleagues to send to interested constituents. The last three reports, issued last month, contain bold and imaginative proposals for dealing with grave problems facing our Nation.

The committee also produced and made available at no cost to Members of this body an excellent radio documentary, "Facts and Fables of Drug Abuse," which was distributed to and broadcast by more than 500 radio stations throughout the Nation.

The Crime Committee, mindful of the jurisdiction of standing committees, has been most cooperative when its investigations disclosed information that might be of interest to other committees. The committee's study of amphetamine abuse, for example, disclosed that the U.S. military was purchasing large quantities of these drugs. This information was conveyed to the Special Subcommittee To Investigate Alleged Drug Abuse in the Military. Similarly, when a Crime Committee investigation in Philadelphia, Pa., uncovered possible violations of FHA regulations, this information was turned over to the Banking and Currency Committee for their consideration and further investigation.

Mr. Speaker, I believe that the record of the Select Committee on Crime warrants its request to be able to complete the job it has so ably begun. In an area where there is often more rhetoric than action, the Crime Committee has built a record of solid accomplishment. At a time when crime is on the mind of citizens everywhere, I think this body needs its own committee to investigate crime. I think the 92d Congress can meet the challenge by reconstituting the Select Committee on Crime. I intend to support House Resolution 115, and I urge my able colleagues to join me in this worthy effort.

THE NIXON ECONOMY

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. GERALD R. FORD. Mr. Speaker, the decision by President Nixon to formulate a full employment budget, which he amplified today in his budget message, has been widely accepted as a desirable means of stimulating the economy. However, it is less well known that the concept of balancing the budget at full employment has long Republican antecedents.

This point was made recently in an article in the New York Times entitled "The Nixon Economy." The author was Mr. Herbert Stein, a member of the President's Council of Economic Advisers. I insert Mr. Stein's article in the RECORD:

THE NIXON ECONOMY: I

(By Herbert Stein)

WASHINGTON.—Many observers seem puzzled by Mr. Nixon's espousal of the idea of balancing the Federal budget at full employment, with its implication that large actual deficits for the next year are not only tolerable but a positively good thing. Some regard it as a deathbed conversion from the obsolete Puritan ethic to the brilliant discoveries of the New Economics. Others consider it a politically motivated lapse from fiscal virtue to demagoguery. Some of my more adroit friends have it both ways—on the general principle that what was the New Economics for JFK is only the Old Politics for RMN.

In fact, the idea of a budget that would be balanced when the economy is operating at full employment and have a deficit when the economy is operating below that has a long, conservative, Republican pedigree. Although there were vague antecedents, the first full development and exposition of the idea was made by a group of businessmen and bankers, overwhelmingly Republican, the Committee for Economic Development, in 1947. The principle of balancing the budget at full employment was considered by its authors, in 1947, a correction of errors even then no longer new but later identified as the New Economics. These included overemphasis on fiscal policy relative to monetary policy, exaggerated confidence in the ability of economists to fine-tune the economy and disregard of the political pressures that divert the budget from the economists' chosen path. The CED businessmen who wrote this

statement recognized that they had abandoned the traditional idea of annual budget-balancing. However, by 1947 most of them realized that the traditional idea was already long dead and the problem was to find a workable substitute.

The idea of the full employment budget was also presented in an article in the American Economic Review in 1948 by an economist who was then young but was neither then nor later a New Economist—Milton Friedman.

Although these early sources of thinking full-employment budget-balance were Republican, the idea soon acquired bipartisan support. In 1949 Senator Paul Douglas's subcommittee of the Joint Economic Committee recommended its use. President Truman in his January 1950 Budget Message explained his program by referring to its effects at high employment.

President Eisenhower was not an annual-budget-balancer. He expressed wonder at the belief that our financial affairs should be attuned to the time it takes the earth to get around the sun. His affirmative views, however, ran more to balancing the budget over the business cycle, or some such period as five years, rather than to balancing at full employment. But his Secretary of the Treasury, Robert Anderson, gave a detailed exposition of the full-employment balance philosophy as a description of the Administration's position on fiscal policy. Of more interest today is the statement on budget policy of the Cabinet Committee on Price Stability for Economic Growth of which Vice President Richard Nixon was chairman. That statement, issued in October 1959, endorsed the full-employment balance idea, with its accompanying automatic deficits when the economy was low.

During the 1940's and 1950's, those who later became the New Economists maintained a tolerant but superior attitude toward the notion of full-employment balance. They regarded it as commendable progress for businessmen and Republicans because it was a step away from their primitive beliefs. However, it was not, in their opinion, reaching the basic truth that by any definition balancing the budget was irrelevant to economic policy.

When the New Economists came to Washington with President Kennedy they found the idea of full-employment balance convenient. It helped to sell expansionist fiscal policies, which could be defended to those who cared about such things as leaving the budget balanced, at full employment. However the requirement that the expenditures should not exceed revenues that would be obtained at full employment was not seriously regarded as a limit. When we moved into the Vietnam War we also moved into large deficits at full employment.

The Nixon Administration did not have to search the files left by their predecessors to find the full-employment balance idea and they did not have to abandon any deep Republican convictions to use it. President Nixon's previous connection with the idea has already been mentioned. The Chairman of President Nixon's Council of Economic Advisers, Paul McCracken, was a supporter of the full-employment balance rule long before the inauguration of President Nixon. One member of the Council, Herbert Stein, had been chief researcher and draftsman of the original CED statement in 1947.

However, the point is not that the Nixon Administration is applying some patented Republican remedy. The point is that the idea is now in the public domain and has been for many years, that its value has been endorsed by many bankers, businessmen and economists, conservatives and liberals, and that it only remained for someone to make a definite decision to put it into effect. That the President has done.

VETERANS' HOSPITALS

HON. CHARLES M. TEAGUE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. TEAGUE of California. Mr. Speaker, there has been considerable discussion in recent months about the Veterans' Administration hospital system. Much of the discussion has centered on budgetary limitations that have been imposed on the veterans' medical care program for the past several years. It is true that adequate funds are essential if the Nation's veterans are to receive the highest quality of medical care possible.

Equally important to the successful accomplishment of this worthy objective, however, is the need to recruit and retain highly qualified professional health personnel. It is readily apparent that the Nation's increasing demand for medical manpower has seriously impaired the Veterans' Administration's ability to compete in recruiting and retaining doctors and nurses.

If the Veterans' Administration is to continue rendering the high quality medical care to which the Nation's veterans are entitled, they must be able to compete in today's market for the services of talented and skilled professional medical personnel.

Accordingly, I am introducing a bill today that is designed to make medical service careers in the Veterans' Administration more attractive.

This bill, Mr. Speaker, will establish a minimum staffing ratio; that is the ratio of hospital staff to patients, in each of the Veterans' Administration hospitals.

To help maintain these staffing ratios, the bill authorizes the Administrator, upon the recommendation of the Chief Medical Director, to establish higher maximum rates of pay for physicians, dentists, and nurses on a nationwide, local, or other geographic area basis where required to meet competitive pay practices.

The bill will authorize night and holiday differential pay for nurses, and nursing assistants. A pay scale for licensed vocational nurses would be established under the terms of the bill. The pay scale would be equivalent to the pay of classified employees ranging from GS–3 to GS–6.

The Administrator, under this bill, would be authorized to pay the preemployment interview expenses for prospective employees having technical or professional skills in a shortage category. Under existing law, this authority is limited to payment of the preemployment expenses for physicians, dentists, and nurses only.

The Administrator would also be authorized to pay the travel and transportation expenses of a new appointee and his family from his place of residence to his first duty station if the individual has technical or professional skills determined to be in the shortage category by the Administrator.

These are the principal provisions of this bill, Mr. Speaker. It is a reasonable bill and it will enable the Veterans' Administration to better meet the problem of recruiting and retaining scarce categories of health personnel.

THE PRESIDENT AND YOUTH

HON. CHARLES THONE

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. THONE. Mr. Speaker, there can be no doubt that President Nixon's recent address to the faculty and students of the University of Nebraska will stand as a benchmark of the first 2 years of his administration. The speech was particularly remarkable for the perfect matching of form and content, which is rarely achieved even in a presidential address.

In a recent editorial entitled "The President and Youth," the Christian Science Monitor termed the President's University of Nebraska address "the finest speech of his Presidency." I insert this editorial in the RECORD.

THE PRESIDENT AND YOUTH

President Nixon gave the finest speech of his presidency at the University of Nebraska.

It was a healing speech, statesmanlike and fatherly. It reminded one of those moments in history when, moved by the vision of a common sonship and purpose, an antagonist rises above the sense of division and extends the hand of reconciliation:

"There can be no generation gap in America. The destiny of this nation is not divided into yours and ours—it is one destiny. We share it together, we are responsible for it together and, in the way we respond, history will judge us together."

And he backed this up with a concrete instrument for a continuing reconciliation—a new voluntary agency that would absorb the Peace Corps and VISTA: "an agency through which those willing to give their lives and their energy can work at cleaning up the environment, combat illiteracy, malnutrition, suffering and blight, either abroad or at home."

The radically changed tone in the President's speech was far removed from what many charged were the youth-baiting and imprecations of last fall's campaign. Perhaps he has sensed a positive change in youth activism, discussed in the adjacent editorial, or realizes he must better help channel the energies of youth's idealism. Perhaps he felt he must welcome the newest members of the voting public, the 18-year-olds.

But in any event, the country will welcome this leadership in downwinding the contention between the young and the old. Given the problems of the cities, of rural America, of education and technology enumerated by the President himself, the country surely needs no generation gap to try its patience and will.

A month ago Mr. Nixon had said, "divisions in this country are never going to end. . . . There's always going to be a generation gap." Having just said this, and knowing full well that in the public view his administration is at odds with youth, and recognizing the risks of skepticism, it may have been far harder for Mr. Nixon to take his peacemaking stance than it was two years ago, when he promised the country that reconciliation would be the keynote of his administration.

But the President nonetheless is giving it a try. This will make it easier for the older and younger at universities, in businesses,

and in homes to give getting on together another try too. Perhaps it is in the encouraging of such fresh starts that the essence of presidential leadership is revealed.

THE HONORABLE L. MENDEL RIVERS

HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. NICHOLS. Mr. Speaker, in the February issue of Naval Affairs, which is the magazine for career enlisted personnel of the U.S. Navy, Marine Corps, and Coast Guard, a special tribute was paid to our late departed colleague, the Honorable L. Mendel Rivers of South Carolina, which I found to be most inspiring.

Chairman Rivers' entire career in the Congress was spent improving the life of the U.S. servicemen and he often stated that—

Servicemen in uniform don't have a lobby like some of the other people have. The only lobby servicemen have is the Committee on Armed Services.

I am sure that my colleagues and the readers of the RECORD will find this tribute to be both a fitting and apropos commendation to this great American:

THE HONORABLE L. MENDEL RIVERS: THE U.S. SERVICEMEN'S CONGRESSMAN AND A SHIPMATE

Shipmate L. Mendel Rivers of Charleston Branch 50, Chairman of the U.S. House of Representatives Committee on Armed Services, joined the Staff of the Supreme Commander at 0240 E.S.T., Monday, 28 December 1970 while recovering from cardiac surgery at the University Medical Center in Birmingham, Alabama. Chairman Rivers underwent open heart surgery by Dr. John Kirklin on 11 December to replace a leaking mitral valve in his heart with a plastic valve. His post-operative recovery was progressing normally until 20 December when he suffered heart stoppage and was revived by chest massage. Thereafter, his condition remained critical, but improved slightly, until his demise.

The National Charter of the Fleet Reserve Association will be draped for thirty days. All Branches of the Fleet Reserve Association will drape their Charters for the same period commencing on 30 December 1970 in accordance with Section 2707 of the Fleet Reserve Association "Rituals."

Chairman Rivers was born on 28 September 1905 on a farm in Gumville, South Carolina, near a place called Hell Hole Swamp, in the low country of that state's coastal plain. His father farmed and operated a small turpentine still. When Mendel (he never used his first name "Lucius") was eight his father died. His mother lost the family home and moved her six children to North Charleston where she took in boarders.

Young Mendel grew up determined to be a lawyer. He clerked in a country store, delivered papers pony-back, played outfield for a semi-pro baseball team and worked in the Charleston Navy Yard. He attended the College of Charleston and the University of South Carolina but was economically forced to quit his formal education. He gained employment in a Charleston law office where he pursued his law studies. He passed the South Carolina bar examination in 1932 before obtaining a law degree.

He served in the South Carolina Legislature from 1933 to 1936. From 1936 to 1940 he served as a special attorney in the United States Department of Justice; and was admitted to practice before the Supreme Court of the United States.

In 1940 he ran for Congress against the advice of seasoned and influential local politicians. He campaigned against "the Charleston crowd" and drew heavy support from the rural areas of the district. To the surprise of all, he won and thereafter never faced serious opposition. He had opposition in only two or three of his subsequent fifteen successful campaigns for reelection.

In the second session of the 88th Congress in 1964, The Honorable Carl Vinson, then Chairman of the House Committee on Armed Services, announced his retirement. Representative Rivers was the ranking Democrat on that Committee and he succeeded "Uncle Carl" as Chairman upon the convening of the 89th Congress in January 1965.

Shipmate Rivers was always a strong advocate of legislation beneficial to military personnel. He played a key role in the House's passage of the provision to restore the principle of recomputation of military retired pay for those who retired prior to 1 July 1958 in the 1963 military pay bill. He was Chairman of the House Armed Services Subcommittee on Military Medical Benefits in 1964. His leadership resulted in the enactment of Public Law 89-614 establishing the Civilian Health and Medical Program for the Uniformed Services (CHAMPUS) in 1966.

As Chairman of the House Armed Services Committee he immediately began to exert strong influence for the improvement of military pay, allowances and benefits. The first test of his leadership was the successful passage and enactment of a military pay raise that was twice the amount proposed by the Administration in its 1965 budget. Following that victory, military personnel knew they had found a champion and their benefits increased each year because of his legislative innovations, expertise and dedication to his philosophy, "The Serviceman and his family are entitled to a standard of living equal to the standard of living they're defending."

Chairman Rivers left no stone unturned and he never missed an opportunity to act in behalf of all military personnel. His record of military personnel legislation enacted is almost legendary in the annals of legislative history. He fought tremendous odds, including two Administrations, to provide our nation with an adequate military defense.

Chairman Rivers was a member of the Grace Episcopal Church in Charleston, South Carolina, Funeral services were held there at 1300, Wednesday, 30 December 1970 and interment followed in the town of St. Stephen, South Carolina. St. Stephen was the home of the Chairman's parents and is forty-six miles from Charleston. Shipmates National President Robert L. Bastian and National Executive Secretary Robert W. Nolan represented the Fleet Reserve Association at the church and graveside services.

His 82,500 Shipmates of the Fleet Reserve Association, indeed, all military personnel, active duty and retired, deeply mourn his passing. His beloved wife, Margaret, his daughters, Mrs. Robert Eastman and Marion, and young Lucius Mendel Jr. can take great pride in the Chairman's service to his nation and the Free World during the past thirty years. Dr. Albert Einstein said,

ONLY A LIFE LIVED FOR OTHERS IS A LIFE WORTH WHILE

Shipmate Chairman Rivers' life is the epitome of that statement. It will be a space of time before another like him walks with us and carries our burden to make the way easier for us, his Shipmates.

The family has requested that those who wish to remember Chairman Rivers in a special way may wish to address their remembrances to the L. Mendel Rivers Heart Surgery Research Fund, Department of Surgery, Alabama Medical Center, University of Alabama, Birmingham, Alabama. Messages of condolence may be addressed to: Mrs. L. Mendel Rivers, 640 Federal Building, Charleston, South Carolina 29403:

"As the years roll by, one by one, we end our cruise. The anchor is dropped to rise from the waters no more.

"Shipmate L. Mendel Rivers sailed through life's cruise, meeting more than his share of calms and storms, adverse tides and favoring winds; his ship of life has come to its final anchorage in a harbor still uncharted by mortal men. We who remain do not know the waters there, but we do know the course to steer and we believe that our Shipmate, setting his course by those beacons that have been given us, has found that harbor safely. To those loved ones whom our departed Shipmate has left behind, awaiting their own day of departure and voyage to that same harbor of eternal mercy, we can only offer our sympathy in this time of separation and loneliness. There are many words that could be used at this time to describe the good and outstanding qualities of the one who has gone before, but we of the Fleet Reserve Association, of which he was a member, sum it up in one word: Shipmate. That word, when spoken by naval men, embodies all that can be said of any man. Chairman L. Mendel Rivers was a Shipmate.

"We who remain to carry on should not think of Shipmate Rivers as gone from us, but rather that he has been transferred to another ship or station where we all hope to be Shipmates again."

FLORIDA FRONTIER RIVERS NATIONAL CULTURAL PARK—A NEW CONCEPT

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. BENNETT. Mr. Speaker, there is a story of 400 years of history from the Huguenots to the astronauts waiting to be told about a tiny strip of land in north Florida.

While our Nation is preparing to celebrate our 200th birthday in 1976, the roots of America's beginnings actually began 400 years ago along 50 miles of the Florida coast adjoining the Atlantic Ocean.

This can be an exciting story for the millions who annually pass through the area but know little of what transpired there. The sum of all the parts of the history belongs in four centuries of exploration, settlement, and reaching for the moon: An American kaleidoscope from the 16th century to the 21st.

Here we have between three river basins near present-day Jacksonville—Florida's largest city—the first settlement by men and women for religious freedom in the New World, the oldest city in America, the first road, the southernmost battles of the American Revolution, and important Civil War events. In all, 10 sovereignties have held this land or parts of it.

But the total picture of this colorful area of antiquity and modern day involves more than the ancient and current history of North America. It also includes a unique ecological environment which must be preserved and protected for the enjoyment of future generations.

The Congress should establish the proposed Florida Frontier Rivers National Cultural Park. Legislation has been introduced in the U.S. Congress by the members of the Florida congressional delegation to bring this about. Because of the area's environmental geography and the role it played in our history, this new concept suggested by a study team of the National Park Service should be approved. As a sponsor of the bill to accomplish this, H.R. 586, pending in the House Interior and Insular Affairs Committee, I am working toward that end.

The Florida Frontier Rivers National Cultural Park would be a first of its kind—preserving and interpreting the natural, historic, and economic assets of a broad area in a cultural park. This concept of a national park is a new one, as it would coordinate, not take over, local, State and, even private facilities, together with federally owned facilities, under a broad cultural park umbrella.

The rivers involved in this proposed park include the majestic St. John's River, which flows northward some 300 miles along the east coast of Florida; the Nassau River, which still retains most of its pristine and primeval beauty of centuries, and the St. Marys River, the boundary between Florida and Georgia. The boundaries of the proposed park are the St. Marys River on the north and St. Augustine and environs on the south.

The initial legislation proposes clustering the virtually unimpaired Nassau River estuary, possessing important scenic, natural, ecological, historic, and scientific values, the St. Augustine's Castillo de San Marcos National Monument, the Fort Mantanzas National Monument, and Fort Caroline National Memorial, 10 miles east of Jacksonville. Four centuries ago this 50-mile stretch witnessed the first conflict between Europeans in North America. Today, not far from where the St. Johns River reaches St. Augustine—the southern boundary of the proposed park—astronauts have blasted off from Cape Canaveral to reach the moon. They have a common bond with their fellow explorers, the French Huguenots who founded Fort Carolina in 1564 under the leadership of Rene Laudonniere; for both sought to expand the geographical limits of man in an environment at first hostile.

It is in the national interest to establish the Florida Frontier Rivers National Cultural Park, which would explain the historical and cultural developments of the area heretofore only casually understood or investigated. Existing national park facilities would be included under the proposed bill, and cooperative agreements would be arranged with the State of Florida to include its many significant historical points, and only a small portion of land would be needed for a permanent facility to tell the whole story of the area. The thousands of acres of untapped and unharmed estuarine marshes and streambeds in the Nassau Valley could perhaps be obtained through donation and other lands purchased by the Federal Government. The State of Florida and the city of Jacksonville own much of the land in the estuarial portions of the proposed park.

The peninsula of Florida is the cradle of America. Discovered and claimed for Spain in 1513 by Ponce de Leon, who named the land "Pascua Florida" because of its discovery "in the time of the Feast of Flowers," it was not until Laudonniere established Fort Caroline here that the permanent settlement by Europeans of what is now the United States began.

This began the European power struggle in Florida, stemming from the French toehold at Fort Caroline, which led to the founding of St. Augustine in 1565 by Pedro Menendez, who was sent by Philip II to wipe out the French. This history is marked already in National Park Service facilities, forming the basis of the new park idea.

The St. Augustine-St. Johns-Jacksonville area is one where we should have strong concern for preserving the environment and keeping alive the sweep of history in our area. Hard on the Atlantic Ocean, the northeast section of Florida is crossed with tidal rivers, covered with swamps, dotted with hammocks of hardwoods and pine flatlands, and cut with highly indented estuaries. Wildlife and vegetation abound throughout. At the sea are numerous long sand dune islands.

Besides the strong Spanish influence in Florida that excluded the French and the British for most of three centuries—except for the beginning at Fort Caroline by the French and the 20-year British occupation after the French and Indian War—the area is alive with the past.

In the proposed park location visitors and tourists would be able to travel the oldest road in America, which was first carved out of the wilderness on September 16, 1565, by Pedro Menendez and his Spanish soldiers from St. Augustine to Fort Caroline. As a result of a law passed by Congress in 1968, the Department of Interior is now considering the possibility of placing the route of the ancient trail in the National Trails System.

Other possible historic attractions which might be included in the Florida Frontier Rivers National Cultural Park:

The 1777 battle at Thomas Creek and the 1778 battle at Alligator Bridge, the southernmost battles of the American revolution.

Sawpit, where Sawpit Creek comes into Nassau Sound on the northeast side of Black Hammock Island, the Colonials rendezvous for the Battle of Thomas Creek. Nearby is the site of the 18th century Fort Dos Hermanos, on Talbot Island.

Amelia Island, where on its north end is located Old Fernandina and the site of the Spanish fortification, Fort San Carlos, and restored Fort Clinch, started in 1847 as one of the series of Atlantic and gulf masonry forts. Fernandina was at times held by pirates; and the flags of Mexico and Venezuela flew over it.

Fort George Island, Big and Little Talbot Islands, the land first sighted by Frenchman Jean Ribault, when he sailed into the St. Johns River, May 1, 1562, laying the groundwork for Fort Caroline's establishment 2 years later.

Kingsley Plantation, whose owner Zephaniah Kingsley took over a Fort George Island fortified by James Oglethorpe in the early 1700's. Kingsley developed it into an extensive plantation for the training of slaves for resale.

Yellow Bluff Fort, built by the Confederates and then abandoned to Union forces in the fall of 1862.

The famous Citizen Genet incident, which sought to establish the French Republic in Florida in 1795 in this area. Then there were two other local republican grassroots movements in the early 19th century.

These are some of the places and events—stimulated by men hungry for power and fame, some bidding the wishes of kings and queens, which would form the Florida Frontier Rivers National Cultural Park. It should be established.

A copy of the legislation follows:

H.R. 586

A bill to authorize the establishment of the Florida Frontier Rivers National Cultural Park, and for other purposes

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

FINDINGS AND DECLARATION OF PURPOSE

SECTION 1. The Congress finds that the three estuarine rivers of northeastern Florida—the Saint Johns, Nassau, and Saint Marys—unify a nationally significant cultural heritage with roots in four centuries of rich colonial and national cultural development. The Congress further finds that the virtually unimpaired Nassau River estuary is the only one of the three that graphically illustrates the historic setting and natural enivonment that shaped this heritage and in addition possesses important scenic, natural, ecological, scientific, and other values contributing to public enjoyment, inspiration, and scientific study. The Congress concludes, therefore, that it is in the national interest for the United States to join with State and local government and private institutions, groups, and associations to preserve and interpret the Nassau River estuary and associated cultural and historic sites and buildings of northeastern Florida in such manner and by such means as shall achieve public understanding and appreciation of the heritage fashioned by the past and present interaction of man with this environment.

ACQUISITION OF PROPERTY

SEC. 2. In furtherance of this objective, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to acquire by donation, purchase with donated or appropriated funds, or by exchange, not to exceed eighty-five thousand acres of lands and waters and interests therein, of which not more than ten thousand acres may be other than estuarine marshes and streambeds, in the Nassau River estuary which in his judgment are necessary to preserve the historic setting and natural environment of said estuary from development adverse to the purposes of this Act. In addition thereto, the Secretary is authorized to acquire not to exceed one hundred and fifty acres at various locations in northeastern Florida for administrative and visitor information facilities. Lands, waters, and interests therein owned

by the State of Florida or any political subdivision thereof may be acquired only by donation. Any Federal property designated by the Secretary may, with the concurrence of the head of the administering agency, be transferred without consideration to the jurisdiction of the Secretary for purposes of this Act.

ESTABLISHMENT

SEC. 3. When the Secretary determines that he has acquired sufficient lands or interests therein to insure the realization of the purposes of this Act, he shall by publication in the Federal Register establish the Florida Frontier Rivers National Cultural Park to consist initially of the Nassau River estuary and the Castillo de San Marcos National Monument, Fort Matanzas National Monument, and Fort Caroline National Memorial. Pending such establishment and thereafter, he shall administer the Federal property under his administrative jurisdiction in accordance with the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2–4), as amended and supplemented.

STUDY AND DESIGNATION OF ADDITIONAL SITES

SEC. 4. (a) The Secretary shall study and may designate additional sites in non-Federal ownership for incorporation within the Florida Frontier Rivers National Cultural Park in order to provide a unified interpretation and commemoration of the cultural heritage of the Florida Frontier Rivers country. The sites to be studied for designation shall include, but need not be limited to: Thomas Creek Battlefield; Alligator Bridge Battlefield; Kingsley Plantation. Huguenot Memorial, and other sites on Fort George Island; Fort Clinch, Old Fernandina, and other sites on Amelia Island; Yellow Bluff Fort; Spanish Coquina Quarries; Saint Augustine Historic District; and the route of historic King's Road between Saint Augustine and Saint Mary's River. Designation of any site pursuant to this subsection for incorporation within the Florida Frontier Rivers National Cultural Park shall become effective upon publication of notice to that effect in the Federal Register.

COOPERATIVE AGREEMENTS

(b) In furtherance of the purposes of this Act, the Secretary may enter into cooperative agreements with the State of Florida, its political subdivisions or agencies, public and private corporations, associations, or individuals pursuant to which such parties agree to protect, preserve, maintain, and operate such additional properties as may be designated by the Secretary in accordance with subsection (a) of this section, and he may assist in the preservation, renewal, and interpretation of such properties: *Provided*, That any such cooperative agreement shall contain, but need not be limited to, provisions that: (1) the Secretary has right of access at all reasonable times to all public portions of the properties for the purpose of conducting visitors through them and interpreting them to the public; and (2) no changes or alterations shall be made in the historic properties, including buildings and grounds, without the written consent of the Secretary.

INTERPRETIVE MARKERS

(c) To facilitate the interpretation of the Florida Frontier Rivers National Cultural Park, the Secretary is authorized, with the concurrence of the owner, to erect and maintain tablets or markers at cultural or historic sites designated pursuant to subsection (a) of this section or along public thoroughfares in accordance with the provisions contained in the Act approved August 21, 1935 (49 Stat. 666; 16 U.S.C. 461–467).

APPROPRIATIONS

SEC. 5. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

RESTORATION OF THE INVESTMENT TAX CREDIT

HON. RICHARD FULTON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. FULTON of Tennessee. Mr. Speaker, in his state of the Union message, the President spoke hopefully and promisingly of an upturn in the economy during the year of 1971.

He promised a full employment budget to help spur the economy even though such spending will run a tremendous deficit.

He spoke of reducing unemployment and he promised further pressure to reduce interest rates and halt inflation.

Certainly, all Americans join with him in this hope and look forward to fulfillment of these promises.

However, in the state of the Union message we were offered only the framework of the President's proposed program for 1971. We have yet to see the details. The flesh and muscle has yet to be added to the bare bones.

Thus, while we can hope with the President and with the American people that 1971 will breathe new life into a sick economy, we, the Congress, must move ahead without waiting for the initiatives to come from the administration.

The fact is that today, regardless of what tomorrow hopefully brings, the economic indicators are still pointing to danger.

Unemployment is at 6 percent.

Inflation continues to rise after marking an increase of 5.6 percent in 1970.

Interest rates are still high and the cost of borrowing to business and consumer is still excessive.

We must act quickly, therefore, to stimulate the economy.

Recently the administration announced, and I applauded, plans to accelerate the depreciation allowance for business and industry.

Back in the early 1960's, the accelerated depreciation was used to stimulate business expansion, creating the demand for more goods and services and new jobs.

Another economic tool which was applied at that time was the application of the 7½-percent investment tax credit.

This was repealed in 1969, but today I am introducing legislation to reinstate this tax incentive for economic expansion.

When the investment tax credit was repealed in 1969, it was done so for several important reasons:

First. At a time when the economy was dangerously overheating and posed the threat of runaway inflation, business was expected to expand at an alarming 14 percent compared to 4 percent in 1968 and 2 percent in 1967.

Second. The Federal Government was threatened with a growing deficit and the repeal of the investment tax credit would provide badly needed Federal revenues.

Third. Repeal of the credit was seen as an important tool in the effort to take the big push out of the economy and ease inflationary pressures.

Today, much of what we hoped for has been accomplished but perhaps not as we wished or predicted.

Business certainly has cut back on expansion. However, with this has come rising unemployment and widespread wage increases often without corresponding increase in productivity which have lead to increased inflation.

Today, we find ourselves, I believe, in an economic situation 180 degrees from that we were experiencing in 1969.

Business needs to expand because this will create more employment and the demand for more goods and services.

At the same time, further inflationary pressures must be eased and this is where a restoration of the investment tax credit can play an additional role.

In manufacturing, over the decade through 1969, the liberal application of new equipment increased output per man-hour almost 40 percent at a time when wholesale prices were increasing 10 percent. In industries in which modernization moved slowly, prices rose more rapidly.

If we will recall, it was the need for modernization and increased productivity which was a prime factor in the establishment of the tax credit.

Thus, I believe, that restoration of the credit, coupled with the new liberalization in the depreciation allowance will give the economy a lift which can help 1971 to be a year of stable economic growth.

Also included in this bill is a provision to apply the investment tax credit to the purchase of used machine tools. To the large manufacturer the need is most often for new equipment and machinery. But to the small businessman, the cost of this equipment is often beyond his reach. Thus, the used machine market for many small businessmen is the only market available. Yet, under previous legislation, the tax credit was not available to the small businessman because there was a $50,000 limitation on these purchases.

The small businessman has just as much need of additional equipment to modernize, but he has often been discriminated against in the past because he could not afford new equipment and the used equipment that was within his means did not qualify for the investment tax credit.

This legislation will relieve this discrimination which existed in the previous law:

A bill to restore the investment tax credit and to liberalize the credit available for used machine tools

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 49 of the Internal Revenue Code of 1954 (relating to termination of investment tax credit) is amended—

(1) by inserting "AND RESTORATION" after "TERMINATION" in the heading for such section,

(2) by inserting "and completed before January 1, 1971," after "1969," in subsection (a) (1),

(3) by inserting "and before January 1,

1971," after "1969," in subsection (a)(2); and

(4) by repealing subsection (d) (relating to property placed in service after 1975).

(b) Section 46(b)(5) of such Code (relating to carryovers) is amended by inserting "and before January 1, 1971," before "shall not exceed 20 percent".

SEC. 2. (a) Section 48(c)(2) of the Internal Revenue Code of 1954 (relating to dollar limitation on used section 38 property) is amended by adding at the end thereof the following new subparagraph:

"(E) Exception for machine tools.—For purposes only of applying the dollar limitation provided by this paragraph, machine tools shall be treated as property which is not used section 38 property. For purposes of the preceding sentence, the term 'machine tool' means a nonportable power-driven machine used to shape metals and materials by cutting or forming under pressure, impact, electrical techniques, or a combination of these processes."

(b) The amendment made by subsection (a) shall apply to property acquired after December 31, 1970, in taxable years ending after such date.

NEW INFLATION VIEWS

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. ROYBAL. Mr. Speaker, I would like to bring to the attention of my colleagues a recent economic study which documents the urgent need for passage of H.R. 102 entitled the "Public Works Acceleration Act" which I have jointly introduced with 21 other Congressmen. Conducted by Dr. George L. Perry of the Brookings Institution, the economic analysis in question suggests that a more detailed structural view of the labor market which reveals the relative degree of unemployment among the various segments of the labor force must be adopted if we are to deal effectively with the rising rate of unemployment in this country. The Perry study points out that the job market for young workers is much tighter than the current rate of unemployment would indicate. Between 1956 and 1969, for example, the percentage of total unemployment accounted for by youth under 25 years of age has gone up from 31 to 50 percent.

This sharp increase in the number of unemployed young people is nowhere more apparent than in the building trades industry where young men predominate in the pick and shovel category. The Public Works Acceleration Act will greatly assist this often overlooked segment of our unemployed work force by providing public works projects in those most depressed areas of the country. The spiraling rate of unemployment among our youth, as described in the following article from the Washington Post—January 26, 1971—requires that the Congress take immediate action on this problem by enacting H.R. 102.

NEW INFLATION VIEWS: BROOKINGS STUDY ANALYZES LABOR'S EFFECT

(By Hobart Rowen)

A given rate of unemployment today puts less downward pressure on wages—hence has less of an impact on inflation—than was the case 10 or 15 years ago.

That is the main conclusion of a new study by a leading Keynesian economist, George L. Perry, of the Brookings Institution. In broad terms, Perry's analysis of the anomaly of high wage rates and inflation persisting in the face of high unemployment is that those out of work today are more concentrated among women and young people who don't have much influence on the wage structure.

Between 1956 and 1969, says Perry, the percentage of total unemployment accounted for by youth (under 25 years) has gone up from 31 to 50 per cent. Turn that around, and what it says is that only 5 out of 10 jobless workers today are adults, instead of 7 out of 10 fourteen years ago.

Perry's conclusion is likely to suggest to some that the nation can live with a higher rate of unemployment than it once did; that perhaps a 5 percent unemployment rate is as tolerable as 4 percent used to be.

But the Brookings economist was careful during a press conference to reject such an interpretation. He indicated, rather, that the old Keynesian notion that a booming economy would "soak up labor" would have to be supplemented with a "better and more intensive structural approach to labor markets."

Perry's study, "Changing Labor Markets and Inflation," was published today as part of the third issue of the Brookings Papers on Economic Activity, edited by him and economist Arthur M. Okun. Perry's and other papers reflect individual views, not necessarily the institutional judgment of Brookings.

But at a conference in December, other distinguished economists accepted the broad thrust of Perry's conclusions, although some had their own explanations for the worldwide phenomenon of high wages accompanied by high unemployment.

What Perry did was to break down the over-all unemployment rate, and show that it is not the best index of labor market tightness. By counting all individuals the same, the overall index implies that an unemployed teen-ager or a woman exert the same downward pressure on wages as a male adult in the prime age brackets.

Since there is not in fact this one-for-one relationship, Perry developed a "weighted" index of his own.

This shows that a 4 percent official unemployment rate today would mean a much tighter labor market than 4 percent jobless in the 1950s because more teenagers and women are in the labor market today (working) and a greater percent of them is unemployed.

In commenting on Perry's observations, M.I.T. professor Robert M. Solow said: "According to his calculations, it takes 3½ teenage girls to push on wages as much as one prime-age man."

In the jargon of economists, Perry is offering proof of what has been suspected in recent years—a worsening of the "trade-off" between unemployment, (called the Phillips curve after the British economist) and inflation. The shift, or deterioration, Perry says, is about 1.7 percentage points since the mid-1950s.

Thus, in the 1950s, it was calculated that a 4 per cent unemployment rate would be consistent with an inflation rate of about 2.8 per cent and annual wage gains of about 5.5 per cent.

But today, says Perry, the "trade-off" for a 4 per cent jobless rate would have to be inflation of about 4.5 per cent and wage increases close to 7.5 per cent.

Looking at it the other way around, in order to reduce inflation to about the 2.8 to 3.0 per cent range, unemployment would have to average around 5.5 per cent.

Former Budget Director Charles Schultze, at the December conference on the Brooking papers, suggested that there may be an additional sociological reason for higher unemployment rates among some age-sex groups than others—what Perry calls "unemployment dispersion."

"Among teenagers and young adults in the inner cities," said Schultze, "there may have been a revolution of rising expectations . . . (They) are inclined to say: 'I don't want those swea' jobs.'"

A similar point was made in a related paper by Robert E. Hall titled "Why is the Unemployment Rate So High at Full Employment?" Hall observed that the kind of jobs obtained by young blacks (and most white women) offer little hope for advancement.

Perry offered this table to show the deterioration in the unemployment rates of various age-sex groups as a ratio in which the males 25 to 64 have a unit value of 1.0.

SEX AND AGE GROUP—RATIO TO PRIME MALE UNEMPLOYMENT RATE

	1960	1965	1969
Male:			
16 to 19	3.7	5.6	6.8
20 to 24	2.1	2.4	3.1
25 to 64	1.0	1.0	1.0
65 and over	1.1	1.5	1.3
Female:			
16 to 19	3.0	5.7	8.0
20 to 24	2.1	3.1	3.8
25 to 64	1.3	1.8	1.9
65 and over	.5	.8	1.3
Total male	1.3	1.5	1.7
Total female	1.5	2.3	2.8

The worsening unemployment rates for women and men has grown in a period when the relative number of prime-age men in the labor force has diminished. (From 1960 to 1969, the prime age male group dropped from 53.4 per cent to 48.2 per cent of the labor force.) What has happened, Perry says, is that the substitution across age-sex groups has not been sufficient: ". . . employers have pushed the already low unemployment rate of this group (prime-age men) even lower rather than expanding further the employment of other workers."

GUNS AND THE AMERICAN ENVIRONMENT

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. BINGHAM. Mr. Speaker, in a remarkable address given recently before audiences in various parts of the country, Mr. David J. Steinberg, executive director of the National Council for a Responsible Firearms Policy, makes some noteworthy points about the growing proliferation of guns into irresponsible hands. For example:

In the seven decades since President McKinley was assassinated at the turn of the century, more Americans have been killed by gunfire in the United States than in all our wars since the Declaration of Independence.

And again:

Our national environment is polluted with countless guns that are just "around"—guns for which no one assumes strict and legal accountability and which can move, and too often do, into the hands of others who do not assume responsibility for them, lack the essentials of responsible gun ownership and may too often use them illegally.

They have easy access to this pool of guns via purchase, loan or easy theft. The pool gets bigger, uncontrollably it seems, with every passing day. It was from this pool that Sirhan Sirhan easily obtained the gun he used to kill Senator Robert Kennedy. Acquired by its original owner as "protection" following the Watts riots, it passed from one person to another as easily as a lawn mower or a sewing machine.

Mr. Steinberg deals at length with the points raised by opponents of gun consible gun owners who oppose reasonable regulation are not serving their own interests.

I wish that all Members of Congress who oppose stronger Federal gun control laws would take the time to read Mr. Steinberg's address, the text of which follows:

GUNS AND THE AMERICAN ENVIRONMENT

(By David J. Steinberg)

Moving at last to reverse the long neglect that produced our environmental crisis, the nation is still mired in long neglect of a different environmental problem: escalating violence, the growing proliferation of guns into irresponsible hands, and the threat posed by both in combination. The price of this negligence in lives, lawlessness and the declining quality of American life keeps going up. Lacking the will to stop this inflationary spiral, the world's best educated and most affluent society moves mindlessly toward an imponderable peril point, the limit of its patient permissiveness. How high the price of negligence will have gone by that time is anyone's guess, as are the circumstances that will trigger determination to do what is long overdue. How far the nation will then decide to go will be strongly influenced by the cost of past neglect and the enormity of whatever national tragedies may spark its tardy resolve. Those who now oppose "gun control" thus have a vested interest in getting effective gun control *now* before the atmosphere becomes emotionally charged by some unpredictable event, with unpredictable consequences.

Understandably shaken by the rising level of armed violence in their midst, the American people have been roused only sporadically, and still inadequately, to corrective action. And then only by climactic tragedies—the assassination of public figures—that sear the national conscience. The thousands of run-of-the-mill tragedies in between are accepted almost as routine news, like the ball scores and the stock market quotations. The aggregates are striking, but apparently not yet striking enough.

In the seven decades since President McKinley was assassinated at the turn of this century, more Americans have been killed by gunfire in the United States than have been killed in all our wars since the Declaration of Independence. The criminal use of guns substantially exceeds the criminal use of any other weapon, and has risen more rapidly. In 1969, guns were the weapons used in 9,480 murders, 73,500 assaults short of murder, and 112,400 armed robberies besides thousands of suicides, accidental deaths and nonfatal accidents.

There are, of course, many other ways to meet violent death or suffer serious injury. The shocking statistics of automobile accidents suggest a glaring example. But the automobile is rarely used deliberately to kill, threaten or assault anyone. And of all the weapons of either deliberate or accidental danger to people, the gun is the most easily used and the most destructive. According to FBI estimates, it is about 700 percent more destructive than all other personal weapons combined. Its potential for rising levels of violent crime on the highways and byways and in the hallways of America is obvious. The possibilities of self-destruction or the accidental shooting of bystanders are tragically and extensively documented.

Half the households of this country have guns. There are 200 million people in the United States, and there may be nearly as many guns as people. Fear and distrust grip the nation. Countless millions arm themselves against whatever it is they fear, without fearing the consequences for the nation's safety and their own.

The gun problem is thus not just a crime problem. Those who possess firearms are not simply divisible into qualified gun owners on the one hand and criminals on the other. A very large percentage of those who have guns for sport, protection, collections, or any of these in combination, possess the basic credentials of responsible gun ownership. Too many others, however, do not, many of them law-abiding citizens. Large numbers or guns are owned and still being acquired by people whose attitude toward gun ownership is at best casual, too often careless, not the attitude of conscious and cautious responsibility it ought to be. Our national environment is polluted with countless guns that are just "around"—guns for which no one assumes strict and legal accountability and which can move, and too often do, into the hands of others who do not assume responsibility for them, lack the essentials of responsibile gun ownership and may and often do use them illegally. They have easy access to this pool of guns via purchase, loan or easy theft. The pool gets bigger, uncontrollably it seems, with every passing day. It was from this pool that Sirhan Sirhan easily obtained the gun he used to kill Senator Robert Kennedy. Acquired by its original owner as "protection" following the Watts riots, it passed from one person to another as easily as a lawn mower or a sewing machine.

The easy availability of guns tends to escalate the violence of urban and suburban disorders, just as it has long been magnifying the general problem of crime across the nation. Riots may largely be a matter of internal combustion. But the easy availability of guns to those bent on violence contributes dangerously to the igniting of these explosions as well as to their level and duration. It also tends to trigger violent reactions against provocation far removed from the purpose for which these guns may originally have been acquired. It is too often true that just as the finger pulls the trigger so the trigger pulls the finger.

This environmental crisis demands but is not getting the closest attention of officials, legislators and concerned citizens everywhere. We need to clean our air, clean our waters and clean our communities. *But we also need to cleanse our society of violence, and the possession of the most destructive of weapons by those not equipped to use them responsibly.*

Nowhere in the United States does government convey to gun owners or prospective gun owners standards of firearms responsibility that society expects and indeed requires of them. Nor have most states and localities made a determined effort toward effectively keeping guns out of irresponsible hands. It was only after the assassination of a President, a religious leader and a United States Senator within the short span of 4½ years that the Federal government bestirred itself to convert the highly perforated sieve of Federal firearms laws into a policy more in tune with the nation's needs. The assassination of a President had itself not been enough to produce the needed reform of laws which were already out of date when they were enacted a third of a century before and had become increasingly and deplorably archaic. Even the Federal gun legislation enacted in 1968 is seriously inadequate.

The Gun Control Act of 1968 tightened Federal controls over the sale of guns by Federally licensed dealers. It tightened controls over the movement of guns in interstate and foreign commerce, and over mail-order shipments both within and between states. This went a considerable distance toward closing the interstate channels through which state and local firearms regulations, abysmally inadequate most everywhere, were being bypassed. But state and local laws can still be bypassed via interstate channels without great difficulty.

The main reason is that Federal law does not effectively reach the private movement of firearms across state lines, and most states (the exceptions are exceptional) do not themselves deal adequately with private gun transfers within their borders. In most states, guns of one kind or another can even be purchased from licensed dealers by criminals, drug addicts, the mentally sick, and individuals awaiting trial on criminal charges, although such sales are illegal under the new Federal law and sometimes state and local laws. This can happen because too often dealers have no effective way to check the identity of the purchaser. Private sellers are even less equipped. Besides, they are less obligated to practice caution, there being no business license at stake if they are noticeably negligent. Some states require brief waiting periods and some form of licensing to acquire handguns. But most of even these states leave rifles and shotguns virtually unregulated. And the handgun regulations are usually limited to acquisitions from dealers.

Five laws were broken—aside from the final horrendous act that shocked and shamed the nation—when Sirhan Sirhan acquired the gun he used against Robert Kennedy. Not one of these laws required him to provide definitive identification as a qualified person—a license to possess a gun—before the transfer could legally be made. There was no law requiring the person who gave him the gun to insist on seeing a license, at the risk of a sizeable penalty (including loss of his own license to possess a gun) for failing to do so. It took five years and two more nationally traumatic assassinations before a law was passed making illegal the mail-order gun transaction that led to the assassination of John F. Kennedy. No step has yet been taken to counter the kind of gun transaction that led to the assassination of Robert F. Kennedy.

In recent years, the escalating problem of firearms misuse has been given a new, highly dangerous push by the growing acquisition of guns for supposed protection against criminals and other objects of fear and suspicion.

Calls to arms are sounded from the extremes of the nation's color spectrum. Extremists at one end issue a call to arms against blacks, and sometimes against "reds" (appearing to cloak themselves with the mantle of those who fought redskins and redcoats in the early years of the Republic). Extremists at the other end arm themselves against hostile elements known to be armed, sometimes against the police to protect themselves against what they regard as unjustified use of firepower. The arming of one group, whatever its motive, triggers a call to arms from others.

The calls for arming Americans against other Americans come, not just from extremist groups at the fringes of our society, but from cathedrals of firearms responsibility that regard themselves as pillars of the nation's strength and promise. The largest and best-known of these organizations, the National Rifle Association, proclaims that "the armed citizen represents a potential community stabilizer." Every gun group and firearms magazine in the country appears to agree. But not one of them urges government policies to help ensure that *armed* citizens are *responsible* citizens, whatever their potential as community stabilizers. The gun organizations oppose effective gun control. So

do the extremists of left and right. What a motley crew of bedfellows.

Many steps are necessary to slow down the domestic arms race.

The effectiveness and prestige of the police as the chosen instrument of public protection must be enhanced. More, better paid and better trained police are urgently needed. And restraint consistent with the demands of effective self-defense should condition their use of firepower. Otherwise, police practices may themselves contribute to the arms race.

Another necessity is quick and fair administration of justice by the courts, and a penal system that effectively, fairly and constructively punishes the guilty and keeps incarcerated those not clearly capable of returning to society as responsible citizens. Fulfillment of these needs will go far toward deterring groups and individuals from taking the law into their own hands. Even when such private assumptions of police power are motivated by the best of intentions, they are often counterproductive. Posing serious dangers to public order and safety, they may foster the very instability they are intended to counter.

A very high priority on this agenda for national defense against violence must be a massive effort to solve the economic, social and political problems—to stop the economic, social and political violence—that breed much of the violent crime and other afflictions of late-20th century America.

Indispensable and too long neglected is a national firearms policy that truly meets the needs of our time. The following are the essentials of such a policy:

(1) enforceable state codes establishing standards of responsible gun ownership in accordance with minimum Federal guidelines;

(2) state licensing of legitimate gun owners and users in accordance with minimum Federal standards—the license reflecting an obligation to adhere to the state code, at the risk of losing the license and whatever guns are involved if there are serious violations;

(3) strict accountability of every licensed gun owner for every gun in his possession until its sale or gift to another licensed individual (or to a minor for whom a licensed individual assumes full responsibility)—or the gun's loss or theft—is properly reported to the appropriate law enforcement agency;

(4) strict Federal controls over the production of handguns now banned from foreign sources by the 1968 law;

(5) stiff, practical penalties for the criminal use of guns (permitting an appropriate degree of court flexibility consistent with the demands of effective law enforcement and fair administration of justice);

(6) comparable regulations on the acquisition and use of explosives.

Enforcement of these rules should feature the simplest, fairest and most inexpensive procedures, including provisions for appeal. The program should place no unreasonable burden on legitimate gun owners. On the contrary, it should be designed to win their confidence as well as that of the general public. It may even provide the basis for loosening, perhaps removing, the present stricture banning all interstate movement of firearms except between Federally licensed dealers and manufacturers. Without a nationwide system of gun-owner licensing and accountability, this rather harsh provision of the 1968 law was the only effective way to combat the heavy flow of guns across state lines in violation of state and local laws, however inadequate.

We are a long way from such a national firearms policy, and making no progress in shortening the distance. The Administration has nothing to offer, not even a bill to prohibit the escalating production of handguns now banned from foreign sources. It has in fact helped Congress weaken the Gun Control Act of 1968. Less than a year after the law took effect, and without a minute of hearings, both houses voted by huge majorities to cut back its identification requirements for the purchase of ammunition. The Administration supported this move. More whittling may be in the offing.

The strong national majorities that favor strict firearms policies seem unready to compel the necessary national commitment via political pressure and ultimately the ballot. They seem to be waiting for a White House initiative that will not come soon—or another shock to the national conscience they pray will never come. Yet an effective campaign against violence urgently requires such a commitment. And the life of private gun ownership in America depends on it. For it is only through effective firearms laws adequately serving the overall public interest that private gun ownership can be ensured an optimistic future.

The organized gun and hunting interests, and large numbers of individual gun owners, are not yet alert to this reality. They, too, are opposed to guns falling into irresponsible hands. But they propose no effective way to minimize this danger. They appear to place their faith and hope in one basic proposition: stiff, mandatory jail sentences for using guns in crime. That is, a stiff, mandatory sentence in addition to whatever sentence is imposed for committing the crime itself. It is possible that such sentences may to some extent deter the criminal use of firearms. But let us have no illusions that this can effectively deal with the problem.

The history of penology, including the effect of special penalties now imposed for committing violent as against non-violent crime, belies the expectations of those who press this as a solution. Nor does the proposal meet the need to deter and minimize criminal access to guns in the first place. Nor does it meet the need to encourage and in fact require conscious concern among all gun owners with keeping, using and disposing of guns responsibly, and to deny possession to those who are not ready to assume such obligations. Moreover, it is the judgment of the Department of Justice (stated in a letter of April 27, 1967 to the Chairman of the House Judiciary Committee and reflecting the views of many with long experience in the law) that "harsh mandatory or minimum sentences often tend to deter juries from rendering guilty verdicts."

Realistic supporters of strict gun control have no illusions about how much can reasonably be expected from the policies they advocate.

There is admittedly no air-tight way to deny criminals, the mentally ill, drug addicts, children and others who lack the basic credentials of responsible gun ownership access to firearms. But neither is there an air-tight way to keep unlicensed drivers and defective automobiles off the roads or to prevent excessive speeds. Yet who would deny the need for these regulations on the use of automobiles?

There are many other weapons available for criminal purposes (metal objects, wooden objects, even hands and fists). But the unique destructiveness of the gun is a fact of life, and several hundred percent more likely to be a fact of death than injuries inflicted in any other way.

Realistic advocates of strict gun control also understand that, because of variations in the economic and social conditions of different parts of the country, firearms laws do not have to be the same everywhere. But those who oppose strict gun control oppose it everywhere. They fail to recognize that no state has been spared the violent misuse of guns against its citizens, or is immune to the advancing forces of economic change and the many social complexities that follow. The firearms policies outlined above would permit variations among the various states—stricter controls in New York than New Mexico, or in Massachusetts than Montana. But mobility of people from one state to another makes minimum Federal standards necessary to protect the residents of all fifty.

Opponents of strict gun control place great emphasis on the rights of legitimate gun owners, invoking the Second Amendment of the Constitution to support their claim that gun ownership is a fundamental right of citizenship. Less attention is given the right of the public at large to protection against irresponsible possession of firearms. Responsible gun owners themselves need such protection, both on and off the hunting range. Besides, the "right to keep and bear arms" in the Second Amendment does not establish the constitutional right of an individual to acquire firearms. The history of the Amendment, as well as court interpretations down the years, support this view. Even if the Amendment did establish an individual right, such a right, as with any other right, is not absolute. The right to free speech does not convey the right mischievously to shout fire in a crowded theater. The right to religious freedom does not convey the right to practice polygamy, or to sacrifice a lamb in the town square. The sanctity of rights must be handled with great care. But it is compelling and constitutional for society to give appropriate weight to the needs of the overall public interest. These are reflected in the objectives of the Constitution summarized in its preamble: "to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity."

One of these liberties is freedom from violence and from the fear of violence, eloquently illuminated in a Presidential message to Congress on September 11, 1970:

". . . there is no greater need in this free society than the restoration of the individual American's freedom from violence in his home and on the streets of his city or town. . . . The issue of crime is freedom. When individual citizens are the direct victims of violence, or the indirect victims when they are forced to restrict their own movements out of fear of violence, fundamental liberties are abridged. A government that fails to protect those liberties is not worthy of the name."

The government responsible for this eloquence has been less than responsible in its attention to the clear and present need for strict control over the acquisition and possession of the most destructive instruments of violence. By its own definition, the government has in this failing called into question its worthiness of the name.

It is ironic that those who *advocate* strict firearms policies seem more aware of the destructive potentialities of firearms—and the special credentials that ought to be required of those legally allowed to possess guns—than do the gun interests who *oppose* such proposals at every turn. One would have expected these interests to be aware of the danger of guns in irresponsible hands, and to take such pride in the skills and responsibilities of legitimate gun ownership, that they would not oppose—but in fact advocate—laws limiting legal gun ownership to those who possess carefully delineated qualities of skill, maturity and responsibility. Yet they block even the moderate proposals I have outlined—proposals which, contrary to the claims and suspicions of many who oppose them, carry no ulterior motives such as increasingly severe controls leading ultimately to confiscation

There are other ironies in the "gun control" controversy

It is ironic, for example, that many who oppose strict gun control emphasize the value of private gun ownership as a line of defense against possible tyranny. Yet, in their opposition to laws that would restrict legal gun ownership to responsible gun own-

ership, they tend to foment anarchy that is a breeding ground for the tyranny they fear.

They oppose the growth of Federal power, but in blocking efforts being made at state and local levels to serve the overall public interest, they in effect have invited Federal action to solve a growing national problem that now makes such action essential.

They stress the merits of gun safety in the home and in hunting, and the need for improved programs to promote it. Yet their commendable awareness of the danger of firearms in unskilled hands does not extend to the need for laws that encourage, indeed require, conscious as against casual attention to the duties and obligations of proper possession of guns, and that limit legal possession to those who possess certain basic credentials.

It is also ironic that those who are so concerned with the Second Amendment fail to appreciate that, without strict gun-control laws, the "unorganized militia" (the armed citizenry) in which they place such store would be, not the *"well-regulated* militia" highlighted in the Second Amendment, but a disorganized militia, a danger to its own safety and that of the nation.

The obstacle to effective firearms laws in the overall public interest is not just the myopia and obstructionism of those who oppose such policies. It is also the insufficient determination of the public at large to press for the changes most of them know are long overdue. The strong support for strict gun control shown in public opinion polls (even among gun owners) is not expressed in sustained political pressure. What will it take to get the general public to stick up for *its* rights (including the right to life itself) with the intensity so evident in the other side's dedication to what *it* sees as *its* rights?

Many who understand the problem are not waiting to be aroused by more national tragedies in the assassination class. They are already sufficiently aroused by the national tragedy they see in the escalating statistics of gun deaths, gun assaults and armed robbery, and in the violence and potentials of violence that plague the nation. Policies to deal effectively with these current and continuing desecrations of our country and its ideals may go far toward preventing the political assassinations that have come to punctuate this rising trend of violence with frightening frequency.

"It is in this way—with vigorous Federal leadership, with active enlistment of Governments at every level, with the aid of industry and private groups, and above all with the determined participation by individual citizens in every state and every community—that we at last will succeed in restoring the kind of environment we want for ourselves, and the kind the generations that come after deserve to inherit."

This is what the President told the Congress in his call for action against pollution. Nothing less is needed from the Administration to solve another environmental crisis of our time. But nothing approaching it is in the offing. The Administration is waiting. The Congress is waiting. America is waiting. The powder keg gets bigger, in an atmosphere itself combustible. And the fuse flickers on.

UKRAINIAN INDEPENDENCE OBSERVANCE

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. ROBISON. Mr. Speaker, as visitors to this great land come to Washington, the seat of our National Government, they are often heard to remark at length about the freedoms which those of us who are Americans enjoy. We have, throughout our history as a Nation, enjoyed liberty and freedom and it is difficult for us to imagine how life would be were we to be deprived of those same privileges. For us, such thought is merely a mental exercise; however, for many millions of people it is a fact of life. Today, we are observing the 53d observance of the struggle of Ukrainians for independence and freedom. For those women and men who currently are living under the Communist domination of the Soviet Union, independence is something that others—relatives and friends—have died for, and freedom a long unanswered prayer. It is only fitting that we today recognize their struggle and that we impart to them—in spirit, at least—our hopes that they will soon be able to control their own destiny and to direct their own affairs.

It is wise that we remember the plight of the Ukrainian people, for it is too easy in this complicated world to forget the tragedies of the past and the continuing agonies of the present. But, past wrongs do not fade away—and in every American of Ukrainian descent, the hope survives that his fatherland will be restored again to the full status of a free and proud nation. For us, today, there is a signal relevance to such hope. For no matter how dark are stained the affairs of men, if we remember past injustice, and recommit ourselves to fighting that injustice, a truly "new world" will be inherited by future generations of Ukranian—and of all men everywhere.

HOW THEY VOTED: CONGRESSMAN UDALL'S LEGISLATIVE QUESTIONNAIRE OF DECEMBER 1970

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. UDALL. Mr. Speaker, last month I sent a questionnaire to all the residents of the Second Congressional District of Arizona. Approximately 32,000 of my Arizona neighbors responded, and I think my colleagues will find their views on some of the important issues facing the 92d Congress as interesting as I do. Before looking at the findings as a whole, I would like to comment on some of the highlights and take note of those responses which I think are most significant.

In conducting a survey of this kind I think it is important to realize that the people who mail in questionnaires are not necessarily representative of the total population. Obviously, they are people who take a more active interest in public affairs than some of those who do not respond. However, I believe that when as many as 32,000 persons in a constituency express their views overwhelmingly on a given question, that may be taken as a pretty good indication that a majority of the residents of that district hold the same view.

Where responses are tabulated by demographic groupings, the structure of the public opinion on a given question becomes all the more clear. In this survey I found a number of real surprises which would not have been so evident if the results had not been tabulated in this way.

Among the more interesting results of the survey was the evidence of a shift in opinion toward early termination of the U.S. effort in Vietnam. Whereas past surveys have shown general support for the war, this survey found a majority—56 percent—favoring either immediate withdrawal—25 percent—or withdrawal on a fixed timetable with a deadline such as December 1971—31 percent.

I was also struck by the evidence of very substantial opinion favoring recognition of Red China. I could not have anticipated such a result, nor could I have anticipated that such a policy would be advocated by every demographic group in the survey—members of all parties, all ages, and so forth.

I was also impressed by the sizable opposition to continued funding of the proposed supersonic transport, SST. I found that fully 69 percent of my constituents responding to this questionnaire opposed further Federal funding for the aircraft. Only 26 percent favored the SST; 5 percent had no opinion.

Because I had room on the computer in tabulating the questionnaire responses to the Vietnam war question as a basis for tabulating all other responses. The result was most interesting. Generally, I found that "doves" and "hawks" agree on most other issues of the day.

Let me explain how I arrived at the grouping of "doves" and "hawks." On the Vietnam question, my constituents were asked which of four policies came closest to their own view. The precise language of these options is set forth in the tables below. Those who chose the first two options are classified as "doves." Those who chose the fourth option I classified as "hawks." I felt it would be unfair to classify those who chose option No. 3 in either group, and I excluded them from the "dove-hawk" grouping on the other eight questions in the survey.

Earlier this week I issued two press releases concerning the results of this survey, and without objection I will insert the text of those press releases and the detailed results of the questionnaire tabulation at this point in the RECORD:

QUESTIONNAIRE RESULTS

WASHINGTON (Special).—A survey conducted by Rep. Morris K. Udall, D-Arizona, reveals substantial bi-partisan opposition to continued federal funding of the supersonic transport (SST), the congressman reported today.

The survey, sent last month to all residents in Arizona's 2nd Congressional District, showed that 69 per cent of Udall's constituents oppose further support for the controversial aircraft. Only 26 per cent favored the SST; 5 per cent had no opinion.

About 32,000 persons responded to the questionnaire. They included about 4,000 from Cochise County, 23,000 from Pima, 2,000 from Pinal, 500 from Santa Cruz and 2,500 from Yuma.

Opposition to the SST cut across party lines, with 76 per cent of the Democrats and 60 per cent of the Republicans opposing further federal funds for the aircraft. Existing appropriations expire in March, and a lively debate is expected when the 92nd Congress takes up the issue soon.

Udall, who voted against the SST last year, said he was pleased to have a "renewed mandate" to oppose the program.

The survey also indicated that residents of Southern Arizona are willing to help pay the bill for an improved environment. They were asked whether they would support strict standards on automobile exhaust emissions if that meant an increase of $200 "in the price of your next car."

Eighty-six per cent of Udall's respondents voted in favor of tougher standards. There was no difference between Republicans and Democrats on the question.

In another environment-related question, 71 per cent of the respondents said they favor the proposed Environmental Protection Act. The measure, sponsored by Udall and other members of both parties, would permit citizens to seek court orders to stop practices that damage the environment without having to prove that they, themselves, were suffering specific economic loss.

On the great controversy of recent years, the Vietnam War, Udall noted a shift toward early termination of the U.S. effort there. Whereas past surveys have shown general support for the war, this survey found a majority (56 per cent) favoring either immediate withdrawal (25 per cent) or withdrawal on a fixed timetable (31 per cent) with a deadline such as December, 1971.

Twenty-four per cent favored gradual withdrawal of troops over as many years as are needed to "Vietnamize" the war, while 16 per cent chose sending more American troops to achieve a military solution.

One of the "real shockers" of the Survey, Udall said, was the response to a question on recognition of Red China. Fully 70 per cent of his respondents said they favor recognizing the Communist regime.

Udall said this represented a major shift in opinion of his constituents in the past decade. The question of recognition was approved by Democrats, Republicans, members of the American Independent party, those with no party affiliation, by all age groups, by men and women, by newcomers to Arizona as well as old-timers, and by residents of all five counties in the district.

The option which drew such massive support read as follows:

"Like it or not, the government in Peking is the government of ⅕ of the world's population. It is unwise not to recognize its existence and try through diplomatic and trade contacts to find ways of reconciling differences, as we are now doing with some 20 other Communist countries."

Udall said he takes the response as indication that public opinion in this country will give the President the freedom to pursue initiatives toward Red China when he deems it in the national interest. In the past 20 years, he said, the opposite has been true.

Another shift in public opinion was revealed in responses to a question Udall asked on the draft law. The congressman said he was surprised to find only 11 per cent of his constituents voting for continuation of the draft system as it operates today. Nineteen per cent voted to extend the draft while ending student deferments.

Two alternatives to the draft drew stronger support. Twenty-nine per cent voted for establishing a volunteer army, while 38 per cent said they prefer giving young men a choice: volunteering for two years of military service, taking their chances on the lottery, or volunteering for three years of civilian service in the Peace Corp, etc.

Udall took particular note of responses from constituents who are under 21 years of age—those most concerned with the draft. Of this group, 52 per cent chose the volunteer army, 36 per cent the choice of military or civilian service, 8 per cent the ending of student deferments, and 4 per cent the continuation of the existing system.

Armed Services Committees of the House and Senate will begin hearings soon on the draft. The current draft law expires July 1.

On other issues Udall's constituents:

Favored, 60 to 33, attempts to rescue U.S. prisoners-of-war held in North Vietnam.

Approved, 75 to 21, amending the Constitution to abolish the Electoral College and elect the President by direct, popular vote.

Favored, by a margin of 64 to 33 per cent, a plan to abolish residency requirements in voting for President and Vice President. The plan would require the Census Bureau to make door-to-door canvasses every four years to ensure that every eligible citizen has an opportunity to register and vote.

Special Analysis With Questionnaire

WASHINGTON (Special).—How deep are the divisions among Americans? How polarized is our society? To what extent do people who disagree on Vietnam disagree on other issues of the day?

Answers to those questions were hinted at in a special analysis made by Rep. Morris K. Udall, D-Arizona, of constituent replies to his annual legislative questionnaire. Results of that survey, reflecting the views of about 32,000 Southern Arizonans, were released today.

As usual, Udall had answers to the nine questions on his "opinion ballot" tabulated by age, sex, political affiliation and other factors. But, because he had "room on the computer," Udall also had answers to eight of the nine questions tabulated to show how Vietnam "doves" and "hawks" looked on other controversies of the day.

"Overall," Udall said today, "I found very little evidence of the polarization that many people would have us believe exists. And there were a few real surprises."

For example, he found that both "doves" and "hawks" agree that the United States should recognize the government of Red China.

For another, both "doves" and "hawks" oppose continued federal funding for the supersonic transport (SST).

To make his special analysis Udall first tabulated responses to a question on Vietnam policy. His constituents were asked which of these policies come closest to their own views:

1. Withdraw all troops from Vietnam immediately.

2. Fix a deadline for withdrawing all troops—say December, 1971—and stick to it.

3. Withdraw troops but take as many years as are needed to turn the war over to the South Vietnamese.

4. Send more troops to Vietnam and step up the fighting, invade North Vietnam or take whatever steps are necessary to achieve a military solution.

Overall, 25 per cent approved of the first option; 31 per cent the second; 24 per cent the third; and 16 per cent the fourth.

For purpose of his analysis Udall grouped the respondents who chose No. 1 or 2 as "doves", and those who chose No. 4 as "hawks." He concluded it would be unfair to characterize those who chose No. 3 with either label.

Eighty per cent of the "doves" and 53 per cent of the "hawks" gave their approval to recognition of Red China.

Similarly, majorities of both groups agreed on three questions relating to the environment. These included:

—The supersonic transport (SST). Eighty-three per cent of the "doves" and 54 per cent of the "hawks" voted to cut off further funding for development of the airplane.

Environmental Protection Act. This proposal, of which Udall is chief House sponsor, would allow citizens to seek court orders to halt acts of pollution without having to prove specific economic damage. The plan drew support of 83 per cent of the "doves" and 53 per cent of the "hawks".

Automobile pollution. Ninety per cent of the "doves" and 78 percent of the "hawks" voted for tougher air pollution standards even if this meant an increase of $200 in the price of automobiles. There was general agreement, too, on the question of what Congress should do to replace the current Selective Service law, which expires June 30. Udall asked his constituents to choose one of four options:

1. Extend the draft law pretty much as it is.

2. Extend the draft but end student deferments.

3. End the draft and establish a voluntary army.

4. Keep the draft but require young men to choose one of the following: (a) volunteer for two years of military service, (b) take chances with the draft lottery, or (c) volunteer for three years of service in a police force, VISTA, the Peace Corps, etc.

The proposal to extend the draft law as it stands fared worst among "doves" and "hawks" alike. Only 9 per cent of the "doves" and 16 per cent of the "hawks" chose this option.

Surprisingly, both groups also agreed on the option they most prefer. Forty per cent of the "doves" and 32 per cent of the "hawks" chose the plan which would give young men a choice between military and civilian service.

The other two options drew differing support. "Doves" preferred the volunteer army to a modified draft system, 36–13 per cent. "Hawks" took the opposite view, preferring the modified draft to a volunteer army, 31–19 per cent.

On other issues "hawks" and "doves":

Split on the advisability of attempting more prisoner-of-war rescue missions. Eighty-eight per cent of the "hawks" approved of such missions compared to 49 per cent of the "doves." Of those "doves" favoring immediate withdrawal such missions received only 32 per cent approval.

Agreed that the Electoral College should be abolished and that the President should be elected by direct, popular vote. Eighty-five per cent of the "doves" and 57 per cent of the "hawks" voted for the change.

Agreed that residency requirements be abolished in voting for President and Vice President, and that the Census Bureau should make door-to-door canvasses to get people registered. The plan won support of 69 per cent of the "doves" and 63 per cent of the "hawks."

A. Vietnam War

Americans continue to be divided about the right course for us to take in Vietnam and Indochina. Which of the following policies comes closest to your own view?

1. Withdraw all troops from Vietnam immediately.

2. Fix a deadline for withdrawing all troops—say December, 1971—and stick to it.

3. Withdraw troops but take as many years as are needed to turn the war over to the South Vietnamese.

4. Send more troops to Vietnam and step up the fighting, invade North Vietnam or take whatever steps are necessary to achieve a military solution.

[In percent]

	1	2	3	4	No opinion
Male	25	31	26	16	2
Female	25	33	22	16	4
Under 21	40	32	16	12	0
21 to 29	22	34	24	19	1
30 to 39	28	25	24	18	4
40 to 49	25	39	20	15	2
50 and up	25	30	26	14	3
Democrat	31	36	16	13	3
Republican	13	29	37	18	3
American Independent	34	19	17	28	2
Other	40	35	7	16	2
Overall	25	31	24	16	3

B. ENVIRONMENTAL PROTECTION ACT

Under existing law it is difficult for ordinary citizens to play an active role to protect their environment. For example, to get an air pollution case into our court citizens usually must show that they have suffered *specific economic damage*—often impossible to do. The proposed Environmental Protection Act would change this, permitting citizens to seek court orders to stop polluting activities without having to prove economic loss. Proponents see this as a way to get prompt action against serious threats to the environment. Opponents contend it would permit harassment of industry and immobilize our courts with too many cases. Would you generally (1) favor or (2) oppose legislation of this kind?

[In percent]

	1	2	No opinion
Male	71	73	5
Female	24	19	7
Under 21	72	16	12
21 to 29	75	21	4
30 to 39	71	25	3
40 to 49	80	15	5
50 and up	67	25	9
Democrat	77	17	6
Republican	65	29	6
American Independent	66	30	4
Other	84	16	0
"Dove"	83	12	5
"Hawk"	56	37	8
Overall	71	22	7

C. AIR POLLUTION STANDARDS

Most scientists agree that the worst contributor to air pollution is the automobile. Suppose we could reduce this pollution drastically by imposing new standards on automobiles—but that this would mean an increase of $200 in the price of your next car. Would you (1) favor or (2) oppose a law to set such standards?

[In percent]

	1	2	No opinion
Male	87	11	3
Female	87	11	2
Under 21	76	20	4
21 to 29	92	7	1
30 to 39	91	8	2
40 to 49	94	5	1
50 and up	80	16	4
Democrat	87	10	3
Republican	87	11	2
American Independent	85	11	4
Other	93	7	0
"Dove"	90	8	2
"Hawk"	78	20	1
Overall	86	11	2

D. UNIVERSAL VOTER ENROLLMENT

In national elections only about 60% of U.S. adults vote, compared to 80–85% in other free countries. Our poor performance comes, in part, from restrictive voter registration laws. A proposal before Congress would abolish residency requirements in voting for President and Vice President, and would require the Census Bureau to make door-to-door canvasses every four years to ensure that every eligible citizen has an opportunity to register. Would you (1) favor or (2) oppose such a system of universal voter enrollment?

[In percent]

	1	2	No opinion
Male	63	34	3
Female	63	32	5
Under 21	64	28	8
21 to 29	76	22	2
30 to 39	61	37	3
40 to 49	62	35	3
50 and up	59	37	5
Democrat	68	29	4
Republican	57	41	2
American Independent	77	21	2
Other	79	21	0
"Dove"	69	27	5
"Hawk"	63	36	1
Overall	64	33	4

E. POLICY TOWARD CHINA

A recent vote in the United Nations indicates that Communist China may get the votes to be admitted as a member next year. This raises anew the question of U.S. recognition of the Peking government. Which of the following statements comes closest to your view?

1. The government of Peking is not the legal government of China. It is Communist. It aids our enemies. We should not recognize it or have any trade or contact with it until it changes its ways.

2. Like it or not, the government in Peking is the government of one-fifth of the world's population. It is unwise not to recognize its existence and try through diplomatic and trade contacts to find ways of reconciling differences, as we are now doing with some 20 other Communist countries.

[In percent]

	1	2	No opinion
Male	23	73	4
Female	26	67	7
Under 21	32	64	4
21 to 29	27	70	4
30 to 39	26	69	5
40 to 49	23	73	4
50 and up	22	71	7
Democrat	19	75	5
Republican	30	64	5
American Independent	30	66	4
Other	16	79	5
"Dove"	16	80	4
"Hawk"	43	53	4
Overall	24	70	6

F. SELECTIVE SERVICE

The Selective Service law expires next year, and Congress will have to act. Several proposals have been made. Which of the following would you tend to favor?

1. Extend the draft law pretty much as it is.

2. Extend the draft but end student deferments.

3. End the draft and establish a volunteer army.

4. Keep the draft but require every young man to choose one of the following: a) volunteer for 2 years of military service, b) take chances with the draft lottery, or c) volunteer for 3 years of civilian service in a police force, VISTA, the Peace Corps, etc.

[In percent]

	1	2	3	4	No opinion
Male	12	20	31	35	2
Female	11	17	26	41	5
Under 21	4	8	52	36	0
21 to 29	6	11	27	53	2
30 to 39	15	14	33	36	2
40 to 49	9	15	33	42	1
50 and up	13	26	26	30	5
Democrat	11	19	29	37	4
Republican	13	19	25	41	2
American Independent	4	15	36	40	4
Other	5	16	37	37	5
"Dove"	9	13	36	40	2
"Hawk"	16	31	19	32	1
Overall	11	19	29	38	3

G. SUPERSONIC TRANSPORT

The Supersonic Transport (SST) will require $1 billion or more of government subsidy in order to be built. Supporters argue that the SST is needed to continue U.S. leadership in aviation, that it would help our balance of payments in world trade, and would create thousands of American jobs. Foes say this money could better be spent for pressing domestic needs and raise questions about pollution of the upper atmosphere and sonic booms. Do you (1) favor or (2) oppose continued Federal funding for the SST?

[In percent]

	1	2	No opinion
Male	29	67	3
Female	23	72	5
Under 21	40	56	4
21 to 29	20	74	6
30 to 39	27	71	3
40 to 49	27	69	4
50 and up	29	68	3
Democrat	20	76	4
Republican	36	60	3
American Independent	15	77	9
Other	23	77	0
"Dove"	84	13	3
"Hawk"	44	54	2
Overall	26	69	4

H. PRISONER RESCUE MISSIONS

Recently the United States sent a commando-type force far into North Vietnam in an unsuccessful attempt to rescue some U.S. prisoners of war. Critics said this might endanger the lives of Americans held prisoner there, but supporters said this shows concern for the prisoners and that we "mean business" in Vietnam. The Administration has indicated it might try such raids again. Would you (1) favor or (2) oppose further operations of this kind?

[In percent]

	1	2	No opinion
Male	62	33	5
Female	59	33	8
Under 21	64	28	8
21 to 29	66	29	5
30 to 39	75	22	3
40 to 49	56	40	5
50 and up	55	37	8
Democrat	50	42	8
Republican	75	20	4
American Independent	66	28	6
Other	51	49	0
"Dove"	43	51	6
"Hawk"	88	8	4
Overall	60	33	6

I. DIRECT ELECTION OF PRESIDENT

Congress will be asked again next year to abolish the Electoral College in order to elect the President by direct, popular vote. Some argue that Arizona and other small states would thus lose some of the extra weight they now have in national elections. Those who want to abolish the Electoral College claim that the present system could result in the election of a candidate who lost the popular vote; also, that a third-party candidate could bring about a deadlock. Do you (1) favor or (2) oppose amending the Constitution to abolish the Electoral College and elect the President by direct, popular vote?

[In percent]

	1	2	No opinion
Male	75	21	4
Female	75	21	4
Under 21	84	16	0
21 to 29	80	16	4
30 to 39	75	21	4
40 to 49	77	19	4
50 and up	71	25	4
Democrat	79	18	3
Republican	68	27	5
American Independent	83	15	2
Other	86	9	5
"Dove"	86	11	3
"Hawk"	57	37	6
Overall	75	4	4

ON SAVING SAN FRANCISCO BAY

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. EDWARDS of California. Mr. Speaker, I would like to include in today's RECORD a recent editorial from the San Jose Mercury emphasizing the importance of the proposed San Francisco Bay National Wildlife Refuge—H.R. 111—to the preservation of San Francisco Bay, one of the great natural resources of this Nation. There are few cities in the world that rival San Francisco in charm and beauty. The climate and geography of the surrounding area, from Marin County on the north to southern Santa Clara County, make it one of the most desirable places in the world in which to live. The bay itself, because of its esthetic beauty, its potential for recreation, and its effect on the climate of the area, must be preserved. It is now severely threatened by industrial and municipal wastes, oil spills and excessive landfills which have reduced its surface area by one-third during the past century. There is no indication that this process of spoilage has been halted or reversed, although many environmental organizations and agencies are working on the complex and, no doubt, expensive solutions to the problems. Pollution-free solid waste disposal facilities must be built. Industrial polluters must be controlled with appropriate laws backed up by rigorous enforcement. The wildlife refuge bill is an essential part of the third problem area—the problem of preventing further landfills. It is true that the refuge has great potential as a recreation area. It is true that it will save a number of species of endangered birds and wildlife. It will also provide access to the bay for the several million people who live within an hour's drive of the proposed refuge site. But more important, I believe, than any of these other important considerations is the prevention of further landfills which, if allowed to continue as before, will radically alter the climate of the area and perhaps make it as unhealthy a place to live as our unfortunate neighbor to the south, Los Angeles.

We Members of the House, and particularly those of us from California, have it within our power to determine whether San Francisco will remain a queen jewel among cities, set in an emerald bay, or whether the entire bay area will become a cancerous urban sprawl encircling a shrinking cesspool. I urge my colleagues, therefore, not to look upon this refuge bill as a matter of narrow local concern, but as part of a national effort to save a great natural resource. With that, I would like to present the Mercury editorial.

[From the San Jose Mercury, Jan. 25, 1971]

BAY WILDLIFE REFUGE BADLY NEEDED

Seven Northern California Representatives, including San Jose Democrat Don Edwards and Gilroy Republican Charles S. Gubser, have reintroduced the San Francisco Bay wildlife refuge bill.

It is greatly to be hoped that hearings will be scheduled early in the 92nd Congress on this particular piece of legislation, which would establish a permanent wildlife refuge on 21,000 acres of marshes, tidal flats and sloughs in Santa Clara, Alameda and San Mateo counties.

Development of the bay, particularly filling it for industrial and commercial use, has endangered a number of species of migratory birds by eliminating their feeding grounds. San Francisco Bay is an integral part of the bird world's northwest flyway.

Preservation of the bay is in the interest of man as well as bird, and Congress should establish the San Francisco Bay wildlife refuge as quickly as possible.

SOCIAL SECURITY DILEMMA FACING OUR SENIOR CITIZENS

HON. TENO RONCALIO

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. RONCALIO. Mr. Speaker, the dilemma of social security facing the growing segment of our population 65 and over is a problem that must be faced by this Congress and faced now.

The following letter from Mr. R. E. Knipe, of Cheyenne, Wyo., gives you some indication of the basic inequities in medicare payments today and attacks head on the fiction of setting a basic for additional medical coverage at a given time.

The only cost that counts on a fixed base income is the present cost of medical service. Any other rule is really a sham.

CASPER, WYO., *January 14, 1970.*

Congressman TENO RONCALIO,
Cheyenne, Wyo.

DEAR SIR: I would like to call your attention to a couple of instances in regard to our Social Security.

As you know, the Social Security Administration is charged, by Congress, to pay Medicare claims based on 'reasonable charges' for a particular area. The Jan. 1971 News Bulletin of the American Assoc. of Retired Persons, (membership quite a number of millions of people) states, and I quote: "Medicare is supposed to pay 80% of 'reasonable charges'. Six months ago, a Social Security Administration decision, never publicly announced, limited Medicare payments to the 1968 'reasonable charge' level, ignoring rising costs of doctor fees". End of quote.

The bulletin gave two instances of the lowered payments. They figured to about 60% of the actual costs. The excuse was that there is, pending in Congress, a bill to change the payment basis, probably to lower them, and that therefore the 1968 basis should be used for now.

You know yourself that the phrase, "reasonable charges" in regard to medical costs is just a cruel travesty of words. The retired person, with the drastically declining purchasing power of a fixed income, has to pay the *present* costs. Medicare was supposed to be his life saver and many company medical insurance plans, like mine with Marathon Oil, which were good for life, were terminated with retirement on the theory that Medicare would be sufficient. Now, if a completely fictitious basis, such as 1968, or next time 1948, or 19xx, can be used, a retired person has no other choice than to go into the insurance market and buy additional medical coverage, on a single person, (not group) basis for himself and his wife. He cannot stand 40% of today's medical costs. Surely this prospect cannot be hidden in a pending bill—if it is please seek it out and kill it.

In the pending health bill, which the Senate did not consider, there is an item concerning catastrophic health insurance for people *under 65*. I have not seen the bill; I am quoting only from the newspapers, but they gave the provision as being limited to those *under* 65. This measure is supposed to safeguard against a prolonged illness—a cost that no insurance will pay. But those *over* 65 have no such safeguard; medicare lasts for 90 days only (with 60 more emergency days spread over a life time); and this has always been one of its failings. Surely Congress would not exclude from this coverage, the group that needs it the most. I cannot believe that this is the case but nevertheless this is what the papers carried. And it just might happen that things could wind up with the over-65 group the only one with no safeguard against such costs. Would you please consider this angle and please see that this does not happen?

Yours very truly,

R. E. KNIPE.

FIFTY-FIVE HOUSE MEMBERS URGE 15-PERCENT INCREASE IN SOCIAL SECURITY BENEFITS

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. FRASER. Mr. Speaker, one of last session's major items of unfinished business was the passage of the 1970 Social Security amendments, H.R. 17550. Our failure to enact this legislation was a serious disappointment to America's 26 million social security recipients who have been particularly hard hit by a rampant inflation.

The rise in the cost of living during 1970 has already eaten away the 5-percent increase in benefits that H.R. 17550 would have provided. And even before the consumer price index began to rise so sharply, millions of elderly recipients were living in poverty. The Senate Select Committee reports that the incidence of poverty is rising steadily among older people. Today, one out of every four Americans 65 and over must live on a poverty level income, according to the Senate Committee.

Fifty-five of us in the House have agreed that a 15-percent increase in social security benefits is warranted in view of the severe financial pressures confronting older Americans. We have also endorsed special increases in monthly minimum benefits and the annual earnings limitation.

Below is a copy of a letter to Ways and Means Chairman WILBUR MILLS which outlines our views:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., January 26, 1971.

Hon. WILBUR MILLS,
Chairman House Ways and Means Committee, Washington, D.C.

DEAR MR. CHAIRMAN: We are pleased to note that your committee intends to act on a social security increase early in the session.

A significant increase in benefits is essential to the well being of America's 26 million social security recipients who were particularly hard hit by the rapid rise in the cost of living during 1970.

Now that the rising cost of living has surpassed the 5% increase in benefits provided in the 1970 Social Security Amendments, H.R. 17550, we feel that major improvements must be made in the 1971 bill.

More specifically, we urge adoption of the

1. A 15% across-the-board increase in benefits retroactive to January 1, 1971.

2. An increase in monthly minimum benefits from $64 to $100.

3. An increase in the annual earnings limitation of $2400.

Thank you for your consideration.

Sincerely,

James Abourezk, Brock Adams, Joseph P. Addabbo, Glenn M. Anderson, Les Aspin, Herman Badillo;

Bob Bergland, Jonathan B. Bingham, John Brademas, Frank J. Brasco, Phillip Burton, Charles J. Carney;

Shirley Chisholm, William Clay, John Conyers, Jr., Jorge L. Córdova, Dominick V. Daniels, John G. Dow;

Robert F. Drinan, Joshua Eilberg, William D. Ford, Donald M. Fraser, James G. Fulton, Ella T. Grasso;

Michael Harrington, William D. Hathaway, Ken Hechler, Henry Helstoski, James J. Howard, Robert L. Leggett, Mike McCormack;

Ray J. Madden, Spark Matsunaga, Abner J. Mikva, Joseph G. Minish, Patsy T. Mink, Parren J. Mitchell;

John E. Moss, Lucien N. Nedzi, David R. Obey, Bertram L. Podell, Roman C. Pucinki, Charles B. Rangel, Thomas M. Rees;

Henry S. Reuss, Benjamin S. Roenthal, Edward R. Roybal, William F. Ryan, Fernard J. St Germain, James H. Scheuer;

John F. Seiberling, Robert O. Tiernan, Jerome R. Waldie, Lester L. Wolff, and Gus Yatron.

FORT DETRICK—A NATIONAL ASSET

HON. GOODLOE E. BYRON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. BYRON. Mr. Speaker, in November 1969 President Nixon announced the end of offensive biological warfare research. The facilities at Fort Detrick, Md. which were involved in the offensive biological warfare function are now available for other, peaceful uses. These facilities at Fort Detrick and the men who man them are unique and should be considered a national asset to be employed for the benefit of all Americans. The following article from Science magazine gives an excellent description of Fort Detrick's physical and manpower assets and outlines the problems of conversion:

FORT DETRICK: A TOP LABORATORY IS THREATENED WITH EXTINCTION

Fort Detrick, a biological warfare center which is probably the nation's largest and most sophisticated facility for research in microbiology and acrobiology, is headed for mothballs and can be taken over for a song. Yet no one seems to want it—at least not badly enough to pay the cost of operating the mammoth complex in Frederick, Md., some 50 miles northwest of Washington, D.C.

Detrick has been nervously awaiting its death sentence ever since President Nixon announced, on 25 November 1969, a total renunciation of offensive biological warfare. The Army subsequently declared Detrick "surplus" and a number of high-level scientific committees and government officials have trooped through the place seeking to determine whether the military laboratories might be converted to civilian work.

CIVILIAN USE RECOMMENDED

Several agencies, notably the National Institutes of Health, the Department of Agriculture, and the old Environmental Health Service (which has since been transferred to the new Environmental Protection Agency), indicated last year that they could, indeed, make good use of parts of the Detrick complex. What's more, two expert scientific committees that studied Detrick—a panel of the President's Science Advisory Committee and a group put together by the National Academy of Sciences—unequivocally concluded, according to Detrick and congressional sources, that the facilities are so valuable that they should be saved and put to use. Yet, in the 14 months since Nixon's announcement, all efforts to find the $15 million or so in annual operating costs needed to keep Detrick going seem to have failed.

Last fall the Army publicly stated that it planned to cut the number of civilian employees at Detrick to a minimal level of 240 personnel by 30 June 1971, thus essentially closing down the biological research facilities. Detrick could still be saved by a last-minute infusion of funds from any number of sources—the White House, the Office of Management and Budget, the Congress, or even the Defense Department itself. But Detrick's supporters on Capitol Hill acknowledge that the installation's fortunes are "at a low ebb" and that the prognosis is not particularly favorable.

Meanwhile, the staff and facilities are shriveling away. The number of degree-holding scientists and engineers has dropped by roughly 25 percent, from about 400 to about 300, since Nixon's announcement 14 months ago, while the total number of civilian employees has dropped by 33 percent, from about 1600 to about 1050. (There are also about 160 military personnel at the laboratories, a number which has not changed greatly over the past year.) With the exodus of personnel, 63 of Detrick's buildings have been vacated, including 21 laboratory buildings which have been decontaminated to render them safe for occupancy by another tenant. Ironically, two brand new facilities—a $1.6-million microbiology wing and a $2.2-million animal holding laboratory—could end up being abandoned shortly after completion.

In the eyes of some scientists who know Detrick well, mothballing the facility would amount to a blunder of tragic proportions. J. Roger Porter, chairman of microbiology at the University of Iowa College of Medicine and chairman of the Academy team which looked into Detrick, considers the facilities "one of a kind in the world." Porter told *Science* that Detrick is a "national asset" which could easily be converted to civilian work and he expressed "disappointment" that Detrick seems to be withering away because of "interagency squabbling" over who is willing to pick up the tab for operating the place. "The whole damn bureaucratic system is so bogged down that it's producing a sad situation for science and for everyone else," he complained. Similarly, another prominent scientist who has looked closely at Detrick called it "very shortsighted" to let the place close down for lack of a few million dollars in annual operating funds. "If Detrick is mothballed or dismantled it will probably be a long time before that kind of capital investment is made again," he warned. "In a number of fields, facilities such as those at Detrick will be required before important progress can be made."

Riley Housewright, former scientific director at Detrick and former president of the American Society for Microbiology, is even more emphatic in his denunciation of the fate that seems to be befalling Detrick. He says it would be "a blunder—a terrible mistake—to let all those facilities just rust because no one has had the forethought to plan for conversion." Housewright is rather bitter that the pressures to abandon biological warfare became so great that the Administration was "more interested in seeing Detrick closed than in making any constructive move to determine what else it could be used for." As a result of discouragement over the nation's repudiation of the kind of work he had performed at Detrick for 26 years as well as discouragement over his inability to line up any substantial amout of civilian work for Detrick, Housewright resigned his position last summer to take a job as vice-president and scientific director of Microbiological Associates, Inc., a private firm in Bethesda, Md. "I didn't care to preside over the demise of the place," he explained.

WHAT DETRICK HAS

What has Detrick got that makes some scientists wax so enthusiastic over its potentials for civilian use? The answer is that it has some facilities which appear to be unique, at least in terms of scale, and others which are certainly scarce. It also has a competent research staff, which has pioneered in the science of aerobiology, developed a number of vaccines and toxoids, as well as lethal germ weapons, and published some 1400 or 1500 papers in the open literature since 1946. However, most scientists who proclaim Detrick's possibilities think primarily of the extraordinary facilities and only secondarily of the personnel.

Detrick occupies some 1230 acres of federally owned land, about half of which is used for buildings and half of which is open land currently leased to local farmers. The post contains some 460 structures, with a total area of 2.2 million square feet, ranging from sophisticated laboratories to decaying housing to a bowling alley. The replacement value of the land, buildings, and equipment was estimated at $190 million on 30 June 1970.

The part of the installation which is in danger of being mothballed is that which has been exclusively concerned with biological warfare. The post also has several smaller tenants—an Army medical research institute devoted to infectious diseases, an Army reserve armory, and a Signal Corps communications center—that will apparently not be affected by whatever happens to the main part of Detrick.

The installation's most striking facilities include the following:

The most sophisticated containment facilities for handling infectious materials that Housewright has ever seen or heard of. Many Detrick laboratories are a maze of barriers designed to permit men, animals, equipment, air, liquids, and solid wastes to move in and out without permitting the passage of microorganisms. The buildings are subdivided into areas of different degrees of contamination; the movement of air is always from less contaminated to more contaminated areas; and there are ultraviolet air locks, change rooms, and disinfectant showers separating the various zones. Detrick makes wide use of the so-called "Class III" safety cabinets—gas-tight enclosures which have rubber gloves attached and a system of pass boxes and autoclaves (superheated steam devices) designed to contain hazardous materials completely. All effluents—liquid, air, and solid—are heat or steam sterilized, and local lore has it that a post commander once offered to drink Detrick's sewage to prove to skeptical reporters that, while it might taste bad, it was perfectly safe to ingest. Detrick's safety features are considered so advanced that a two-volume book of design criteria developed at Detrick

has been used as a model for building such other high-hazard facilities at the Lunar Receiving Laboratory in Houston, the National Cancer Institute's Emergency Virus Isolation Facility, and the Department of Agriculture's National Animal Disease Laboratory, among others.

A 1-million-liter gas-tight sphere which an official Army publication claims is "unique in the free world." The sphere is the largest in a series of chambers at Detrick that have been used for studying what happens to aerosols of pathogenic microorganisms under varying conditions of humidity, temperature, and pollution. Animals can be exposed to controlled aerosols in many of these chambers and then held for subsequent observation and testing. One laboratory has a mirror which follows the sun and directs its light into an aerosol chamber so as to observe the effect of sunlight on airborne organisms. Detrick scientists believe the various spheres could be used to study the transmission of respiratory diseases or the behavior of air pollutants.

Pilot plants which can produce bacteria, viruses, and tissue cultures on a scale which "very few places, if any, can match" in Housewright's opinion. Housewright notes that work on several viruses implicated in cancer has been seriously slowed by lack of a large supply of the viruses. "People doing the work have had to stop and grow them," he says.

Extensive animal facilities. In addition to the new $2.2-million holding laboratory, which is designed to house animals that must be observed for months or even years, Detrick has an animal farm which can produce annually some 900,000 mice, 50,000 guinea pigs, and 2500 rabbits and can at the same time condition some 4000 monkeys. There is also a large "corral" area for holding larger animals such as horses, cattle, and sheep.

ROADBLOCKS TO CONVERSION

If Detrick is such a red-hot facility, what's been blocking its conversion to civilian uses? The chief problem, it seems, is money. Pentagon officials say the Department of Agriculture has agreed to take over a tiny part of the complex devoted to plant studies. And the National Institutes of Health has said it would like to perform a small amount of research at Detrick. But apparently no agency wants to divert from its existing budget the $15 million or more needed to keep Detrick functioning at a reasonable level. And neither the Office of Management and Budget nor the Congress has thus far been willing to provide special funds to any agency to take over Detrick. Last year the Senate passed an amendment, sponsored by Maryland senators, that would have given the Department of Health, Education, and Welfare (the parent agency of NIH) $15 million to operate the facility in fiscal 1971, but the amendment was killed in a budget-paring House-Senate conference.

Other problems which are said to be blocking the conversion of Detrick include Detrick's inconvenient distance from metropolitan Washington; the reluctance of some civilian scientists to be associated with a place that once engaged in the "dirty" business of biological warfare; and the fear by some agencies that Detrick, once taken on, would become an albatross that could not easily be dropped should budgets get even tighter in the future.

DETRICK TOO EXQUISITE?

Another key problem—cited by officials at NIH, the agency which has generally been regarded as most likely to find use for Detrick—is that "Detrick may be more than we need—it may be just a little too exquisite." Leon Jacobs, assistant director for collaborative research at NIH, said NIH probably "couldn't use" the 1-million-liter aerobiology sphere effectively in the study of airborne infections, though some of the smaller chambers might serve admirably. Moreover, contrary to some opinions expressed, Jacobs said Detrick is "not the hottest facility in the world. It needs a lot of repair work. Just because it's there doesn't mean it couldn't be improved upon considerably if you started from scratch." Jacobs also said that while some of Detrick's personnel might fit into any program NIH mounts there, he did not contemplate that NIH would want to take over the entire Detrick staff.

Still, the Detrick facilities could obviously be of unique value. NIH, in fact, has concluded that several high priority studies could be performed as well or better at Detrick than anywhere else, and the agency would consequently be willing to fund these studies out of its own budget. The studies would include research on extremely hazardous viruses, such as the Machupo, Marburg, and Lassa viruses; research on certain "slow" viruses which may cause chronic disease in man but which can only be studied if there are facilities for long-term holding of experimental animals; and various studies that would benefit from Detrick's large-scale pilot plant production of bacteria, viruses, and tissue cultures. Robert Marston, director of NIH, told *Science* this work would probably cost only $2 to $3 million a year—not enough to provide a "critical mass" at Detrick. Marston also said that if NIH were given additional funds and a particular justification, beyond the scientific opportunities presented, for using Detrick (such as the desire to make Detrick a "model" of conversion), then NIH could do additional "useful work" there.

A number of separate forces are still struggling to save Detrick. Maryland's two Republican senators—Charles McC. Mathias and J. Glenn Beall—were recently joined by Democratic Senator Edmund S. Muskie, of Maine, in advocating conversion; a group of young microbiologists at Detrick has formed a committee to lobby for conversion; and some labor union officials have recently been exploring the possibility of locating a new occupational health institute at Detrick. The Defense Department is also considering several plans to keep certain unclassified research at Detrick so as to avoid shutting the place down completely. Several knowledgeable officials doubt that there will be any special money allocated for the conversion of Detrick in the fiscal 1972 budget that President Nixon will soon make public. But the question of an allocation for Detrick will definitely be considered by Congress during appropriations hearings on that budget later this year.

The ultimate fate of the installation thus remains to be determined. But the Detrick case has already made one thing painfully clear: conversion from war to peace is difficult to accomplish—even when one is dealing with a scientific facility that could redirect its programs almost overnight.

—PHILIP M. BOFFEY.

LEGISLATIVE SUMMARY, 91ST CONGRESS, SECOND SESSION

HON. BARRY M. GOLDWATER, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. GOLDWATER. Mr. Speaker, I would like to take this opportunity to present a brief summary of the major legislation passed by the 91st Congress, which I feel will be of interest to my constituents in the 27th Congressional District of California:

LEGISLATIVE SUMMARY, 91ST CONGRESS, SECOND SESSION

H.R. 18546 (PL. 91–524), the Agriculture Act of 1970: imposes for the first time a ceiling ($55,000) on the amount of subsidy payable to any producer, for any crop, for any year: continues certain farm subsidy programs and milk marketing quotas.

H.R. 4249, (PL 91–285), Voting Rights Act of 1965 Amendments: continues 1965 Act's provisions relating to Federal intervention to register voters in certain States; lowered the voting age to 18 for Federal, State, and local elections (Supreme Court sustained lowering only for Federal elections); banned, nationwide, all literacy tests as a requirement for voting; established uniform, minimum residence requirements for voting in presidential elections.

S. 2163, (PL 91–405), Not-Voting Delegate in the House for the District of Columbia: Provides, for the first time in nearly a century, representation in the House of Representatives for the residents of the District of Columbia.

H.R. 514, (PL 91–230), Elementary and Secondary Education Act Amendments: continues basic Federal-aid programs for public schools, for adult education, and for bilingual education programs and authorizes over a three-year period approximately $24.6 billion for these and other programs.

H.R. 14252, (PL 91–527), Drug Abuse Education Act: authorizes over a three-year period $29 million for grants to local educational agencies, and other organizations, for development of programs to disseminate information about the dangers of drug abuse: authorizes another $29 million for community education projects.

S. 3318, (PL 91–600), Library Services and Construction Amendments: extends for five years programs which enable communities to construct libraries and offer services to their residents: the programs funded by this Act have benefited approximately 85 million people to date.

H.R. 17255, (PL 91–604), Clean Air Act Amendments: authorizes $1.1 billion in Federal aid over three years to assist States in developing air pollution control programs: requires State and local programs to comply with national air pollution standards; provides that by no later than January 1976 automobile manufacturers must develop a minimally polluting automobile.

H.R. 4148, (PL 91–224), Water Quality Improvement Act: establishes legal requirements for cleaning up polluted waterways; provides that owners of vessels guilty of oil discharge may be held liable for costs of cleaning up spoilage if negligence can be proven; establishes Office of Environmental Quality and authorizes $348 million through fiscal 1972 for costs connected with programs it undertakes.

H.R. 18260, (PL 91–516), Environmental Quality Education Act: authorizes $45 million through fiscal 1973 for development of new programs for environmental education.

H.R. 11833, (PL 91–512), Resource Recovery Act: authorizes a three-year, $462.75 million extension of Federal Solid Waste Disposal programs and promotes development of programs to recycle and recover materials and energy from solid waste.

S. 3598, (PL 91–343), Public Land Utilization Programs: to authorize Federal assistance for executing, as well as planning fish and wildlife or recreational programs to ensure that American communities will have access to such areas.

H.R. 15770, (PL 91–559), Water Bank Act: to ensure protection of wetlands used by migratory birds for nesting and breeding.

S. 1076, (PL 91–378), Youth Conservation Corps: establishes a pilot three-year program to employee 3,000 youths in summer jobs connected with conservation work.

H. Con. Res. 454. Vietnam Prisoners of

War: calls upon North Vietnam and the National Liberation Front (Vietcong) to treat American prisoners of war humanely, in compliance with the Geneva Convention, and urges them to consider releasing American POWs.

H.R. 17070, (PL 91–375), Postal Reorganization and Salary Adjustment Act: establishes the U.S. Postal Service as an independent agency in the Federal Government, to be governed by an 11-member board, nine appointed by the President who then select the Postmaster General and, with him, a Deputy Postmaster General; the board to have authority over postage rates, rates of pay, and services provided by the Postal Service; collective bargaining authorized, 8-percent pay raise provided.

H.R. 17654, (PL 91–510), Legislative Reorganization Act: revises committee and floor procedures in both Houses of Congress; requires additional fiscal and budgetary information to be supplied to the Congress; expands information resources and services for the Congress.

H.R. 11102, (PL 91–296), Medical Facilities Construction and Modernization Act Amendments: to authorize $2.79 billion in grants over the next three years for construction and modernization of hospitals and other health facilities.

S. 2264 (PL 91–464), Communicable Disease Control and Vaccination Assistance Amendments of 1970: to continue programs which assist State and local governments in eliminating diseases controllable by vaccination and to control other communicable diseases such as VD.

S. 3835 (PL 91–616), Comprehensive Alcoholism Prevention, Treatment, and Rehabilitation Act: to provide grants which will assist States and communities in developing programs for dealing with alcoholism.

S. 4106 (PL 91–623), Emergency Health Personnel Act of 1970: to authorize assignment of Public Health Service officers to communities and areas in critical need of health services.

H.R. 19436 (PL 91–609) Housing and Urban Development Act of 1970: to continue Federal housing programs through fiscal 1972; to authorize Federal crime insurance in any State where it is not available or prohibitively expensive after August 1, 1971, to authorize a program for urban growth and new community development.

S. 3685 (PL 91–351), Emergency Home Finance Act of 1970: to authorize funds to encourage and expedite the construction of new housing, and the financing of existing housing, through bolstering of the mortgage market.

H.R. 17795 (PL 91–431), Emergency Community Facilities Act: to authorize $1.35 billion through fiscal 1972 to assist communities in the construction of water, sewage, and other public health facilities.

S. 30 (PL 91–452) Organized Crime Control Act: to authorize means by which Federal, State, and local law enforcement agencies can cope with and control organized criminal activities including stricter penalties and improved evidence-gathering processes.

H.R. 17825 (PL 91–644), Omnibus Crime Control and Safe Streets Act Amendments: to authorize $3.15 billion through fiscal 1973 for programs administered by the Law Enforcement Assistance Administration to ban unauthorized entry into a building where the President is residing; to make it a Federal crime to assassinate, kidnap, or assault a Member of Congress, to impose stricter penalties for carrying a firearm while committing or attempting to commit a Federal felony.

H.R. 18583 (PL 91–513), Comprehensive Drug Abuse Prevention and Control Act of 1970: to provide for expanded drug treatment and rehabilitation programs to revise Federal narcotics laws so as to increase penalties for drug sellers but decrease them for incidental drug use; to provide for better enforcement tools.

S. 2224 (PL 91–547), Investment Company Amendments Act: to limit mutual fund sales charges and to establish broader authority for Federal regulation of mutual fund industry.

H.R. 19333, (PL 91–598), Securities Investor Protection Act: to protect investors against total loss of cash and securities held by their brokers who bankrupt by establishing a Securities Investor Protection Corporation which will guarantee losses up to $50,000 ($20,000 in cash and the rest in securities).

S. 3154, (PL 91–453), Urban Mass Transportation Assistance Act: commits the Federal Government over the next 12 years to a $10 billion urban mass transportation program.

H.R. 14465, (PL 91–258), Airport and Airways Development Act: authorizes a 10-year program for expansion and improvement of the Nation's airport and airway network to be financed in large part through the Airport-Airways Trust Fund; the Fund to be financed by taxes on users of the airways.

H.R. 17949, (PL 91–518), Rail Passenger Service Act of 1970: creates a National Railroad Passenger Corporation to ensure rail service between cities; authorizes Corporation to accept transfer to intercity passenger operations from railroads no longer able to maintain them.

H.R. 16710, (PL 91–506), Veterans' Housing Act of 1970: permits WW–II veterans to continue to apply for VA housing loan guarantees; establishes a program to guarantee purchase of mobile homes.

H.R. 11959, (PL 91–219), Veterans' Education and Training Assistance Amendments of 1970: provides a 34-percent increase in monthly educational allotments among other things.

S. 3342. (PL 91–370), Disability Compensation Increase: provides for an average 10-percent increase for in-service-connected rates of disability compensation.

H.R. 693, (PL 91–500), Veterans' Medical Care: removes requirement that veterans 65 or older must certify inability to pay in order to be treated for a nonservice-connected disability in a VA hospital.

H.R. 18582, Food Stamp Act Amendments: continues Food Stamp program, allows family of four with less than $30 per month income to get free food stamps, requires all able-bodied adults in family to accept available work in order for family to receive food stamps; mothers with dependent children exempted from work requirement.

THE 18-YEAR-OLDS VOTE DECISION EMPHASIZES NEED TO CURB TYRANNY BY POLITICAL JUDICIARY

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. RARICK. Mr. Speaker, from the October term of 1954 through the October term of 1968 the U.S. Supreme Court issued 214 five to four decisions—a rule of law by democracy of one vote. These decisions have had momentous impact upon the daily lives of the American people as well as the future of their children. These rulings and others have torn down barriers against Communist penetration, taken from States and citizens control over their own property and livelihood, and handcuffed law-enforcement officials and State courts in the execution of their duties. Instead of following judicial precedent and the Constitution in arriving at decisions, the Supreme Court has in some cases relied upon the myth of sociological testings and its own power by consensus in arriving at its decisions.

We must curb the judicial tyranny of the runaway members of the U.S. Supreme Court. The issue is whether the people shall be protected by a written Constitution which is subject to change by their will or whether that Constitution shall be rewritten by unelected Supreme Court Justices to subvert our society and to remake the U.S. Constitution to suit their personal or ideological whims and fantasies.

I have, therefore, reintroduced the following legislation to curb the power being exerted by members of the Supreme Court and to return the ultimate power of government to the people:

H.J. Res. 152. A joint resolution proposing an amendment to the Constitution of the United States providing that a Justice may be removed from office by a majority of voters in a congressional election.

H.J. Res. 153. A joint resolution proposing an amendment to the Constitution of the United States to provide that appointments of judges to the Supreme Court and judges to all other Federal courts, as established under section 1 of article III, be reconfirmed every 6 years by the Senate; and to require 5 years' prior judicial experience as a qualification.

H.R. 373. A bill to amend title 28, United States Code, relating to limiting the power of the Supreme Court to pass on the constitutionality of provisions of State and Federal statutes and of State constitutions.

H.R. 381. A bill which provides that no court of the United States shall have either original or appellate jurisdiction in any action in which the case or controversy involves exemption of a bona fide religious institution from taxation.

H.R. 382. A bill providing that no court of the United States shall have either original or appellate jurisdiction in any action in which the Congress, or either House thereof, in its official capacity, is a party.

H.R. 390. A bill denying appellate jurisdiction to the Supreme Court to decide any provision of a statute of the United States, a State statute, or a State constitution is invalid because it is in violation of any provision of the Constitution of the United States; or to reverse, alter or modify any decision or rule of law made by the Supreme Court, except upon the concurrence of full membership of the Court.

The recent 5-to-4 decision which by one vote enfranchised 18-year-olds to vote violates the rights expressly reserved to the States by the U.S. Constitution in the area of voting.

The Court has spoken. What has it said to the States? That the right of 18-year-olds to vote given by Congress applies only to Federal elections—not to State elections. If we are now to have two kinds of elections—Federal and State and two kinds of voters—Federal and State, why should the States concern themselves with registering the new Federal voters or with financing and conducting new Federal elections?

Why should the States pay for or concern themselves with any field of political endeavor which even the Supreme Court by one vote says does not apply to the States?

Thomas A. Lane, major general, U.S.

Army, retired, and former Commissioner of the District of Columbia, has written a provocative column for his series, "Foreign Affairs," prescribing what States can do to rectify this latest judicial dictatorship by one vote. General Lane's Public Affairs column follows:

STATES REACT TO COURT DECISION

(By Thomas A. Lane)

DEAR MR. SPEAKER: If the States are to preserve any of the authority and dignity reserved to them by the United States Constitution, they must resist such crass encroachment on their powers as is embodied in the unconstitutional attempt of the United States Congress to enfranchise 18 year olds. The spectacle of some state officials hastening to accommodate the encroachment of Congress and Court does little to honor our state governments.

The Constitution clearly provides that electors for federal offices shall have the same qualifications as electors for "the most numerous branch of the State Legislature". The opinion of Justice Black that this constitutional provision is not binding in federal elections defies law and fact. This binding rule qualifying federal electors was adopted by the framers of the Constitution in order to avoid the cost and confusion of having two sets of electors and separate elections for state and federal offices.

If the Court rule is to be accepted, the States should now refuse to conduct federal elections. If Congress is to assume the Court-granted authority over federal elections, the States should withdraw from the field. It would be imprudent for the States to conduct elections in which the qualifications of electors were subject to the whim of Congress. They should instead conduct only their state elections and leave entirely to Congress the conduct of federal elections. Congress would of course have to set up federal election machinery in every precinct in the country.

That costly duplication of election machinery, implicit in the Court's decision, should not be embraced before other remedies are exhausted. There is reason to believe that the Court acted precipitately in issuing its order. Eight of the nine opinions opposed the conclusion which the Court reached. The Attorney General of the United States and the Attorneys General of the States should now petition the Court for a rehearing so that argument against the Black opinion may be entered.

There is also a federal legislative remedy for the chaos projected by the Court decision. Congress can repeal its legislation enfranchizing the 18 year olds and proceed by constitutional amendment to put the issue before the States for ratification.

It seems clear that Congress did not intend what the Supreme Court has wrought—the creation of separate sets of electors for state and federal elections. Congress should therefore go back to its original purpose of establishing uniform qualifications for all electors. It should act in the way which is open to it—by constitutional amendment.

Unless either the Court or the Congress repeals what has been done, the country faces a period of electoral chaos. Some states will doubtless reject amendments to state constitutions to enfranchise 18 year olds. If they also refuse to conduct federal elections, Congress will be forced to set up federal election machinery for those states.

The individual state should not therefore suppose that hurried amendment of the state constitution is the way to repair the damage of these Court and congressional actions. It should first petition the Court and the Congress to correct their damaging measures. This the Court and Congress can and should do.

Failing that remedy, the state should notify the President and the Congress that the state will not conduct federal elections until the constitutional uniformity of electoral qualifications is restored.

GOVERNOR SHAPP'S INAUGURAL ADDRESS DRAWS MOORHEAD PRAISE

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. MOORHEAD. Mr. Speaker, it is with pleasure that I introduce in the RECORD for the edification of my colleagues, the inaugural address of Milton J. Shapp, the new Democratic Governor of Pennsylvania.

Governor Shapp's remarks were brief and to the point. He made few promises but those that he did offer were welcome.

He promised that his next 4 years in office were going to be marked by innovation.

This is certainly good news to a State that has suffered from a paucity of leadership and innovation.

And Governor Shapp promised to rescue Pennsylvania from its growing fiscal crisis.

I believe that Milton Shapp is the man for this mammoth assignment. He has met and overcome challenges in the past and by employing that same skill and determination, plus a little help from his friends, I think Milton Shapp will put Pennsylvania back on the track of economic well-being.

The following are the Governor's remarks:

HERE'S SHAPP'S INAUGURAL SPEECH TEXT

A century ago, this nation settled the question of legal freedom as opposed to human slavery. But we have yet to deliver full justice and equal opportunity under law to all our people.

At Gettysburg, only 30 miles from here, Abraham Lincoln called the Civil War a time of testing. Could any nation conceived in liberty and dedicated to the proposition that all men are created equal, long endure?

America is being tested again today.

The circumstances are different. But the question is the same.

Today we are confronted by civil unrest. The generations are not at peace with one another; the races do not live in harmony; the gap between rich and poor widens constantly.

And another war, in a distant part of the world, has for too long contributed to our internal division.

DESTINED FOR FOREFRONT

I could state in ringing phrases that it is Pennsylvania's destiny to be in the forefront of the nation. But Pennsylvania is not some abstract idea nor is it a geographic or economic entity seeking prominence on an artificial rating scale.

Pennsylvania is 12 million people seeking a better way of life.

Pennsylvania is 12 million people seeking to educate its youth, to provide comfortable housing for all, to care for its young and old, to clean up its environment, and to make equal justice and equal opportunity a reality.

Solutions to our problems are not obvious. But solutions can never be found if we throw up our hands and bow under the weight of our problems.

TASKS OUTLINED

There is much to be done, and there is an urgent need to start at once.

We can—and will—rescue Pennsylvania from its current financial crisis. Then we can—and will—prove the workability of state government and achieve genuine progress.

We can—and will—restore the people's faith in their government and close the widening gap that now separates those who are governed from those who govern.

Our first task is tough, realistic and immediate: We must take a government on the brink of bankruptcy and return it to solvency—not because of the need for dollars alone but because those dollars are needed to meet the needs of our people.

And our second responsibility is as important as the first: To turn the encrusted bureaucracy of state government into a responsible instrument for human services.

PUBLIC INTEREST GUIDE

Trite as it may sound, we shall succeed only if we are guided by the public interest and if we never forget that we who lead the commonwealth are here only because the people have put us here.

We do not govern by divine right. We do not hold office by grace of any special interest.

Thomas Jefferson said it plainly in the Declaration of Independence: This government exists only by consent of the governed.

We will be the servants of our government only so long as the legitimate needs of the people are met.

Let me sound the note now: This administration—in spirit and in action—will be the people's advocate—in the legislature, in the courts of justice, and before the boards, commissions and agencies which regulate our social and economic life.

Our institutions face severe tests because they have become too remote from the people.

In our lifetime the world has changed more radically than in all the centuries past. Before age 6, the vast majority of today's children—well-to-do, poor; city, farm; white, black—have seen much more of the world via television than most of their grandparents saw in their entire lifetime.

The irony is that science has raised the aspiration of all people but government has failed to use science to create opportunities for achievement for many.

Our government agencies, designed for a slower-moving, simpler world, have not kept pace with the swift changes affecting our society.

The demands for human services not only far outrun today's financial resources but also overtax our existing governmental machinery.

CENTURIES IN CONFLICT

Stated simply, the problems of the last half of the 20th century are coming into 19th-century solutions.

Unmet needs collide with obsolete institutions.

Fragmented local governments seek more aid from the states. And because of limited sources of revenue, the states and cities plead for help in Washington, but the national government seems unable or unwilling to act.

The demand for services may indeed have outstripped the capacity of our institutions, but it will never outstrip our determinations, our ingenuity and our commitment.

America today faces economic stagnation, unemployment and inflation. And because we do not live in isolation, Pennsylvania suffers serious consequences.

We are part of a great nation. We must

solve our problems in harmony with all America.

We shall continue to press for additional aid from Washington, but there is much we can and must do ourselves.

The next four years will be a time of innovation for Pennsylvania.

We must—and will—improve the delivery of human services.

We cannot accept the traditional existence of any state agency, department, bureau or procedure.

Instead, we shall first ask whether a particular function is necessary. If it is, we shall then ask whether that necessary function is really being met. If it is, then we shall ask if there is a simpler, more economic way to achieve that goal.

We shall, in short, put the operation of this government on a streamlined, business-like basis.

There is no contradiction between efficiency and compassion. The first is imperative if delivery of services is to be truly humane.

Let us never forget that this state is a commonwealth of 12 million individuals who live together.

The young child in the ghetto whose life may be changed by our concern for his education, his health and his entire environment.

The 18-year-old whose vote may bring him into the system which determines his future.

The college student who questions the impersonality and hypocrisy of government

INEQUITABLE TAXATION

The workingman, tired of neglect and of inequitable burden of taxation, and fearful of his job.

The businessman who seeks a favorable climate for enterprise.

The housewife who feels the impact of inflation and wonders why.

The elderly citizen who sees his golden years tarnished by the dwindling value of pensions and savings.

The farmer who believes more and more that he is the forgotten member of our society.

And yes, the woman I met as I walked off the train during my whistle-stop tour on a gray day last September.

She told me she was thankful that her son was home from Vietnam but unhappy that he couldn't stay in Pennsylvania because he could not find a suitable job.

OPPORTUNITY ELSEWHERE

He moved to another state that offered a better opportunity and wanted her to go with him. But she didn't want to leave her friends and the home she had lived in all her life.

She asked what I would do if I were elected governor to make it possible for her son to work near home.

What could I say to her?

Statistics show that many thousands of young Pennsylvanians are forced to leave our farms and cities each year to seek opportunity elsewhere.

But how can I as governor talk to a lonely mother, a victim of these statistics? All I can do is work with all my strength to reverse this trend and make Pennsylvania once again a state with a future.

Eight years ago I wrote a book about Pennsylvania—its people, its natural resources and its transportation systems. The book was called "New Growth . . . New Jobs for Pennsylvania."

RESOURCES UNLIMITED

On the cover of that book, I wrote: "Our state was blessed by nature. Man was blessed with intelligence, skill and imagination. There is no limit to the wealth that can be produced if we but combine natural resources and human talent."

Today I stand here as your Governor, prepared to implement the words I wrote in 1962. They still embody my aspirations for Pennsylvania.

This is not a time for personal pride, although I am filled with gratitude to the people of Pennsylvania who have bestowed upon me the highest honor they can give.

It is a time only for the reaffirmation of personal commitment—by me, by you and by all the citizens of this state.

Let us work together—not as Democrats or Republicans but as Pennsylvanians and Americans.

Let us prove—as Lincoln did—that we are ready for our time of testing.

It will not be easy. We shall be bucking adverse national economic tides.

But we must work with all our intelligence, strength and capacity.

There is no other course.

And, with the help of God, we shall succeed.

ALUMINUM INDUSTRY OFFERS PROCESS TO RECYCLE WASTE

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. DINGELL. Mr. Speaker, the New York Times of January 26, 1971, carried an article by David Bird describing a solid waste recycling proposal which has been put forward by the Aluminum Association. The article also discusses proposals for improved handling of solid wastes by the city of New York.

I find both of these proposals to be of interest and I include the text of the article at this point in the RECORD:

ALUMINUM INDUSTRY OFFERS PROCESS TO RECYCLE WASTE

(By David Bird)

The aluminum industry presented a plan yesterday for a recycling plant that could take in all municipal garbage as a raw material and process it into reusable material ranging from sand and paper to various types of metal.

Such a plant, for which the industry has completed feasibility studies, is designed to solve the disposal problem by turning every bit of garbage into something useful.

In another aspect of the garbage-disposal problem, Mayor Lindsay signed into law yesterday a bill that would allow plastic and paper bags to replace the familiar metal garbage can.

In a City Hall ceremony the Mayor said the bags would contain the garbage better and simplify collection. As a result, he said, "we anticipate a cleaner and quieter city."

A COMPLETE PROCESS

The proposal for a recycling plant, which was described by the Aluminum Association at a news conference in the Biltmore Hotel, is one of the first for a process that would take care of all garbage, not just part of it.

So far, individual industries, under pressure from environmentalists who are concerned about the growing mounds of waste, have tended to concentrate on salvage drives to recover just their own products that become waste.

These were piecemeal salvage drives—the Boy Scouts for example, bringing back old bottles. Gradually, it became evident that such drives were not going to be enough to solve the waste problem.

The recycling operation proposed by the Aluminum Association would be a $15-million pilot plant that could handle 500 tons of garbage a day, about the amount produced by a community of 175,000 to 200,000 people.

The Aluminum Association would not actually build the plant. Rather, it hopes that its engineering studies showing that such a plant could allow a community to make a profit out of its garbage will spur others into action.

The plant itself would need no new technology because it combines existing processes to grind up garbage, ranging from potato peels to old refrigerators, and then separate it into its valuable components,

Any material that could not be recycled into a raw material, such as plastics or some paper, would be burned to generate steam or electricity.

The aluminum industry is pushing the plan because aluminum is worth $200 a ton as scrap, or more than ten times as much as paper or glass. The aluminum industry reasons that if a community wants to make more profit out of its garbage it will encourage its citizens to use more things like aluminun cans and other aluminum packaging.

Richard D. Waughan, director of the Federal Bureau of Solid Waste Management, who was at the news conference yesterday, praised the recycling concept. But he said that aluminum prices could become depressed if collections were stepped up significantly.

David P. Reynolds, vice president of Reynolds Metals Company, said, however, that his industry would buy all the aluminum that could be collected at the $200-a-ton price.

KRETCHMER SOUGHT LAW

The legislation allowing plastic and paper bags that was signed by the Mayor had been sought by Jerome Kretchmer, the city's Acting Sanitation Commissioner.

Mr. Kretchmer, who was at the ceremony, said tests had shown that when bags were used instead of metal cans there was less litter, fewer litter fires, a substantial reduction in flies and a 20 percent increase in productivity of sanitationmen.

Also at the ceremony was John J. DeLury, president of the Uniformed Sanitationmen's Association, who warmly endorse the bag legislation. He said it was the only issue on which "we had a unanimous decision by 11,000 sanitationmen." He cautioned, however, that the bags would have to be picked up from the sidewalks before they were kicked open by small boys.

The bags, which must meet tougher strength standards than for those that have been generally offered for sale so far, are expected to be in the stores as early as this week. Approved bags will carry a drawing of a hand with the thumb and forefinger forming the letter "C."

J. EDGAR HOOVER: AN UNTARNISHABLE RECORD OF SERVICE

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 22, 1971

Mr. CRANE. Mr. Speaker, at the first of this month, this Nation's esteemed FBI Director, J. Edgar Hoover, observed his 76th birthday and the onset of his 47th year of dedicated public service. Some newspaper columnists, politicians and other self-styled critics used the occasion to level criticism in Mr. Hoover's direction with some even calling for his resignation. To me, it seems far more appropriate at this time to focus atten-

tion on Mr. Hoover's outstanding record and to thank him for his continued efforts in preserving the Nation's peace and safety.

A recent newspaper editorial praising Mr. Hoover's record of service was headlined: "J. Rock of Gibraltar Hoover." Such a billing is appropriate: During the years in which he has molded the world's most efficient law enforcement agency, Mr. Hoover has been acclaimed for his unalterable adherence to the principles of objectivity, honesty and fairness. In taking the directorship of the FBI 46 years ago, his first acts eliminated favoritism and corruption in the then small and inept agency. Since that time, Mr. Hoover has battled domestic subversives who would resort to violence to alter our form of Government. He has faced the problems of skyrocketing crime, and at 76, he remains active and vigorous, fully directing his agency.

I am sure many of my colleagues join me in wishing Mr. Hoover well in his continuing years of service to the Nation.

ENVIRONMENTAL POLLUTION

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. BROOMFIELD. Mr. Speaker, the recent disclosures of mercury contamination in tuna and swordfish should convince the remaining skeptics in our Nation of the very real threat posed by environmental pollution. For the first time, ecology became an immediate and critical concern to all Americans—not just a matter for another day in smog-choked cities or dying harbors. It touched our lives closer than ever before, and the evidence stared down at us from supermarket shelves across the Nation.

Less dramatic incidents occur regularly, but with considerably less public outcry. They occur for one simple reason: there are, as yet, no standards to regulate the dumping of waste products in our waters. This cannot continue.

I am introducing two measures which will go a long way toward solving this problem. The first will provide for the orderly regulation of dumping into the coastal waters of the United States; the second, for the creation of a standing Committee on Environment in the House of Representatives.

At present, the Army Corps of Engineers, by authority of the Rivers and Harbors Act of 1899, has the responsibility to set standards for the dumping of waste materials in our navigable waters. In the early years, they concentrated solely on activities that would impede navigation. In recent times, they have been directed to consider as well their effect on the wildlife and ecology of the area.

Yet, in one 15-mile stretch off the Atlantic coast they granted permission for the dumping of 35 pounds of mercury, 750 pounds of beryllium, 1,000 gallons of sulfuric acid, and hundreds of gallons of other dangerous chemicals. The Army Corps of Engineers is simply not taking this matter seriously.

And it is a serious matter. The coastline of the United States, including the Great Lakes, is 99,613 miles long. 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 million people in this country.

Our scientists tell us that the oceans hold the key to our survival. We hear that our food supply may eventually come in greater proportion from the ocean than from the land. As a source of oxygen and industrial minerals, the oceans are of crucial importance to our future existence.

But, if dumping continues unregulated, there is a real danger that our coastal waters will be irreversibly damaged for many generations. Nature has a tremendous capacity to recover from the abuses of pollution—but only up to a certain point. We are stretching that capacity too far and too fast. We are approaching the breaking point.

Mr. Speaker, we need a nationwide program to prevent the pollution of our oceans and Great Lakes, and we particularly need to restore those areas where dumping has already caused serious harm. That is the purpose of the bill I have introduced.

Persons wishing to dump will be required to prove that their materials do not endanger the natural environment of the area. Up to now the burden of proof rested on the Government alone. It is high time that this expense be borne by the private concern, not the taxpayer.

Strict standards will be set for dumping, and violators will be subject to fines as high as $10,000. All Americans must realize that this is a matter of the utmost urgency—a matter of survival. If we continue to allow indiscriminate 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. That is not my idea of sound policy. I urge that this bill receive the immediate attention it truly deserves, so that we may begin at once the crucial effort to restore our natural surroundings.

For the same reason, I ask my colleagues to pass the second measure I have introduced; the measure to create a standing Committee on Environment in the House of Representatives.

The proposed committee will deal with air pollution, water pollution, solid waste disposal, herbicides, and pesticides. It will have full legislative authority to report bills to the floor, and it will have the benefit of a professional staff whose primary concern would be environmental legislation.

Of course, there are already committees with jurisdiction over these problems. But that is precisely the issue: there are too many such committees. Rarely, have they been able to provide the concerted effort so necessary to solve the crisis of our environment. Too often, our approach has been fragmented—with considerable loss of time and efficiency.

The various environmental threats we face are closely related to one another, and they demand a concerted attack by the Congress. Just as an army must be tightly coordinated to face a military threat, so too, Mr. Speaker, the Nation must have the advantage of unity, if it is ever to win the war on pollution. Our survival as a people depends on it.

TECHNOLOGY ASSESSMENT

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. PRICE of Texas. Mr. Speaker, I am honored to join with the distinguished chairman of the House Science and Astronautics Committee, Mr. MILLER, and other concerned members of the committee in sponsoring legislation establishing an Office of Technology Assessment.

This concept is not a novel one; neither is this proposal. The deliberations which gave rise to it have spanned the last 5 years. Countless committee meetings have been held, numerous advisory panels and public seminars have been convened, and two comprehensive sets of congressional hearings have been conducted. All have pointed up the same need: If science and technology is to be productively utilized and guided in the future, Congress must be provided with an organized method of gathering, organizing, and utilizing relevant information regarding the effects of science and technology upon man and nature.

This need is a relatively new one in point of time. It is new because until recently, scientific advances occurred infrequently and without conscious anticipation of their long-range effects on society. Man could afford to look upon the acivities of scientists with some complacency. Innovations came slowly. They were put to use in a relatively leisurely fashion. Their side effects developed at a sufficiently modest pace so as to allow society to adjust to them without undue stress or strain.

All this has changed, however. It is history. Man has learned some critical lessons. He has learned, for example, that the advancement of knowledge does not automatically improve the human condition. He has learned that society can no longer blindly adopt scientific discoveries and technological advancements on the assumption there will be ample time to iron out any bugs. He has learned that although science and technology have brought western civilization to heights undreamed of by ancient man, science and technology have also combined to create certain significant social and economic problems.

Paradoxically, where science and

technology have expanded man's problems, it may take more scientific understanding and more technological advancement to surmount them. A cure for the pollution of rivers by detergents is the use of nonpolluting detergents. A cure for bad Federal program design is better Federal program design.

I am confident science and technology can continue to be modern man's horn of plenty, but only if they are guided in directions that are consistent with the public and national interest. To facilitate this process, to provide a device by which these twin engines of progress can be harnessed for the good of man, I propose that an Office of Technology Assessment be established. I make this proposal because in my view, technology assessment is a vital necessity. During the past few years, man has used technology to dominate nature. But in the absence of rational planning and guidance, technology may well eventually dominate man.

Mr. Speaker, the only constant feature of life in this, the latter third of the 20th century, is change. Thus, probably few human institutions will continue as they are for another half century. If they are not changed in response to the problems of today, they may well be changed to avoid the problems of tomorrow.

The future will surely bring widespread alterations in everything from our styles of living to our philosophies of man. But, will the future unfold on a world where individual freedom and democracy prevails? Will it unfold on a nightmare like George Orwell's 1984? Or will it unfold on a postnuclear wasteland dotted with grotesque monuments to the folly of man?

The decisions of science policy and the acts of legislative leadership during the next few years will significantly determine the answers to these future possibilities. This is why Congress needs the best possible information upon which to base its enactments. This is why Congress needs an Office of Technology Assessment.

REPORT ON COMMITTEE STAFFING

HON. FRANK T. BOW

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. BOW. Mr. Speaker, under leave to extend my remarks I include the text of a report to my constituents on the subject of committee staffing:

A shocking act of political perfidy marred the opening of the 92nd Congress last week.

After passing the Legislative Reorganization Act of 1970 with great fanfare last fall, the Democratic majority in the House of Representatives voted to repeal one of its major reform provisions before it could take effect.

At issue was the question of providing minority members of House committees an allocation of funds for the employment of committee staff members who would work for the minority. In the past, this arrangement has been left to the discretion of the committee chairmen. Some have been generous in providing minority staff assistants, but more have refused to do so.

Last fall, when some of the polls indicated the possibility that Republicans would become the majority party in 1971, the Democrats in Congress embraced as a reform provision an amendment to the House rules providing for the employment of one-third of committee professional staff members by the minority. Republicans, in the minority for most of 40 years, welcomed the decision, and it became law in the glow of bi-partisan reform.

As everyone knows, the polls were wrong and the Democrats retained their majority. Almost their first official act was the repeal of the minority staffing section of the reorganization law. It no longer served their purpose. Indeed, one chairman frankly stated that it would cost the jobs of three or four of his long-time patronage employees.

Too often, it seems to me, our reformers seem to think that men's natures and men's motivations will change if the rules are changed. This should be a lesson in practical politics, indicating the futility of some of our reform efforts when a sincere desire for reform is lacking.

HANFORD REACTOR SHUTDOWN MUST BE REVERSED

HON. MIKE McCORMACK

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. McCORMACK. Mr. Speaker, the President's proposed budget for fiscal 1972 calls for the immediate deactivation of the two operating nuclear reactors at Hanford, Wash.—"K" reactor and "N" reactor. There are no budgeted funds for operation or closedown of these reactors in the 1972 budget. The Atomic Energy Commission has been directed to initiate deactivation procedures at once with present operating funds so that operation of both reactors will be terminated by the end of the current fiscal year. The reactors were shut down this morning.

The President's plan, if carried out, will have a catastrophic effect on the thousands of scientists, technologists, and craftsmen and their families in the Hanford area; on the brainpower pool which will be so desperately needed for research in advanced power reactor technology during the decade; and on the availability of electric power presently being supplied to the residents and industries of the Northwest through the Northwest power pool. There obviously will be a loss of plutonium production for the Defense Establishment.

I cannot really believe that the President understood the implications of his budget recommendation with respect to Hanford.

The loss of plutonium produced by these two reactors for the Defense Department may be significant. This information is, of course, classified, and cannot be discussed here.

The impact on an already depressed community where unemployment is now near 11 percent—it is much higher in much of the rest of Washington State—cannot be overestimated. The thousands of scientists, technologists, and skilled craftsmen who have partially paid mortgages on their homes, and children in school in the Hanford area, will be forced onto unemployment rolls and will be forced to seek new jobs in communities hundreds or thousands of miles away.

It is estimated that approximately 5,000 jobs will be lost in the Hanford area and that unemployment may reach 30 percent.

Aside from the personal tragedy involved in this sort of abrupt loss of income, the damage to the Nation will be even greater. These men and women constitute one of the finest brainpower pools for nuclear research and operation on earth. They will be desperately needed during the coming decade for research in advanced power reactor technology, which is almost certain to be carried out at Hanford. It seems to me that one must weigh the cost of continuing this program against the consequences of terminating it at this time in terms of the national interest, as well as the interest of these scientists and their families.

Deactivating the dual-purpose "N" reactor would, in addition to causing a loss of plutonium production, remove 800,000 kilowatts of electric power from the northwest power pool. The Congress has had no opportunity to evaluate the impact of this power loss on the economy of the West. It is obvious that certain basic industries, such as aluminum reduction, would lose power now available to them. The loss of employment and production in these industries scattered throughout the West has not been determined. Both unemployment and production loss would be serious in certain areas. The loss of 800,000 kilowatts of power will affect the amount of power available to California and the Southwest during their peak load periods this summer. The impact of this situation has not been appraised by Congress.

It has been projected that without the power currently being produced by "N" reactor, there will be a 300-kilowatt deficit of electricity in the northwest power pool during the winter of 1971–72 if all other factors are ideal and if the winter is warm. In the event of a severe cold winter and/or reduced river flow, this deficit could be much more severe. John Nassikas, Chairman of the Federal Power Commission, speaking in Richland, Wash., in 1970, was critical of the low reserve of power in the Northwest at that time, assuming the production of "N" reactor would be continuing.

The unilateral and deliberate withdrawal of 800,000 kilowatts from the northwest power pool at this time, and without consulting the Congress, is utterly unthinkable.

In view of the reasons stated above, I am convinced that it is in the interest of the Nation, as well as the Northwest, that the President's budget recommendation with respect to deactivating the Hanford reactors not be implemented until the Congress has had an opportunity to evaluate its consequences.

As a matter of record, Mr. Speaker, "N" reactor at Hanford, if it had not

been shut down today, would have produced by Sunday night next, the 31st of January, 533 million kilowatt-hours of electricity during this month of January. This is more electricity than has ever been produced by any nuclear power reactor on earth. It is power that stabilizes the northwest power pool in the winter and provides firm power for the demands of the Southwest in the summer.

I call upon the President now to withdraw his order for the immediate shutdown and deactivation of "N" reactor. The impending energy crisis faced by all areas of this Nation is a matter of common knowledge. This is no time to throw away the production of the largest nuclear power reactor on earth.

REVENUE SHARING IS ESSENTIAL

HON. MICHAEL J. HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. HARRINGTON. Mr. Speaker, last week President Nixon formally announced that revenue sharing would be one of the six major objectives of his administration in the coming year.

I congratulate the President for his strong support of the revenue sharing concept and eagerly await the full details of his plan. Revenue sharing is absolutely essential for the States, cities, and towns in this country. Without it, some will go bankrupt or cut back on essential services and the ensuing fiscal chaos is neither tolerable nor necessary.

The President and many Senators, Representatives, Governors, mayors, and State and local officials support revenue sharing. But revenue sharing is not limited to elected officials alone. The Gallup poll conducted on January 9 and 10 found that 77 percent of the public supports the concept of revenue sharing, with only 14 percent expressing opposition.

Mr. Speaker, Gallup has polled the American public on this subject for over 4 years. As early as January 1967, 70 percent of those polled favored revenue sharing. It is obvious that a clear majority of the American people, favor this plan. Hearings must be held on the legislation—and not with intent of "killing" the bill. Revenue sharing is the best solution to the financial problems besetting the States. It has been said that "nothing can stop an idea whose time has come." The time for revenue sharing has come.

The Boston Globe published the results of the poll on January 24. I would like to include the article at this point in the RECORD:

TAX SHARING WINS BROAD PUBLIC SUPPORT

GALLUP POLL

PRINCETON, N.J.—Although President Nixon's plan to share Federal income tax receipts with state and local governments may face rough sledding in Congress, the concept has the overwhelming support of the American people.

A Gallup survey of the nation's adults conducted Jan. 9–10 finds 77 percent of the public in support of the concept of revenue sharing, with only 14 percent expressing opposition. Nine percent do not express an opinion.

Public support for the revenue sharing idea has reached its highest point to date, with the percentage in favor up six points from a year ago.

Favorable reaction to the concept cuts across party lines, with large majorities of rank-and-file Democrats (77 percent), Republicans (81 percent), and Independents (73 percent) in favor of the plan.

In Friday's State of the Union message, the President made a strong plea for revenue sharing. The plan would return a small percentage of Federal income tax receipts to state and local governments. This would represent a basic shift from the present practice of rigidly allocated Federal grants to states and municipalities for welfare, hospitals, housing, highways and other programs.

The idea of revenue sharing was first advanced in 1964 by Walter Heller, then chairman of President Johnson's Council of Economic Advisors.

In the latest survey, a total of 1502 adults were interviewed in person in more than 300 scientifically selected areas of the nation Jan. 9–10. The following question has been asked of representative samples of the nation's adults five times during the last four years to determine attitudes on revenue sharing:

It has been suggested that 3 percent of the money which Washington collects in Federal income taxes be returned to the states and local governments to be used by these states and local governments as they see fit. Do you favor or oppose this idea?

(The 3 percent figure in the question is based on plans that had been proposed prior to President Nixon's State of the Union message).

The latest results and four-year trend follow:

TAX SHARING

January 1967—70 percent favor plan; 18 percent oppose plan; 12 percent had no opinion.

April 1967—70 percent favor plan; 15 percent oppose plan; 15 percent had no opinion.

July 1967—72 percent favor plan; 17 percent oppose plan; 11 percent had no opinion.

January 1969—71 percent favor plan; 17 percent oppose plan; 12 percent had no opinion.

Latest—77 percent favor plan; 14 percent oppose plan; and 9 percent had no opinion.

The thinking of the man-in-the-street is indicated by the following comments.

"Housing, road construction, education—problems like these—are really all local problems. I can't see why the Federal government has to get involved with huge programs that often don't work." This was the view of a 36-year-old tax appraiser.

A middle-aged laboratory technician commented: "I'm against the idea of revenue sharing until I see rigid guidelines as to how the money is to be spent. The possibility of state and local corruption could greatly increase with all that money to be used."

Congressional proponents of revenue sharing argue that the program would halt the increasing centralization of power in Washington. Others support the idea in the belief that state and local governments are closer to the social and economic problems for which money is needed.

Opponents of the plan in Congress believe that state governments are no more likely to be efficient in dealing with social and economic problems than the Federal government has been.

Gallup Poll editors sought the views of mayors of 20 large cities in the nation on the subject of tax sharing. The mayors interviewed were in general agreement that anything to help the cities, would be welcome, but some expressed concern that the money might not get to the cities that need it most because of state and local "red tape."

The views of Mayor William J. Ensign of Toledo, O., typify the attitudes of many of the urban mayors contacted:

"Any means by which some of the local money now going to Washington can be returned to our cities and states would be welcome relief. The President's proposal sounds good, but I would like to see a lot more cash and much less conversation.

"Cities, such as Toledo, cannot survive under their present financing formulas. A revenue sharing plan, minus the usual strings and red tape, could mean the difference between satisfactory municipal services (police, fire, sanitation) and continued municipal problems."

GALLAGHER REINTRODUCES RESOLUTION FOR SELECT COMMITTEE ON PRIVACY, HUMAN VALUES, AND DEMOCRATIC INSTITUTIONS

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. GALLAGHER. Mr. Speaker, today I reintroduce a resolution to establish a Select Committee here in the House of Representatives on what I believe to be one of the most important, and most overlooked areas of concern to the Congress. Mr. FRANK HORTON of New York, Mr. SIDNEY YATES of Illinois, Mr. JOHN MURPHY of New York, and Mr. EDWARD KOCH of New York, join me today as cosponsors.

For 6 years I have been conducting my privacy studies within the House Committee on Government Operations and while we have been effective in the major investigations we have pursued—psychological testing, the computer, and the National Data Bank, initiating congressional concern with the credit reporting industry, and the threatening expansion of giving behavior modification drugs to grammar schoolchildren—I believe the time has come for the House to recognize the magnitude of the task we face and to form a Select Committee with major support.

One area which we were forced to give only the most cursory attention to was the Federal funding for programs to identify young men who had the XYY chromosome, allegedly a creator of antisocial activity. The disclosure of the dangerous aspects of this program was largely the work of Miss Diane Bauer of the Washington Daily News who disclosed that young men thus identified in the preliminary research phase were not to be protected against having their names released into the criminal justice system and that consent forms were not required from the parents or guardians.

When the information was brought to my attention, I issued several statements about the question of preordained doom for young men based on the incredibly shallow supporting knowledge which ex-

ists. The facts now show that my doubts were based on substantially accurate independent scientific opinion. I attach at the end of my statement today a news item from the Christian Science Monitor of December 2, 1970. This article reports a British conference which debunks the entire idea of proceedings with our present state of knowledge to brand young men as potential criminals. It further discloses something I had not realized: abortions have been based on such genetic garbage.

As in so many cases, we are tampering with the basic physical makeup of human beings and doing unknown, probably untold, harm to future generations of people.

As in the matter of giving drugs to alter schoolchildren's behavior and the late, unlamented proposal of Dr. Arnold Hutschnecker to test every 6- to 8-year-old in the Nation for possible future criminal behavior, to cite just two additional examples, the privacy study's original insights were correct. Just 1 week after my hearing of September 29, 1970, into the drug issue, the Department of Health, Education, and Welfare announced that a "blue ribbon" panel would be convened to discuss the issues we had raised, and the day after I had announced I was considering hearings, HEW reported unfavorably on the Hutschnecker plan and it was dropped.

However, Mr. Speaker, because my privacy study has not as yet become a major part of the Committee on Government Operations ambit, plans have gone forward which radically alter the cohesiveness of American society and which pollute the political atmosphere just as much as more tangible technologies have polluted our natural atmosphere.

At the risk of redundancy, let me elaborate on that point. I believe there is a campaign against the human spirit being waged here in the United States. Its loci of power are diverse: academic circles, the military industrial complex, the medical educational complex, Federal, State and local bureaucracies, private industry, and last but not least, a Congress which is unprepared to cope with an influx of data. I would ask my colleagues in the House how many times you have voted for authorized and appropriated funds for projects which you were vaugely uneasy about but which you just did not have the expertise and solid data to question, My point is that all the power, all the experts, all the funds are on the side of those who wish to see short range success of a narrowly defined mission and we here in the Congress, whose concern it should be to evaluate long range effects on human values and democratic institutions, spend next to nothing on keeping ourselves relevant.

This is the basic reason why I have offered again a resolution to establish a Select Committee on Privacy, Human Values and Democratic Institutions. We here in the House are particularly vulnerable to failures in Federal policy for we must go to the people every two years. Yet, those who create many of the programs which cast so much discredit on the American government are buried deeply within the middle, almost mindless stretches of the bureaucracy and they are seldom if ever, identified or held accountable. The glacial indifference of these structures was well criticized when James Farmer left his position at HEW, but the problem far exceeds one man's frustrations and disillusionments. It is in the process of destroying the trust the governed must have in those who govern. It is fracturing the fragile interrelationships between citizens and their leaders and it will, in my opinion, ultimately lead to anarchy and its handmaiden, dictatorship.

Naturally, no such select committee as I propose could ameliorate all the malaise which so obviously grips America. But I think it will show that we are serious about what Americans are serious about: the deteriorating quality of life. I recently keynoted a conference on the computer and the data bank society in London and the headline of the article from the Sunday Times of November 22, 1970, which I will insert at the end of my remarks, sums up what I believe to be the basic purpose of my proposed select committee. It is headlined, "Self-Protection in the Age of Aquariums." Truly, the Age of Aquarius is going to be the Age of Aquariums in which every action takes place in a fishbowl and unless we take steps to protect ourselves, all the good we have done here in the Congress will be drowned in a cataract of disenchantment. For those who wish a much more complete discussion of my concerns, a full treatment of these themes appears in the CONGRESSIONAL RECORD, volume 115, part 26, pp. 34942–34946.

I would urge my colleagues to join with me by cosponsoring the resolution. Mr. Speaker, I include the text of the resolution and the two news reports referred to earlier in the RECORD at this point:

RESOLUTION

Whereas the development of technology is advancing at an unparalleled rate of speed and is rapidly coming to affect every level of American life; and

Whereas the operations of industry and Government are coming more and more to rely on highly sophisticated computer technology to assist them in their operations; and

Whereas the full significance and the effects of technology on society and on the operations of industry and Government are largely unknown; and

Whereas computers and other technological innovations aid in the gathering and centralization of massive information of all kinds on individuals and, consequently, call into question the effect of technology on the right of privacy; and

Whereas Congress needs a committee ready and able to evaluate the effects of technology on the operations of Government, on the democratic institutions and processes basic to the United States, and on the basic human and civil rights of our citizens: Now, therefore, be it

Resolved, That there is hereby created a select committee to be known as the Select Committee on Privacy, Human Values, and Democratic Institutions to be composed of nine Members of the House of Representatives to be appointed by the Speaker, one of whom he shall designate as chairman. Any vacancy occurring in the membership of the committee shall be filled in the same manner in which the original appointment was made.

The committee is authorized and directed to conduct a full and complete investigation and study of the development and proliferation of technology in American society, including the role and effectiveness of computer technology in the operations of industry and Government, the consequences of using computers to solve questions which traditionally have been addressed without the assistance of computers and other machines, and the effects of technology and machines on democratic institutions and processes. The committee shall also study the use of computers and other technical instruments in gathering and centralizing information on individuals and the effect of such activity on the human and civil rights.

For the purpose of carrying out this resolution the committee, or any subcommittee thereof authorized by the committee to hold hearings, is authorized to sit and act during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary; except that neither the committee nor any subcommittee thereof may sit while the House is meeting unless special leave to sit shall have been obtained from the House. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

The committee shall report to the House as soon as practicable during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable. Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

[From the Christian Science Monitor, Dec. 2, 1970]

BIOLOGISTS DEBUNK CRIMINAL GENE

(By Robert C. Cowen)

LONDON.—Geneticists feel embarrassed by the so-called "criminal" chromosome.

It is a human genetic factor that recently, and falsely, was thought to make its possessor criminally inclined.

This notion was introduced in American courts as an indication of criminal "insanity." It has been used, in Britain at least, as reason for abortion of unborn children.

All of this was the result of an erroneous conclusion drawn from bad statistics.

Now geneticists are concerned lest people again be improperly stigmatized as "abnormal" on equally hazy genetic grounds as medical centers build up files on the genetic background of adults and children.

This is one of the dangers cited at a meeting here on the social implications of biology, a meeting convened by the British Society for Social Responsibility in Science.

In this instance, the "criminal" chromosome story provided an archetypal example.

Chromosomes are objects seen within bodily cells which carry the blueprint of how the body is constructed. Some of them determine sex. Thus a female usually has two so-called "X" chromosomes. A male has one X and one called "Y."

Occasionally, extra sex chromosomes turn up. In the case in point, males have an extra Y—the "criminal" chromosome.

Studies made over the past five years at certain penal and mental institutions indicated what seemed an abnormally high percentage of males with the XYY chromosome set among inmates. This was taken as evidence that the extra Y inclined its possessors toward aggressive criminality.

As experts pointed out at the meeting, geneticists now consider such a conclusion scientific rubbish. It was drawn without any knowledge of or reference to the proportion of XYY males in the "normal" population. It was drawn with no knowledge whatsoever of how the extra Y chromosome actually does manifest itself in bodily structure or human behavior. Finding this out would take massive research, which has scarcely begun to be tackled.

Yet invalid as the concept of the "criminal" chromsome may have been, it had begun to be used publicly as a criterion for judging people. This, said Prof. Geoffrey Beale of Edinburgh University, has shocked geneticists. They just had not been aware of what the social consequences could be when they relased socially sensitive research information.

While valid as research, the XYY studies were no basis for social decisions. Scientists, he said, must exercise more control over how much information is released to the public.

MEDICAL DATA PILING UP

He added that he is particularly concerned about the data some medical centers now gather and record about the chromosome sets of new born babies and adults. "Who is to have access to these data?" he asked. "How are they to be used?" There must be stringent safeguards to make sure that the data are not used to label people.

Dr. R. C. Edwards of Cambridge University picked up this point, too. He pointed out that genetic studies are made of unborn children. Decisions then are sometimes made on whether or not to abort the fetus. In other words, he said, unborn children are being judged unfit to live on genetic grounds that are often poorly understood. Here, he said, both biology and society "are on very thin ground."

Dr. S. Lal, an official of the British Society for Social Responsibility in Science, asked Dr. Edwards, "why label people as anomalous? . . . Why start eliminating people in the womb on the basis of social need for certain genetic constitutions? Doesn't this violate the concept of individual worth and sanctity," he asked.

Dr. Edwards replied that he is specifically concerned about this. Labeling people as "anomalous" because they possess the XYY chromosome set has been a warning. There are many XYYs walking around today who are perfectly normal, he said.

[From the Sunday Times, Nov. 22, 1970]

SELF-PROTECTION IN THE AGE OF AQUARIUMS

(By John Fryer)

The computer, which the public once feared would quickly gobble up their jobs, has now assumed a much more sinister threat: as a machine keeping a watchful eye on their lives. But, paradoxically, it is now not the public that is so concerned, but the men who are actually running the computers. So much so that they have jointly called on the Government to act.

Fifty of Britain's leading computer men, plus a similar number of academics and civil servants, met in London last week to discuss what is being called the Data Bank Society. Data banks are stores of electronically-controlled information files whch can give a rundown on a person's history in a matter of seconds. It was little wonder that the conference, called by the National Council for Civil Liberties, saw them as a step towards George Orwell's 1984.

There is already evidence of what they can do. Like the case of the American General, wounded five times in Vietnam, who found his name listed in a data bank operated by the U.S. Army as a possible anti-war protester. It came as a surprise to him, and indeed the army, for he had previously been recalled from Vietnam for fighting so hard that too many of his men were getting killed.

The army later discovered that the General's name had found its way into the data bank after a junior soldier jokingly wrote it on the subscription form for an "underground" newspaper. But it is "mistakes" such as these that a growing section of Britain's computer industry fear could get out of hand.

Data banks already exist here: the Giro and motor licensing authorities both have them. Next year the police and social services hope to switch on similar systems.

If the police, social services and inland revenue could all feed information into a central data bank, so the argument runs, it would then be possible to build up a complete profile of a person from birth.

An American Congressman, Cornelius Gallagher, told the conference that in 1966 a plan was unearthed for a "hook up" between a number of government departments. It had been arranged behind the scenes by the permanent officials and, according to Gallagher, even the President did not know until the late stages what was going on. The plan has now been shelved.

Gallagher sees the problem of data banks intertwined with the growing menace of electronic surveillance equipment, such as bugging and wiretapping devices. This, he says, could lead us into the "Age of Aquariums, in which every action takes place in a fishbowl."

Britain, Gallagher assures, is about three years behind America. But surveillance systems here are already being built up. There are at least 1,000 private detective agencies in Britain, as well as personal dossiers on employees, and blacklists of bad debtors. A Parliamentary Committee is investigating how much this affects the privacy of the individual.

So where does this leave Britain's computer men? The NCCL was obviously surprised by the response to the conference, which included delegates from IBM, Honeywell and ICL. It reflected an underlying feeling amongst the hardware manufacturers, software houses and programmers themselves that they will be the first to face any public opinion backlash. In America, for instance, the recent blowing up of a computer by students is seen by some as an omen for the future.

The industry is convinced that ultimately the Government will have to control data banks, but precisely how it cannot say. The delegates, however, made it clear that they are in business to make (albeit small) profits, and will not "dictate other people's morals" by deciding who they should or should not supply with data bank equipment.

The industry claims it can provide adequate technical safeguards on computers to stop "pilfering" by inquisitive civil servants plugging into the necessary program. John Hargreaves, IBM's director of public affairs, says these safeguards, including scrambling devices, are already available. He says: "There is an industrial responsibility. I believe it is being discharged."

So, it seems the ultimate decision to control data banks must be political. But the industry seems to be waiting for the conventional British drive of public opinion to force through legislation that could, for instance, license data bank operators. Public opinion, despite the NCCL's efforts, is not yet so mobilized. However, it may gain strength soon, if, as is rumoured, Lord Crowther's committee recommends the setting up of a national credit data bank.

The computer men, who have surrounded themselves with an esoteric shell of Newspeak technical terms, want the public to know the dangers but they have difficulty explaining what they are. It will be sad if we have to wait for a British General to be classified as a pacifist before Parliament is forced to face up to the problem.

TO MAKE SAVINGS AND LOAN ASSOCIATION SERVE THE PUBLIC BETTER

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. HANNA. Mr. Speaker, the last decade has taught us all a number of important lessons. The Congress would do well to consider in particular, however, the experience of the Sixties as it relates to the financial needs of the American public. I think the reading of this experience will indicate some rather salient deficiencies. The first and most obvious deficiency has been that the flows of capital to consumers have waxed and waned at incredible rates. The early 1960's saw periods of almost unprecedented low interest rates on home loans. This was followed by a period of terrible stringency in 1966 and 1967, which was repeated in 1969 and 1970. We find ourselves now on the threshold of this new decade once more with a rapid shift of funds to the consumer sector and a rapid decline in the interest rates situation, but with the surplus of funds in the hands of commercial banking institutions, a situation which has resulted, in large measure, from the policies of the Federal Reserve Board.

The second lesson that needs to be learned from the 1960's is that the housing industry is increasingly a cyclical activity, generally running counter to prevailing economic trends. Historically, housing activity has increased substantially during periods of economic malaise. However, the 1960's saw this historical pattern exaggerated with housing starts rising and falling at precipitous rates, along with the attendant cost of the allocation, disallocation, and reallocation of resources. The fact that housing activity has fluctuated so rapidly is of course in like measure a function of the cost of money and availability of money. No institution has been more vulnerable to the flows of funds and their availability than the savings and loan associations, whose activities are closely linked to the housing sector, and whose investments are in the form of long-term fixed interest rates mortgages—which deny it the flexibility to adapt its portfolio to changing economic conditions. Hence, when interest rates rise rapidly, and, as a result, likewise the rate at which depositors in savings and loans expect to secure payment on their accounts, savings and loans are rickshawed by reason of their investments being in mortgages which were written at a time when rates were lower and which do not yield a sufficient timely return in an amount to permit the savings and loans to pay a competitive yield. This, of course, is part of the rationale for regulations—two—on the ceiling on interest rates.

As we approach the 1970's, it is evident that something must be done to even out the hills and valleys which afflict both the consumer in his capacity as a borrower for essential purchases and the savings and loan in its capacity as a primary home mortgage lender. Of

course, if both of these problems can be solved through a single step, it is simpler and more efficient. The proposal that I have advanced, calling for the establishment of consumer banks, is just such a step. These consumer banks would be somewhat different from the commercial banks. A commercial bank well deserves its name. Its function is largely to serve the mercantile sector. The extent to which commercial banks acknowledge that to be their function has been well evidenced during the 1960's. During that time, in periods of monetary stringency, their financial flows were shifted away from the consumer lending activities and toward lending to business and industry. The consumer bank, on the other hand, would have as its sole function servicing the needs of individuals and families. The powers that this act proposes to extend to consumer banks would permit them to offer the public the full range of banking services required by a family. This change in the law is in no way intended to exclude the commercial bank from exercising its powers to serve consumers. It is, however, to embody the well-seasoned American nostrum that competition breeds better services, and what better way to encourage competition than to establish an institution which, in its functions, competes with commercial banks in serving the public.

The savings and loan association has traditionally been a family-oriented financial institution. Going back to their earliest beginnings, the associations were founded to help individuals to acquire homeownership. This is a function which they still play a most important role in performing. The act which I propose to the Congress today would permit the savings and loans to continue to furnish that service, and also to serve the public by offering a broad array of services including checking accounts, trust services, small business loans, insurance, and credit cards. By extending the powers of savings and loans into these areas and thereby making them a consumer bank it would not only be possible to secure to the savings and loan the ability to better serve the American public, but it would also be possible to buttress the savings and loan against the vulnerabilities which in the past have jeopardized its existence. Historically, as I have noted, savings and loans have suffered during periods of economic stringency. During those times the demand for home mortgage loans has diminished, thus reducing the opportunity for savings and loans to make profitable investments of the funds available. At the same time, the requirement for the savings and loan to pay competitive interest rates has increased, thus putting savings and loan associations in a profit squeeze. The proposal that I offer today would permit the savings and loan association to engage in a number of areas of activity which would bring it substantial profit centers and permit it to gird its financial loins and thereby be better prepared to perform its original and still primary function of financing home mortgage lending. It is imperative that in the 1970's housing activity be increased substantially. For that goal to be obtained, it is necessary that increased supplies of funds be made available, in all sectors, not only in the subsidized housing area, but also in the market-rate housing area. The proposal that I offer today will substantially strengthen savings and loans and thereby help assure an adequate flow of funds into conventional home mortgage lending.

To sum up, this proposal assists in dealing with two very serious problems that were made manifest during the 1960's. My proposal would provide financial services which, it has become evident, are not available to consumers during periods of financial tightness/monetary stringency. Secondly, it would insure to the savings and loans the viability that comes from having a broader economic base. It would help the savings and loans survive in periods of tight money, periods which, in the past, have jeopardized the very existence of the savings and loan business. In short, my proposal offers better service to the American public, and at the same time offers needed support to an institution which has clearly demonstrated in the past the ability to serve well the American public, both in the aggregate and as individuals and families.

Mr. Speaker, I am including at this time a copy of the bill and a section-by-section summary to be inserted in the RECORD at this point:

A bill to better enable savings and loan associations to serve the public

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as "The Consumers Bank Act of 1971".

SEC. 2. Declaration of Purpose. It is the sense of the Congress that the needs of the public for financial services could be better served. Toward that end the following powers are added to those presently possessed by the savings and loan industry.

SEC. 3. Federal Stock Associations.

(a) Subsection (a) of section 5 of the Home Owners' Loan Act of 1933 is amended—

(1) by deleting the word "mutual" both times it appears therein, and

(2) by inserting "(1)" immediately after "(a)", and by adding at the end thereof the following:

"(2) An association may be chartered either as a mutual institution or as a corporation having capital stock. Except where otherwise indicated by the context, references in this Act to 'associations' refer to both mutual associations and stock associations.

"(3) In the case of a stock association, the capital stock shall represent the permanent capital of the association, subordinate to all other liabilities and capital of the association. Stock may be issued only in accordance with the regulations of the Board.

"(4) Upon the written application of a mutual association, the Board may permit the association to convert into a stock association if the Board determines that—

"(A) two-thirds of the association's directors have voted in favor of the proposed conversion;

"(B) two-thirds of the votes cast by account holders in person or by proxy have been cast in favor of the conversion at a meeting duly called and held not more than six months prior to the filing of the application with the Board; and

"(C) the conversion will be conducted pursuant to a plan which is approved by the Board as fair and equitable."

(b) Paragraph (2) of subsection (b) of section 5 of said Act is amended by deleting therefrom the parenthetical expression "(except capital stock)".

SEC. 4. Demand Deposits.

(a) Subsection (b) of section 5 of the Home Owners' Loan Act of 1933 is amended by renumbering paragraph (2) as paragraph (3) and by adding thereto the following new paragraph (2):

"(2) An association may also raise capital in the form of demand deposits, as authorized by regulations of the Board, may issue such evidences of such demand deposits as are so authorized and may honor requests for withdrawal of demand deposits in the form of checks or drafts or otherwise as so authorized. Every association that receives demand deposits shall establish and maintain reserve balances equal to not less than 10 per centum and not more than 22 per centum in the case of any association in a reserve city and not less than 7 per centum and not more than 14 per centum in the case of any association not in a reserve city of the aggregate amount of such demand deposits held by it, all as determined from time to time by the Board. Either in individual cases or by regulation the Board, on such basis as it may deem reasonable and appropriate in view of the character of business transacted by the association, may make applicable in reserve cities the reserve ratios prescribed for associations not in reserve cities. Such reserves shall be maintained in one or more of the following forms:

(1) demand deposits in one or more Federal Home Loan Banks.

(2) demand deposits in one or more Federal Reserve Banks.

(3) demand deposits fully insured by the Federal Deposit Insurance Corporation in one or more commercial banks.

(4) marketable securities having unexpired terms of not more than 7 years, that are issued or guaranteed by a pledge of the full faith and credit of the United States.

(5) items in transit, as defined by the Board, to the extent demand deposits in the association are increased by such items.

(6) coins and currency of the United States.

The Board is authorized for the purposes of this subsection to define the terms "demand deposits" and "reserve city." The Board is further authorized to suspend for a period not exceeding thirty days and from time to time to renew such suspension for periods not exceeding fifteen days, any reserve requirement specified in this subsection. No association shall, directly or indirectly, by any device whatsoever, pay any interest on any demand deposit."

(b) The first paragraph of section 13 of the Federal Reserve Act is amended by inserting "or savings and loan association" immediately after "nonmember bank or trust company" both times those words appear therein.

SEC. 5. Trust Powers. Section 5 of the Home Owners' Loan Act is amended by inserting the following new provisions as subsection (d):

"(d) (1) The Board shall be authorized to grant to any association applying therefor a permit to act as trustee of a trust where the trust res at the time of appointment of the association as trustee does not exceed one hundred thousand dollars in value, and to act as executor, administrator, registrar of securities, guardian of estates, assignee, receiver, committee of estates of lunatics or in any other fiduciary capacity where the amount to be initially administered by the association in any one of such capacities does not exceed one hundred thousand dollars in any individual case.

"(2) Associations exercising any or all of the powers enumerated in this subsection shall segregate all assets held in any fiduciary capacity from the general assets of the association and shall keep a separate set of books and records showing in proper detail all transactions engaged in under authority of this subsection. The State official or body having supervisory authority over State-chartered savings and loan-type associations in the State may have access to reports of examination made by the Board insofar as such reports relate to the trust department of such association, but nothing in this subsection shall be construed as authorizing such State official or body to examine the books, records or assets of such association.

"(3) No association shall receive in its trust department deposits of current funds subject to check or the deposit of checks, drafts, bills of exchange or other items for collection or exchange purposes. Funds deposited or held in trust by the association awaiting investment shall be carried in a separate account and shall not be used by the association in the conduct of its business unless it shall first set aside in the trust department United States bonds or other securities approved by the Board, and the association is hereby authorized so to set aside such bonds or other securities.

"(4) In the event of the failure of such association the owners of the funds held in trust for investment shall have a lien on the bonds or other securities so set apart in addition to their claims against the estate of the association.

"(5) Whenever the laws of a State require corporations acting in a fiduciary capacity to deposit securities with the State authorities for the protection of private or court trusts, associations so acting shall be required to make similar deposits and securities so deposited shall be held for the protection of private or court trusts, as provided by the State law. Associations in such cases shall not be required to execute the bond usually required of individuals if State corporations under similar circumstances are exempt from this requirement. Associations shall have power to execute such bond when so required by the laws of the State.

"(6) In any case in which the laws of a State require that a corporation acting as trustee, executor, administrator, or in any capacity specified in this section, shall take an oath or make an affidavit, the president, vice president, treasurer, or trust officer of such association may take the necessary oath or execute the necessary affidavit.

"(7) It shall be unlawful for any association to lend any officer, director or employee any funds held in trust under the powers conferred by this section. Any officer director or employee making such loan, or to whom such loan is made, may upon conviction be fined not more than $5,000 or imprisoned not more than 5 years or may be both so fined and imprisoned, in the discretion of the court.

"(8) In passing upon applications for permission to exercise the powers enumerated in this subsection, the Board may take into consideration the amount of capital and surplus of the applying association, whether or not such capital and surplus is sufficient under the circumstances of the case, the need of individuals in the community to be served and any other facts and circumstances that seem to it proper, and may grant or refuse the application accordingly.

"(9) Any association desiring to surrender its right to exercise the powers granted under this subsection or to have returned to it any securities which it may have deposited with the State authorities for the protection of private or court trusts or for any other purpose, may file with the Board a certified copy of a resolution of its board of directors signifying such desire. Upon receipt of such resolution, the Board, after satisfying itself that such association has been relieved in accordance with State law of all duties as trustee, executor, administrator, registrar of stocks and bonds, guardian of estates, assignee, receiver, committee of estates of lunatics or other fiduciary, under court, private or other appointments previously accepted under authority of this subsection may, in its discretion, issue to such association a certificate certifying that such association is no longer authorized to exercise the powers granted by this subsection. Upon the issuance of such a certificate by the Board, such association (A) shall no longer be subject to the provisions of this subsection or the regulations of the Board made pursuant thereto, (B) shall be entitled to have returned to it any securities which it may have deposited with the State authorities for the protection of private or court trusts, and (C) shall not exercise thereafter any of the powers granted by this subsection without first applying for and obtaining a new permit to exercise such powers pursuant to the provisions of this subsection.

"(10) The Board is authorized and empowered to promulgate such regulations as it may deem necessary to enforce compliance with the provisions of this subsection and the proper exercise of the powers granted therein."

SEC. 6. Small Business Loans. Section 5 of said Act is amended by inserting the following new provisions as subsection (e):

"(e) An association may make any loan for a business purpose in a principal amount not exceeding twenty-five thousand dollars; provided, however, that to extend the portion of such a loan in excess of twenty-five thousand dollars has the benefit of insurance by the Small Business Administration, the principal amount may be increased to not exceeding one hundred and fifty thousand dollars."

SEC. 7. Credit Cards. Section 5 of said Act is amended by inserting the following new provisions as subsection (f):

"(f) An association may issue credit cards, either directly or through a corporation in which it has a proprietary interest, under such conditions as shall be provided in regulations to be issued by the Board."

SEC. 8. Insurance. Section 5 of said Act is amended by inserting the following new provisions as subsection (g):

"(g) Insurance. Any association may act as agent for any fire, life or other insurance company of any type authorized by the authorities of the State in which the association is located to do business in said State, by soliciting and selling insurance and collecting premiums on policies issued by such company; and may receive for services so rendered such fees or commissions as may be agreed upon between the association and the insurance company for which it may act as agent."

SEC. 9. Relettering. Section 5 of said Act is amended by relettering subsections (d) to (k) as subsections (h) to (o), respectively.

SECTION-BY-SECTION SUMMARY

A bill to better enable savings and loan associations to serve the public

THE SAVINGS AND LOAN ACT OF 1971

SEC. 2. Declaration of Purpose. More public needs should be served by savings and loan associations, so the following additional powers are granted to such association.

SEC. 3. Federal Stock Associations. Amends section 5(a) and (b) of the Home Owners' Loan Act of 1933 to authorize the Federal Home Loan Bank Board to charter Federal stock savings and loan associations as well as Federal mutual associations and to authorize that Board to permit conversion of a Federal mutual to a Federal stock association. (Existing statutory provisions continue in effect that authorize a State-chartered mutual association to convert to a Federal charter which could be either mutual or stock under this bill; and that authorize a Federal association (either mutual or stock under this bill) to convert to a State-chartered association. See section 5(i), Home Owners' Loan Act of 1933.)

SEC. 4. Demand Deposits. Amends section 5(b) of the Home Owners' Loan Act of 1933 to authorize Federal savings and loan associations to accept demand deposits. Parallels the Federal Reserve Act in allowing Federal Home Loan Bank Board to require reserves against such deposits in the range of 10 to 22% in reserve cities and 7 to 14% in non-reserve cities. Allows Federal Home Loan Bank Board to define reserve city and demand deposits and allows it to let non-reserve requirements apply to associations in reserve cities on basis of the character of business transacted. Lists 6 classes of media in which reserves can be held; namely, demand deposits in Federal Home Loan Banks, Federal Reserve Banks or FDIC-insured banks, full faith Federal obligations maturing within 7 years, items in transit and U.S. coins and currency. Prohibits payment of interest on demand deposits. Allow Federal Reserve Banks to receive from associations checks and other paper for exchange or collection.

SEC. 5. Trust Powers. Amends section 5 of Home Owners' Loan Act to authorize the Federal Home Loan Bank Board to permit Federal savings and loan associations to exercise full trust powers for trusts originated for not over $100,000. In acting upon applications for trust powers, Board must follow same criteria used by Comptroller of the Currency in acting on applications for trust powers submitted by national banks. These include sufficiency of capital and surplus and needs of the community to be served. Other requirements parallel those applicable to national banks, with the Federal Home Loan Bank Board serving as the regulatory agency for Federal savings and loan associations.

SEC. 6. Small Business Loans. Amends section 5 of the Home Owners' Loan Act of 1933 to authorize Federal savings and loan associations to make loans for business purposes up to $25,000 each (or up to $150,000 each if the excess over $25,000 is insured by the Small Business Administration).

SEC. 7. Credit Cards. Amends section 5 of the Home Owners' Loan Act of 1933 to authorize Federal Savings and loan associations to issue credit cards under Federal Home Loan Bank Board regulations. Issuance may be by the association directly or through a corporation in which it has an ownership interest. This parallels the similar authority extended to national banks by regulations issued by the Comptroller of the Currency.

SEC. 8. Insurance. Amends section 5 of the Home Owners' Loan Act of 1933 to authorize Federal savings and loan associations to act as agents for any insurance company authorized to do business in the State where the association is located. The associations could solicit and sell insurance, collect premiums and receive fees from the company for its services.

SEC. 9. This is a technical provision to accomplish relettering of subsection numbers made necessary by the amendments the bill makes to section 5 of the Home Owners' Loan Act of 1933.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks:

"How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,500 American prisoners of war and their families.

How long?

PRESIDENT'S 1972 BUDGET

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. VANIK. Mr. Speaker, in reviewing the 1,112 pages of the appendix to the President's budget which is the size of the Cleveland telephone book, I have found it to be a document containing elements of surprise and mystery.

We have been advised that the budget provides an $11.6 billion deficit. If the estimate of the 1972 deficit is as erroneous as the nonexpansionary deficit estimate of 1971, the real deficit spending should be in the area of $20 to $25 billion.

Every American must be concerned with the manner in which a planned deficit is spent. Our experience has shown that deficit spending can lead to full employment and recovery—a desirable goal—or it may lead to accelerated inflation, depression, and vastly increased unemployment and the resultant erosion of savings.

The question which this budget poses is—which shall it be and where will it lead?

It has always been my belief that unemployment could be best challenged by stimulating consumer spending to bring factories up to their capacities. At present, factories are at 75-percent capacity while unemployment is at 6 percent.

Just before submitting this budget, the President—by a single stroke of his pen—gave all industries and corporations an additional $3.5 to $4 billion annual tax writeoff in depreciation, in an effort to stimulate the increase in productive capacity which was already 25-percent idle.

DOES THE NIXON BUDGET FOR 1972 STIMULATE DEMAND?

For example, the President recommends a 6 percent increase in social security benefits. This recommendation completely ignores the added inflationary impact of 1970—a year in which there was no new social security legislation. The elderly have a decreased spending and support capacity. Administration policies have forced new millions of our elderly into poverty.

Last year Congress passed a $9.2 billion manpower training program to provide jobs in the public service. This was a clear congressional mandate resulting in gainful employment for millions of people. The allocation for this program would have provided a multiplier effect many times the Federal investment. Although the President vetoed this approach, there appears to be no alternative approach in the expansionary budget to reach the large number of unemployed.

The budget approach increases defense spending by about $3 billion.

Obviously there is no peace dividend from our reduced combat force and disengagement. There are indications that the savings in reduced American combat forces are being utilized to pay our way out of Vietnam. For the second year, we are paying $2.5 billion to: First, support Vietnamese and other free-world forces in support of Vietnamese forces; second, local forces in Laos and Thailand.

A detailed examination of military procurement shows case after case of increased requests:

Modification of combat aircraft—$269.3 million to $439 million.

Navy auxiliaries—$382 million to $1.017 billion.

Air Force ballistic missiles—$587.2 million to $842 million.

Increased spending is outlined in almost all categories in page after page of the budget. It seems that every office in the Department of Defense is asking for an increase at a time when we are supposed to be deescalating the war in Southeast Asia.

There are some encouraging proposals in the budget. For example, the Public Health Service Act provides for a substantial increase—almost doubling previous allocations. The commitment of $100 million to cancer research is helpful—even though only one-third will be committed in fiscal year 1972. Headstart allocations are increased—although this is difficult to reconcile with reduced and terminated programs of Headstart and day care in my own community.

The start-up costs for welfare reform are estimated at $580.7 million—probably for a half year—with no projection for future costs.

One of the budget mysteries is how medicaid can be reduced by $495 million by providing a proposed preventive medical program with no price tag.

In addition, the budget provides a medicare saving of $450 million through a cost control program suggesting use of most efficient providers of service. It is my hope that this bill will not result in an increased assumption of the cost of medical care to patients.

This budget anticipates an extensive sell-off of Federal property as a means of providing a one-time credit to the budget. For example, the budget proposes a sale of National and Dulles Airports and the Alaska Railroad at their depreciated value—$205 million will buy these three items. For the sake of this credit to the budget, the taxpayers of America stand to lose as much as $400 million. In addition, the budget contemplates the sale of $635 million in surplus property—an event which many of us in Congress have long demanded, if the sale price and terms are fair to the taxpayer.

One touchy economy in the budget is the elimination of the free milk program which provides some nutrition to all children.

I am, of course, pleased that the President's budget maintains the levels of the school lunch program, the school breakfast program, and the nonschool lunch program which I authored. That program served 100 million meals to more than 500,000 children in America during the last year.

I am, of course, pleased that the budget terminates the helium procurement program which saves the taxpayer $42 million per year for the duration of the contracts—thus estimated to save a total of $436 million during the life of the contracts.

There appears to be substantial increases in allocations for capital facilities grants for mass transit—$129.4 million to $381.3 million. The total capital obligation has been increased from $246 million to $600 million. After long years of struggle, the President is asking for $2 billion per year for pollution control and the construction of waste treatment plants. This is $500 million less than the proposal which I supported in Congress.

In recapitulating the budget, my fears remain that the higher deficit expenditures will not achieve the goals of recovery.

Higher spending without direction does not necessarily increase employment. Misdirected spending can wreck the economy by fueling inflation while joblessness continues. At this reading of the budget, the thrust of the President's budget program must be subject to serious question.

NATIONAL WEEK OF CONCERN FOR PRISONERS OF WAR/MISSING IN ACTION

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. GONZALEZ. Mr. Speaker, I am very proud to introduce a resolution which has received wide, bipartisan support for Members of the House of Representatives, designating the week of March 21 to 27 as a "National Week of Concern for Prisoners of War/Missing in Action."

In the last Congress, I stood before this body in support of a concurrent resolution expressing our strong concern at the lack of compliance with the requirements of the Geneva Convention relating to the treatment of our captured men. I am glad to recall that both the House and the Senate overwhelmingly approved the resolution. Seemingly, public opinion has at least stirred up North Vietnam to the extent that there have been some unofficial communications regarding certain of our POW's. These actions fall far short of the requirements that should be met. However, it is indicative of the force that public opinion can have.

Accordingly, I wholeheartedly support focusing both public and political concern for the present situation. I am sure that the 18 families in the San Antonio area part of which I represent, and their 31 children, join me today in urging that we swiftly consider and pass this resolution. I am sure that the relatives and friends of the over 1,600 Americans listed as prisoners of war/missing in action in Southeast Asia earnestly welcome our support for this resolution. Let us reassert our commitment that we have not forgotten our POW/MIA's.

BENIGN NEGLECT

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. CLAY. Mr. Speaker, the "White House Negro" is no longer with the President—but Mr. Nixon, in his hour-long discussion with four newsmen recently, left no doubt that the policy of benign neglect of black Americans shall prevail through this new year and new Congress.

The President said Daniel P. Moynihan, who coined the phrase "benign neglect" in his most public memo on race relations, got a "bad rap" for his recommendation that the administration not "react" to racial "violence" or to "extremists"—but act. And then Mr. Nixon asserted that Mr. Moynihan was so committed to racial justice that he was called the White House Negro by fellow staff members.

Well, Mr. Speaker, we never did misunderstand the recommendation—which is why we took issue with it. Certainly, the observation that Nixon turned "benign" neglect into "malignant" neglect of black Americans can be made. And it should be pointed out that whether any policy or move made by the Federal Government constitutes an "action" or "reaction" is a matter for academic debate.

What would we term the new environmental protection laws and regulations—if not a reaction? The coal mine safety law, the postal reform law, the new consumer protection laws, aid to Cambodia and Israel—do these laws and policies constitute "acts" or "reaction." The Federal Government, in each case, was responding to a need it deemed legitimate and critical.

Quibbling over whether this administration will "react or act" in behalf of racial justice is pointless. Defense or discussion of the Moynihan memo is a similar waste. Obvious in all this and in the President's comments on fair housing and school desegregation enforcement is that black Americans can look forward to more of the same from this administration—call it a punitive backlash or call it pure racism.

The President has refused audience to the black Members of Congress as we have repeatedly requested—on the grounds that we, the elected and legitimate representatives of 25 million Americans, are "extremists." And in every area of our most critical needs—housing, education, employment, and job training—the President has either vetoed or cut funds and programs.

An extremist to this administration is anyone who voices views opposed to those of the President—and that puts the black populace on the shelf alongside the Kerner Commission report—to collect dust. The belief held by this administration that black Americans can be dismissed because "they" know what is best for us is not only pathetic, but a dangerous contributor to the potential for violence which exists in the black communities of the Nation.

The President proclaimed that 1971 will be a "good year," second only to 1972 which he claims will be a "very good year." If one is white, educated, able, and free, he might put some stock in the President's words. But if you are black, jobless, and raising a family in a slum housing infested by rats, the turnover in the calendar year will go unnoticed.

The current leadership of this Nation has engineered a time machine for black Americans, like a treadmill. Racial justice to this President means doing what Federal civil rights laws passed before his term absolutely require—giving strict interpretations to the limits of fair housing and desegregation laws—and strict adherence to the minimums necessary.

NATIONAL FARMERS ORGANIZATION

HON. JOHN C. CULVER

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. CULVER. Mr. Speaker, recently my colleague, Senator HAROLD E. HUGHES, addressed the annual convention of the National Farmers Organization in Louisville, Ky. His remarks called needed attention to the frequently overlooked problem of the family farmer in an increasingly urbanized society. Moreover, I believe the Senator's address deals with some of the basic challenges facing institutions and individuals in American society today, and I welcome the opportunity to share his perceptive observations with the Members of the Congress. I insert it in the RECORD:

REMARKS OF SENATOR HAROLD E. HUGHES, NATIONAL FARMERS ORGANIZATION ANNUAL CONVENTION, LOUISVILLE, KY., DECEMBER 17, 1970

You know—some of my friends keep saying:

"We've got to get Hughes off the drugs!"

They think I've concentrated so much on the subject of drug and alcohol abuse, since I went to the Senate 23 months ago, that I'm in danger of becoming a one-issue Senator.

I *am* a one issue Senator.

And I see no danger in it.

For there is only one issue.

The survival of America.

The real tragedy about drug and alcohol abuse in America is not that it is a problem.

The tragedy is that—for increasing millions of Americans—drug and alcohol abuse is the *answer*.

The evidence is everywhere—in broken minds and bodies and lives—that it is a sad and lonely and unhappy answer.

The wrong answer.

But it is the only answer for millions.

So confused and so leaderless have we become that the answer has been mistaken for the problem; and the answer, being the wrong answer, has been added to the problem.

The challenge for America's leadership—whether in the rural areas of our country or in the great cities, in the Congress or in the White House—the challenge is to identify the real problems in America today, and to seek the real answers.

And to do this with understanding, faith, and feeling—not with meanness and divisiveness.

What are the real problems?

What are the best answers?

It would be better for you to tell me, than for me to try to tell you.

The only justification for a United States Senator to go criss-crossing the country, as I have been doing for nearly two years, is not to preach to the people, but to listen to them.

To gather strength from people like you. From people who care.

Former Secretary Hickel was asked on national TV the other day whether President Nixon was a man who cared.

Hickel replied in effect that the President did care—insofar as he was able to care—considering the limited input of compassion from those around him.

The implication of that statement—that the President is surrounded and isolated by those who keep him from caring—is as chilling as anything I have heard in the long months of hearings by my Subcommittee into the loneliness and suffering and alienation that turns people to the abuse of drugs and alcohol.

The tendency toward isolation is an inbuilt hazard of high office. This applies especially to the presidency of the United States, the most powerful office in the world . . . and the loneliest.

Only by reaching out with powerful compassion can the Commander-in-Chief surmount the isolation and feel the problems that people have. Knowing the awesome burdens of the office, we can only pray that every President will, at some point, find the way to pierce the walls of his high office and communicate with the people on the level of personal feeling. This is what our nation needs desperately now. In the midst of old and new anxieties, we, the people, are lonely and isolated too . . . reaching for leadership that cares.

And no group in our country is pleading more passionately for leadership and for a fair understanding of their real problems than the American farmers. Unfortunately, the pleas of the farmers often fall on deaf ears in Washington, these days.

They should build a statue to the fellow who dreamed up the new bumper sticker that reads: "The Majority Is Not Silent—The Government Is Just Deaf."

* * * * *

It was just one hundred years ago—in 1871—that the first rumblings of discontent began to be heard across the American hinterland.

These were rumblings about the growing concentration of wealth and power accumulating in the hands of industrial giants—rumblings about government institutions that were growing increasingly unresponsive to the needs of the individual.

These rumblings were to intensify over the following twenty years into a full-scale uprising by the American farmer—a farmer-revolution—a revolution against powerful interests that were abusing their power and, in the process, strangling the farmer.

The victories won in that first farmer-revolution are well-known: control over the railroads, political reforms that made government more responsive to the individual, economic reforms that enabled the farmer—for a while at least—to prosper.

One hundred years later—as we enter 1971—the American farmer faces a similar crisis. But unfortunately, this time he does not have the luxury of twenty or thirty years to achieve the second farmer-revolution. And let us make no mistake, no less than a second farmer-revolution—peaceful but forceful—will be necessary to *save* the American family farmer.

The farmer-revolution of the last century was accomplished for one reason. The small farmers, faced with extinction, united and organized. Together they constituted a

counter-force, as powerful and effective as the massive conglomeration that they were fighting.

Today, the dangers are just as serious, the opposition just as powerful, and the stakes—survival—just as high. But the odds *have* shifted. A *majority* of the population one hundred years ago, the farmer now represents a shrinking minority. And for emoattled minorities, even more than for embattled majorities, *organization* is imperative.

This is the nature of the second farmer-revolution—the one being spearheaded by the National Farmers Organization. "Farmer power" through organization.

The forces which confront the American farmer are not *unlike* those in that earlier struggle. Buyers, processors, and retailers of farm products are even more concentrated today than before. Perhaps on the surface they show less guts than the moguls of the 1870's, whose attitude was capsulized by Cornelius Vanderbilt's answer to his critics: "What do I care about the law? Ain't I got the power?"

Today, there are better public relations departments.

But the fact remains that farmers are helpless in the marketplace unless they work together. Together, they have a chance to control their own livelihoods, their own destinies. Divided, they will, as Ben Franklin said, all hang separately.

This, I believe, is the fundamental importance of the National Farmers Organization, and the guiding principle of the new farmer-revolution.

This is by no means to say that government does not have a vital role to play. Farmers can only bargain together effectively if government helps in the task of keeping production in balance with consumption.

Government—the federal government specifically—must clearly and unequivocally dedicate itself to the proposition that those who produce our food and fiber have an unquestioned right to economic equality with those who consume it. And government must step in to avoid economic exploitation of the farmer by those who have been able to concentrate economic power in their hands.

But farmers are now learning the lesson that James Madison offered as we launched this nation nearly 200 years ago: "It is in vain to say," he wrote, "that enlightened statesmen will be able to adjust these *clashing interests* and render them all subservient to the public good. *Enlightened statesmen will not always be at the helm.*"

Yes, the second farmer-revolution needs the assistance of government. It's foolish to junk the old car until you have a new one in the driveway. But farmers are now realizing that—as the current phrase has it—they must "get themselves together," because as Madison said—and we have discovered—enlightened statesmen are not always at the helm.

Let there be no illusions about what is at stake—no less than the survival of the family farmer in this country.

Now, some say—and others quietly believe without saying—that there is no room in this country for the family farmer. That is a proposition which I totally reject.

Some would say that the family farmer must be sacrificed on the altar of some "higher economics." From some corners comes the notion that in the name of Efficiency, we should return to the jungle of a modern-day survival of the fittest. And one of the bitter ironies is that such notions are advanced by those who claim to speak on *behalf* of farmers. Our society has come too far to retreat so fully.

It is simply untrue that efficiency is increased when family farmers are "adjusted" out of business. It is *decreased*. And when the farmer folds, he is often forced to leave rural America for the city, taking with him other rural nonfarmers who depend upon him for *their* livelihood.

Our cities are already sinking. And you cannot bail out a sinking ship if it has a hole in its bottom. Eighty percent of the nation's population *already* lives on 10 percent of our land, suffering from innumerable pollutions, personal tensions, and deteriorating living conditions. There are eleven acres of land for every man, woman, and child in this country, but most people exist on only a few square yards.

A recent Gallup poll showed that six of every ten people living in our metropolitan areas would rather live in the country. But how can we reverse that flow unless, as a nation, we can save the livelihoods of those who are already living in our rural areas, the working farmers, and make their economic situation prosperous enough to keep young people from leaving?

We must save the family farmer, then, because we must save our rural areas and save our cities. But there is a deeper reason, a reason that goes to the essential fiber of American life.

The basic question which we face in the 1970's is whether individuals can retain control of the kind of lives they wish to live.

The farmers forced off their land do not want to leave. I have never seen a happy farmer boarding up his barns. The struggle is for no less than self-determination, the right of each man to choose the kind of life he wishes to lead—on the farm if that is his choice; or in the city, but *only if that is his choice.*

This is the challenge we face: Can we save America for Americans? It is the *same* question posed by those who wish to drive in safe automobiles and therefore fight to make our large corporations responsive to their customers' desires. It is the *same* question posed by those who wish to breathe clean air and drink clean water and therefore fight against giant industrial entities who would disregard the human costs of irresponsible practices.

We have spent the lives of 50,000 American boys and 170 billion American dollars for the principle—we are told—of establishing self-determination for the *Vietnamese* people. We face in the 70's the challenge of establishing that right for the *American* people. This is why we must save the family farmer in this country.

The plight of the small farmer reminds me in some ways of the famous legend of Sisyphus. You remember that Sisyphus was fated to the task of pushing a giant rock to the top of a very steep mountain. But each time he almost reached the top, the weight of the rock overpowered him and pushed him down to the bottom again.

In the case of the American farmer, unfortunately, *some* farm people seem to be sitting on the rock instead of pushing.

The National Farmers Organization has begun to get farmers together for the long push. It is a vital one, one that I fully endorse, and one to which I pledge my continued support.

When I first came to Washington, some of my new Eastern friends had hopes that I might turn out to be the best of the West.

When they found that I wouldn't reform my rough ways, they concluded that I had become the Beast of the East.

Seriously, I believe it is time for people to speak bluntly, using the right words.

It is true that this nation is faced with critical, overpowering problems today—some of which, like the drug epidemic, we have not faced before.

It is equally true that this nation has the resources to meet those problems—and meet them we will, I am convinced.

The sun will come up ten years from today over Paducah, Kentucky, and Corning, Iowa, just as it came up today.

This nation will experience declines—it's in a beauty right now—but it is not going to fall like the Roman Empire.

Why?

Because we may act like fools a good share of the time, but in the long run we have the strength of heart and hand to pull ourselves out of it.

Early in this Administration, President Nixon made what I considered one of the greatest statements made by any President—that he was going to raise the *quality* of living for all Americans.

Unfortunately, that pledge seems to have been forgotten, but the concept is still great.

For in this land, founded on cencepts of freedom and equality, it is the *quality* of life that has made us a great people—not the bigness or the power.

I thought of this yesterday when I read the morning headlines telling of President Nixon's announcement that the Gross National Product had passed the trillion dollar figure.

With pomp and circumstance, Mr. Nixon hailed "the first trillion-dollar economy for any nation in the history of the world."

It is ironic that this lavish announcement came at a time when industrial production had dropped for the fourth straight month to the lowest level since the 1960–61 recession; when unemployment is nearing six per cent; when farm prices are at their lowest parity level since the depression years of the 1930's; when farm debt is at an all time high; when the human value programs of education, health care, medical research, equal opportunity, and pollution control are being cut back so that we can sink billions into such foolish luxuries as the supersonic transport.

As Edward Abbey put it, "Growth for the sake of growth is the ideology of the cancer cell."

The real priority is not magnitude or power or splendor . . . but quality of living for all Americans.

I have no doubt that we can and will get back on the mainline again toward fulfilling that dream of this special kind of greatness that is in the hearts of all Americans.

I am encouraged by this great meeting here.

If I am any judge, you did not come here to participate in the surrender of America's future.

OPERATION LIFELINE

HON. JULIA BUTLER HANSEN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mrs. HANSEN of Washington. Mr. Speaker, I wish to rise in support of the bill presented by my distinguished colleague, the gentleman from California (Mr. McFALL), H.R. 100, to provide grants-in-aid to assist in building needed municipal facilities.

Mr. McFALL's bill will begin to do something that I have long suggested as a remedy for the ills of our economy—stimulate the economy by investing public funds in building vitally needed facilities. I can think of no nobler way for Congress to invest money than to build the pollution control facilities that could be aided by this bill. Let us continue to do

as this bill provides—put our money where our real needs are.

Restoring an active economy is the sincere desire of both parties. I sincerely hope, therefore, that Members on both sides of the aisle will join me and Mr. McFALL in supporting this meaningful bill. Let us give the unemployed workers in America a chance to engage in work that will build things of lasting value—and a chance to have a firsthand pride in themselves and America again.

ALCOHOLICS ANONYMOUS FOUNDER DIES

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. O'NEILL. Mr. Speaker, I would like to call the attention of my colleagues to a recent article in the Washington Post by Mr. Donald E. Graham concerning the passing of Mr. William G. Wilson. Known to thousands of thankful admirers and followers as Bill W., Mr. Wilson was the cofounder of Alcoholics Anonymous, the organization which has provided guidance, hope, and a new start to those individuals striving to rid themselves and their families of the crushing burden of alcoholism.

Bill W., himself an alcoholic, dedicated the final 36 years of his life to helping others deal with their alcohol problems. Perhaps the greatest tribute that can be paid to Mr. Wilson lies in the outstanding success of Alcoholics Anonymous. Presently the organization has half a million members, a shining example of the worthiness of the program Bill W. founded and of the faith individuals place in its methods.

Mr. Wilson, however, was not one to think his success was total. His humility and his concern for the number of alcoholics not reached by Alcoholics Anonymous was demonstrated at a Senate hearing in 1969. He stated that his organization had just made "a scratch on the surface" in attacking the problem of alcoholism.

The Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970 was recognition of the seriousness of the alcoholic problem. It was Bill W.'s fervent wish that this bill and the focusing of Government attention on the problem of alcoholism will greatly aid those individuals suffering from the hardships of alcoholism.

Mr. Speaker, many Americans owe a debt of gratitude to the dedication and concern of Bill W. Congress has recognized the extent of the problem and I sincerely hope that we continue to work to solve the problem that Mr. Wilson recognized and strove to conquer. I am inserting Mr. Graham's article in the RECORD for the consideration of my colleagues:

KNOWN TO THOUSANDS AS BILL W.: ALCOHOLICS ANONYMOUS FOUNDER DIES

(By Donald E. Graham)

Scores of thousands of people learned for the first time the name of the man who helped them recover from alcoholism when William Griffith Wilson died of pneumonia in a Miami Hospital Sunday night.

The New York headquarters of Alcoholics Anonymous announced that Mr. Wilson, a retired securities analyst, was the man known as Bill W., who co-founded the AA in 1935.

Mr. Wilson lived in Bedford Hills, N.Y. He was 75.

Thirty-six years ago, Mr. Wilson took his last drink, ending a career of alcoholism that dated back to his days as an officer in the First World War.

Mr. Wilson went into a New York City hospital and was detoxified—but fell into a severe depression:

"Finally it seemed to me as though I were at the very bottom of the pit," he later wrote. "All at once I found myself crying out, 'If there is a God, let him show himself! I am ready to do anything, anything!' "

"Suddenly the room lit up with a great white light. It seemed to me, in the mind's eye, that I was on a mountain and that a wind, not of air, but of spirit was blowing. And then it burst upon me that I was a free man.

"I thought to myself, 'So this is the God of the preachers.' "

Bill W. did not wait long before sharing his experience with a friend, AA's other cofounder, Dr. Robert Holbrook Smith of Akron, Ohio. Once Smith stopped drinking, the two men felt they knew that alcoholics could help each other recover.

They went to an Akron hospital and met a patient who had come in suffering from delirium tremens. He too got off and stayed off, and helping fellow alcoholics recover became the AA tradition.

"They started a chain reaction, one drunk helping another," Nancy O., a congressional assistant, said yesterday. "The hand that reached out to me when I appealed for help was a link in the chain going gack to Bill W. and Dr. Bob.

Bill A., an Arlington businessman, recalled that in December, 1939, when Alcoholics Anonymous was a small, little-known group, he went to New York to meet Mr. Wilson. The next month Mr. Wilson helped start an AA chapter here, the fourth in the country.

"He came here many times to help us with our problems," Bill A. said, and later, when the national AA organization faced a financial crisis, the Washington chapter came up with the funds to rescue it.

Alcoholics Anonymous now has half a million members worldwide. "It's by far the most successful resource of help in terms of the number of people they've treated," said Augustus Hewlett, executive secretary of the North American Association of Alcoholism Programs.

Mr. Wilson retired as director of the organization in 1962.

His first book, "Alcoholics Anonymous," written when the group had only 100 members, has sold more than 800,000 copies since it was first printed in 1939. His other books were "Twelve Steps and Twelve Traditions," "Alcoholics Anonymous Comes of Age," and "The A.A. Way of Life."

Mr. Wilson went to great lengths to preserve his anonymity. When he testified in 1969 before a congressional committee investigating alcoholism, television cameras were barred and photographs were permitted only from behind.

He turned down honorary degrees and refused to have his picture on the cover of Time magazine in order to preserve his group's tradition of avoiding publicity as individuals.

Mr. Wilson never gave up his efforts at helping alcoholics recover. One desperate alcoholic once committed suicide in Mr. Wilson's home. Thousands of others stopped drinking and resumed the lives that alcoholism had interrupted.

Mr. Wilson was not boastful about his successes. "When you consider the enormous ramifications of this disease, we have just made a scratch on the surface," he told a Senate committee in 1969.

He was pleased by the increased government attention to alcoholism that followed the election of Harold Hughes, a recovered alcoholic, as senator from Iowa. "This is splashdown day for Apollo," he said when Hughes first held hearings on alcoholism. "The impossible is happening."

One Washington member of AA said yesterday, "I don't think there's a person in AA, from Harold Hughes to the man on the Bowery, who doesn't know that if it wasn't for Bill W. and what he started, we'd all be dead."

Mr. Wilson is survived by his wife Lois, who remained with him during his period of drunkenness and helped start the "Al-Anon" program for families of alcoholics.

THE ADMINISTRATION'S PROPOSED CLOSING OF U.S. PUBLIC HEALTH SERVICE HOSPITALS A SERIOUS MISTAKE

HON. PAUL S. SARBANES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. SARBANES. Mr. Speaker, I am distressed to see in the Federal budget submitted today by the President that it is proposed to close the Nation's Public Health Service hospitals. These facilities, which are located in eight cities—Boston, New York, Baltimore, Norfolk, New Orleans, Galveston, San Francisco, and Seattle—have consistently provided first-class medical care to seamen, active and retired personnel of the uniformed services—Army, Navy, Air Force, Marines, Coast Guard, Public Health Service, and Environmental Science Services Administration—and dependents of such personnel. In addition, the Public Health Service hospitals have increasingly played a significant role in meeting the other health-care needs of the communities in which they are located.

For a number of weeks there have been rumors, confirmed today with submission of the budget, that the administration was planning to close the Public Health Service hospitals. Upon first hearing these reports I sent the following letter to Secretary Richardson of the Department of Health, Education, and Welfare expressing my concern about this matter:

HOUSE OF REPRESENTATIVES,
Washington, D.C., December 23, 1970.

Hon. ELLIOTT L. RICHARDSON,
Secretary, U.S. Department of Health, Education, and Welfare, Washington, D.C.

DEAR MR. SECRETARY: As a Congressman-elect, I am writing this letter to follow up conversations I have had with members of

your staff over the last few days concerning the rumors that the Department intends to close the nation's Public Health Service hospitals. In response to my expressions of grave concern about such a step, I was assured by your departmental representatives that no decision has yet been made in this matter. This "no-decision" status was, of course, confirmed by you yesterday morning in your telegram to Chairman Garmatz of the House Committee on Merchant Marine and Fisheries.

In that telegram you also stated a willingness to discuss this matter with Chairman Garmatz—and I assume other members of the Congress—before proceeding to take any action. In light of this undertaking and the fact that no decision has been made I should like to bring to your attention certain information concerning the activities of the Baltimore Public Health Service Hospital and the medical care situation generally in the Baltimore area.

The Public Health Service Hospital in Baltimore was built in 1932 and provides, pursuant to law, services for the classes of people for whom the Federal Government has assumed medical care responsibility. These include seamen (the original beneficiaries of the public health service), personnel—both active and retired—of the Uniformed Services (Army, Navy, Air Force, Marines, Coast Guard, Public Health Service and Environmental Science Services Administration), and dependents of such personnel. Since Baltimore is one of the nation's major ports and since this area has a great number of facilities involving the Uniformed Services, e.g. Coast Guard station, military establishments, etc., the number of people entitled to Public Health Service care under existing Federal law is quite large. Last year approximately 4200 people were admitted to the Hospital and there were over 108,000 clinic visits. The Maryland Hospital Association in telegrams to the Administration has clearly stated that private hospitals in the Baltimore area would be unable to absorb the caseload of the P.H.S. hospital should it be closed. Furthermore, any thought of shifting such a caseload to the Veterans Hospital is illusory because that hospital is already confronted with severe problems in meeting its current responsibilities.

Perhaps of greater importance in considering the role of the Baltimore P.H.S. hospital is that it has been one of the most innovative hospitals in the state. The Department hardly needs reminding that the provision of medical care is one of the primary issues facing the country. The P.H.S. hospital in Baltimore is an outstanding facility which has taken the lead and initiative in a number of respects:

1. The Hospital has been involved in planning with community groups for the establishment of comprehensive prepaid health program in an inner city area where the availability of private medical services is almost non-existent. This area, Homestead-Montebello, is a changing neighborhood (now 75% black) and the Hospital, in cooperation with the community, has evolved a plan which is now ready for implementation. A newspaper article describing this important development is enclosed herewith. Closing of the hospital would terminate this breakthrough in medical care delivery, dash the hopes and expectations of neighborhood people who have worked hard to evolve the program, and intensify already severe health care problems.

2. Early this year the Hospital established a Health Evaluation Center which gives patients comprehensive health examinations, including an evaluation by a physician, in just two and one-half hours. Through the use of automated procedures the Health Evaluation Center is able to provide health examinations and evaluations in a fraction of the time and with fewer personnel than would be required in a conventional clinic. This Center makes use during evening hours of the Hospital's general clinic space, thereby maximizing the use of existing hospital facilities. I am certain you will agree that this emphasis on preventive medicine is one very important way by which the cost of medical care can be reduced.

3. The only school for Medical Record Librarians in Maryland is at the Public Health Service Hospital and I believe it is the only such school under the jurisdiction of the Federal Government. The program is generally acknowledged to be of outstanding quality and again represents a significant contribution to an improved health care delivery system.

4. The Hospital has close working relations with the schools in the area, including not only the medical schools but also the community colleges Such efforts to develop health care personnel through community college programs is generally viewed as a significant way to meet the critical shortage of personnel in the field. Furthermore the Hospital in cooperation with the Baltimore City Department of Education under a grant pursuant to the Manpower Development and Training Act has trained over 150 hard-core unemployed poverty people as nurses aides, all of whom were subsequently placed in jobs.

5. The Baltimore Cancer Research Center which is financed by the National Institutes of Health is located at the Hospital and is jointly administered by N.I.H. and the Hospital. Closing of the Hospital would terminate this major research center into one of the major sources of death and illness confronting our population.

There are a number of other important activities in which the Hospital is engaged but I will forbear adding to the length of this letter. It should be noted that the Hospital employs 661 persons and, more importantly, that over 40% of the civilian employees are minority group members. The Hospital has had a very active equal employment opportunity program which has achieved very significant results Employee morale at the Hospital is extremely high in large part, I believe, because of the recognition by the Baltimore community of the Hospital's high quality.

Given the medical care problems facing the nation today the closing of the Public Health Service hospitals, as typified by the one in Baltimore, would be a most short-sighted and regrettable step backwards. It would mean that Baltimore would lose a dynamic forward-looking medical institution which is playing a major role in facing and meeting the health care problem. Furthermore, to the extent that economy reasons are advanced for the proposed closing, the reasons are spurious for there would merely be a shifting of health costs elsewhere at greater total expense.

Before the Department proceeds any further in this matter I request that responsible officials of the Department, including Dr. Vernon E. Wilson, Administrator of the Health Services and Mental Health Administration, Dr. Jesse Steinfeld, Surgeon General, and a personal representative of yours (the Assistant Secretary for Health and Scientific Affairs or some other appropriate designee) meet with responsible local public and private representatives including the medical community and consumers of health care to discuss the Department's reasoning and in order to bring clearly to the attention of the Department the contribution being made here by the Public Health Service Hospital. I would be glad to undertake responsibility for arranging locally for such a meeting.

There has been no independent public study recommending the closing of the Baltimore Public Health Service Hospital. In fact, the last such study, some five years ago, recommended that the facility be improved and modernized and that its programs be strengthened and extended. Surely if the Department decision now rumored to be in the offing has merit it can withstand public scrutiny and examination. I strongly urge that any decision in this matter be deferred until such scrutiny and examination can take place.

Sincerely,

PAUL S. SARBANES,
Congressman-Elect, Maryland Fourth Congressional District.

The President's state of the Union address with its emphasis on health care as one of the administration's great goals offered the prospect that the rumored closings would not be carried out. Unfortunately, the budget submitted today proposes actions which run counter to the objectives enunciated by the President a week ago. Consequently, I have sent the following letter to the President:

HOUSE OF REPRESENTATIVES,
Washington, D.C., January 29, 1971.

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

DEAR MR. PRESIDENT: I am writing to express my deep concern over the closing of the U.S. Public Health Hospitals proposed in the budget submitted today to the Congress. As I understand it, the Administration intends to close out the eight Public Health Service Hospitals and the thirty outpatient clinics in Fiscal 1972 and will seek to shift the burden of furnishing health care now being met by these facilities to other providers of medical services.

While I can only speak in detail about the activities of the Public Health Service Hospitals in Baltimore, I do believe, based on the Baltimore situation, that the proposed closings are an action directly contradicting in many respects your State of the Union address on January 22, 1971. In that address you set forth the improving of America's health care as your fourth great goal and specifically mentioned the need to get more medical care resources into those areas that have not been adequately served.

The Baltimore Public Health Service Hospital, in addition to providing medical services for those classes of people for whom the Federal Government has assumed medical care responsibility, has been involved in planning with community groups for the establishment of a comprehensive prepaid health program in an inner city area where the availability of private medical services is almost non-existent. Furthermore, the hospital has been actively engaged in training medical personnel and has been carrying out your admonition for new programs to encourage better preventive medicine by establishing a unique Health Evaluation Center. All of these activities are described in greater detail in the enclosed letter which was sent some weeks ago to Secretary Richardson when rumors about the proposed closings first became public.

In your State of the Union address you also indicated that you would ask for an extra $100 million to launch an intensive campaign to find a cure for cancer. The Baltimore Cancer Research Center, a clinical facility of the National Cancer Institute, is located at the Public Health Service Hospital in Baltimore. This research center has been doing outstanding work in the chemotherapy treatment of cancer and is an integral part of the research effort being carried on by the National Cancer Institute. Over a period of time outstanding research facilities and, more importantly, an outstanding research team have been developed, all of which are now jeopardized by the proposed action concerning the Hospital. Surely a total national commitment to

achieve the goal of conquering the dread disease of cancer requires keeping his major cancer research unit in being.

Finally, I am particularly disturbed by the lack of in-depth study by the Department of Health, Education and Welfare and the Office of Management and Budget which seems to lie behind this decision to close the Public Health Service Hospitals. Only after the decision had apparently been reached did the Department send out fact-finding teams to look into and evaluate the particular situation in each area. At no time has there been consultation by the Department with local health planning agencies who are charged with responsibility for comprehensive health planning under the "partnership for health" concept contained in Federal legislation.

The proposed closings raise, I believe, very substantial questions as to how the Federal Government shall proceed in achieving the highly desirable goal of improving America's health care. I very much hope the Administration will recognize these questions and re-evaluate the position it has taken on the Public Health Service Hospitals.

Respectfully,

PAUL S. SARBANES,
Fourth, Maryland.

Mr. Speaker, we are told in the budget documents that the sick and disabled who have traditionally used the Public Health Service hospitals will be serviced at private and Veteran's Administration hospitals through "service agreements." Yet, it is well known that in many areas, including Baltimore, the VA hospitals are facing difficulties in meeting their present responsibilities and the private hospital sector is in no position to assume this additional burden. Consequently, it may well be the beneficiaries for whom the Federal Government has medical care responsibility who will suffer.

Furthermore, the proposed budgetary action would terminate the many innovative activities in community health care and in medical education which Public Health Service hospitals across the country have undertaken. It undercuts the expanded role for the Public Health Service envisioned by the Emergency Health Personnel Act of 1970 which was signed into law by the President on December 31, 1970. It makes more difficult the achieving of the great national goal of improving America's health care. I trust that the Congress will not allow this Executive decision to stand.

HARVEY CANAL INDUSTRIAL ASSOCIATION FIGHTS FOR LOUISIANA

HON. HALE BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. BOGGS. Mr. Speaker, the Second Congressional District of Louisiana, which I have the honor of representing, includes a remarkable waterway known as the Harvey Canal.

This canal, which provides a vital link in the Intracoastal Waterway, is an important factor in the economy of our region, for its banks are lined with a rich variety of industries, principally related to the petroleum industry.

Serving this area is an outstanding organization known as the Harvey Canal Industrial Association. A recent edition of Oil magazine was entirely devoted to the membership and work of this fine industrial association. I am inserting an article from that issue which describes the Harvey Canal Industrial Association, and calling it to the attention of my colleagues:

HARVEY CANAL INDUSTRIAL ASSOCIATION FIGHTS FOR LOUISIANA

The Harvey Canal Industrial Association is a service organization aimed at promoting the development of business and industry in the Harvey Canal area, a prime service center for the Louisiana offshore-onshore oil industry.

Its members comprise a cross section of companies providing service and supplies to the oil patch. These services include drill pipe, drilling mud, geophysical, engineering and architectural services, transportation via rail, barge, truck and plane. It includes construction companies, both marine and onshore; suppliers of pumps, generators and a multitude of other equipment.

New officers serving the association are: Lowell Reeves, Gautier Towing Co., president; George Douglas, Loumiet Enterprises, Inc., first vice-president; Smiley Whittington, Wall Shipyard, second vice-president; Gene Bowen, Louisiana Gas Service, Inc., secretary; and Phil De Amore, Phil's Place, treasurer. Lowell Reeves succeeds John Hooper, Intracoastal Terminals, as president.

Committee chairman are: Lowell Reeves, Steering Committee; George Neilson, Drainage Comm.; Bob Becker, Roads and Bridges Comm.; George Douglas, Membership Comm.; Victor Baker, Legislative Comm.; and John Hooper, Scholarship Comm.

The drainage committee's function is to assist the members through its contacts with parish officials responsible for good drainage around the businesses in the area. The Roads and Bridges Committee seeks improved access to the expressway from service roads on either side of the Harvey Canal Tunnel and keeps in touch with state and local highway and bridge authorities. Legislative matters including the recent demands of the Louisiana oil industry to the U.S. Department of the Interior to reopen lease sales is a concern of the members handled by the Legislative Committee. Selection of the outstanding West Jefferson High male student planning to attend college will be conducted in the spring and the Scholarship Committee will award the student with a $1200 plus scholarship.

DEFICITS AND INFLATION

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 1971

Mr. COLLIER. Mr. Speaker, many people would like to paraphrase Charles Dudley Warner's famous remarks, "Everybody talks about the weather, but nobody does anything about it," by substituting "inflation" for "the weather," but this would not be correct. Some of us in the Congress have tried to do something about the serious problem of inflation.

If we are just a bit patient, the weather will ameliorate. Today's lightning and thunder will be followed by the rainbow and tomorrow's sunny skies. Unfortunately, the control of inflationary forces will not be brought about automatically, but will require a tremendous amount of self-discipline. It is up to each and every one of us to do his or her part if we want to avoid another catastrophic economic depression such as the one that continued from 1929 to 1940.

The major cause of inflation has been the irresponsible manner in which the Congress has voted for bloated authorizations and appropriations year after year, thus creating annual deficits. Those of us who worked, spoke, or voted for economy in an effort to achieve balanced budgets were severely criticized in many quarters and particularly by the left-wing news media.

It is an ironic paradox that, when the chickens have come home to roost, those who are the most vociferous in denouncing inflation are the same individuals who were the most ardent supporters of the deficit spending that inevitably led to inflation. Let us hope that they will not limit their opposition to inflation to loud and empty rhetoric. Let them instead give encouragement and support to those of us who will be laboring throughout this Congress for fiscal reponsibility.

Mr. Speaker, one of the best items that I have read in a long time on the subject of inflation appeared in the December 3 issue of Iron Age. This editorial, which came from the pen of the publication's able editor-in-chief, Gene Beaudet, is so full of commonsense that I want to make it available to my colleagues:

WHO SAYS IT CANNOT HAPPEN HERE?

(By Gene Beaudet)

It is slowly dawning on the American people that the Tooth Fairy is not going to save them from inflation.

When they wake up tomorrow, they will still see their savings dwindling and their jobs gone. They'll be less secure and even the best laid plans for old age will be going up in smoke.

We are not talking only about the current inflation situation. The grim fact is that inflation in this country occurs more often, lasts longer and hits harder every time it appears.

Who's to blame?

Everybody in government is—from the county seat to the nation's capital. Party lines don't mean a thing.

Everyone is pushing his own projects. Budget restraint is left to the other guy.

No pet cause, project or boondoggle is left unsupported or without funds as the value of the dollar goes down the drain. This, more than anything else, is what causes inflation.

Still, sadly enough, many people in and out of government have gotten the idea that inflation will somehow be overcome. And it is not really a long-term problem at all.

The future will always be better, they believe. The dollar will always be sound. Devaluation will never occur.

But is this true?

History is studded with examples of countries brought to their knees by spending beyond their means. Spending more than you take in, after all, is what inflation is all about.

With chronic overspending, it is only a matter of time until inflation runs wild and currency is devalued. Chaos, revolution and changes of government often follow.

What makes this country think it can defy history? No country that persisted in living beyond its means has escaped this grim, final outcome.

Yet what do we see in the United States today?

Inflation seems to be getting worse, and no

one seems willing to join in common cause to fight it.

The Administration, the Senators and Representatives of 50 states are simply not united in their thinking and efforts to defeat this most serious of all threats to our national security.

Everyone in government has his own ideas how to beat inflation—as long as they don't conflict with the furthering of his special interests.

Fences are mended while the house is burning down.

This all adds up to spending by the billions for "very important" causes—spending beyond our ability to pay.

Where does the nation's welfare come in? How can this kind of selfish thinking cure inflation?

It hasn't. It isn't. And it won't.

What can cure inflation is a higher level of personal integrity and dedication by all the men who run the country—no matter what the political cost.

NAVY'S "DOLPHIN"—A PRODUCT OF GOOD WORKMANSHIP

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. WYMAN. Mr. Speaker, I have previously reported to this body on the deep-diving submarine *Dolphin*, AGSS 555, which was designed and built by the Portsmouth Naval Shipyard and is the most sophisticated deep submergence vehicle to date. Forerunner of the very deep diving combat submarine, the *Dolphin* will be able to make explorations in ocean areas where acoustic conditions are favorable for listening, ranging and detection, and collect scientific data in these hithertofore deep unexplored waters for the development of an appropriate weapons system.

The outstanding performance of this small but important ship is set forth in excerpts from a letter from the commanding officer who describes a recent voyage from Portsmouth, N.H., to San Diego, Calif.:

"DOLPHIN" SUBMARINERS REPORT ON SHIP'S PERFORMANCE ON TRIP FROM PORTSMOUTH TO SAN DIEGO

The Portsmouth-built submarine Dolphin (AGSS555) is assigned to Submarine Development Group One and now operates out of the Naval Underseas Research and Development Center, San Diego, Calif. Dolphin sailed from Portsmouth September 10, 1970 after completion of post shakedown availability. "Although we have successfully completed sea trials, a real test of the ship will be our transit to San Diego. You will hear from us upon our arrival in San Diego on the performance of Dolphin during the trip," stated Commander John R. Seesholtz, Commanding Officer, in a letter received by Captain Donald H. Kern, Shipyard Commander, just before Dolphin headed for sea.

Commander Seesholtz and the submariners who operate Dolphin rated work performance by Shipyard craftsmen "outstanding" before sailing and sent back another "outstanding" in the following excerpts from a letter just received by Captain Kern:

"The route selected was via Bermuda, San Juan, Panama, Acapulco and Mazatlan, Mexico. Ocean currents and prevailing winds were the primary reasons for selecting this route as Dolphin is a relatively slow speed ship. Staying close to the East Coast would have meant fighting the Gulf Stream and would have lengthened the trip by at least several days.

"As Dolphin has many unique systems and limited storage aboard, unusual supply problems were anticipated and encountered. To provide some additional logistic support an escort, the USS Apache (ATF-67), accompanied Dolphin from Panama to San Diego, since no Naval Support Facilities were available to assist the ship in the ports visited on the Pacific part of the trip. In the Atlantic, some support was available in each port.

"Considering Dolphin's design characteristics and intended mission, the crew felt the Dolphin performed generally very well throughout the trip and know the ship will be prepared to carry out her mission in the Pacific very capably. She is now assigned to Submarine Development Group One and is doing sonar and oceanographic work under technical direction of the Naval Underseas Research and Development Center."

RICHARD N. GARDNER'S "FREE TRADE BY 2000"?

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. REUSS. Mr. Speaker, Prof. Richard N. Gardner, Henry L. Moses, Professor of Law and International Organization at Columbia University, has written in the January 18, New York Times of the overwhelming challenges facing U.S. world trade worldwide:

FREE TRADE BY 2000 A.D.?

(By Richard N. Gardner)[1]

We are in deep trouble in our foreign trade policy. Faced with high rates of unemployment and inflation, key sectors of American labor and industry are clamoring for import quotas. Our competitive position has deteriorated. The internationalist constituency, which once supported liberal trade initiatives necessary for America's world leadership, has been demoralized and divided by Vietnam. Many young people and intellectuals, looking inward, see free trade as a threat to disadvantage groups and social goals.

Across the Atlantic, a new economic superpower challenges what was once a U.S.-dominated trading system. Britain and three of its partners in the European Free Trade Area are likely to join the Common Market by 1973, bringing membership in the European Community from six to ten. The common external tariff and highly protectionist Common Agricultural Policy will then embrace a Community of 260 million people. And this is not all. In the process of enlargement the Common Market, which has already made preferential arrangements with more than 20 countries of the Mediterranean and Africa, is likely to make additional arrangements of this kind with the European neutrals and Commonwealth countries in Africa and the Caribbean. Thus the United States may well face a discriminatory trading bloc of fifty nations by the middle of this decade.

To complicate matters further, our trade relations have been deteriorating or at least stagnating with other key elements in the world economy. We have pressured Japan to limit her exports of woolen and manmade textiles, while we have made only modest progress in our efforts to get this new economic giant to dismantle her own restrictions on imports and foreign investment. We have made scant progress in eliminating our barriers to the primary products and light manufactures of the developing countries, and the Administration's modest legislative package of tariff preferences for these countries faces an uncertain future in Congress. In our trade relations with the Soviet Union and Eastern Europe, we remain locked in attitudes and restrictions of the Cold War era while the Europeans get the business.

These and other challenges to our trade policy seemed to overwhelm us in 1970. The Executive branch was in an unprecedented state of disarray, with no strong leadership from the White House. Into this policy vacuum came the Mills Bill, which would have legislated quotas on textiles and shoes and paved the way for restrictions on many other products. Mercifully, the Bill did not pass, but we face similar legislation in 1971 unless there is a strong lead from the President.

There are two hopeful developments on the trade front which could help him give this lead. One is the imminent establishment of a new Foreign Economic Policy Council in the White House to develop a unified U.S. policy in place of the frequently contradictory and piecemeal efforts of the major executive agencies. The second is the report of the President's Commission on International Trade and Investment Policy which is due May 31. The findings of this group of economists, businessmen and labor leaders is designed to help the Administration develop a new trade policy for the 1970s.

What are the alternatives? Essentially, there are three main directions we can take.

The first approach is to give way to protectionist demands and adopt restrictions on a wide range of products. Internationally, this would provoke foreign restrictions against our exports—most of them quite legal—and possibly against our foreign investment. It would exacerbate the present trend toward trading blocs and disrupt the world-wide economic links which have made possible the impressive postwar growth of living standards. It would isolate us politically, as well as economically, from our friends. Domestically, it would mean that all of us as consumers would be paying higher prices to subsidize a privileged few. Our domestic inflation would be aggravated, our international competitiveness further reduced. Any gain in the relatively low-wage jobs in our import-competing industries would be offset by the loss of relatively high-wage jobs in our export industries resulting from foreign retaliation. We would have less real wealth with which to solve our pressing social problems.

The second approach, which is the one the Executive branch has followed since 1967, would be to seek authority from the Congress for very small steps forward while buying off the most insistent demands for protection with "voluntary" quotas or other special deals. This may have something to be said for it as a temporary device. But in trade policy, as in other fields, you can die from an overdose of "pragmatism." For one thing, this approach leads to arbitrary and inequitable results, since decisions tend to be made not on the merits but on the basis of political "clout". Moreover, history suggests that without some kind of "grand design" with political as well as economic appeal, it is difficult to contain protectionist pressures, much less make significant progress.

The third approach would be to establish a bold objective attached to a target date sufficiently distant to be realistic, with a program of inter-related measures to move us

[1] Richard N. Gardner, Moses Professor of Law at Columbia, is the author of "Sterling-Dollar Diplomacy: The Origins and the Prospects of Our International Economic Order."

irresistibly forward toward this goal in stages over the years ahead. Without underestimating the difficulties involved, I believe that objective can only be free trade among the industrialized countries, the benefits to be available without reciprocity to the developing countries on an accelerated timetable and to the Communist countries in return for appropriate economic concessions from them.

When the Kennedy round tariff cuts are completed in 1972, the majority of tariffs in Europe and the United States will be 10% or less. A free trade treaty could provide for the dismantling of these in annual installments over a period of up to ten years and the elimination of the higher tariffs over a period of up to twenty. In a very limited number of politically sensitive areas the beginning of the reductions might be delayed until 1980, but all barriers would have to be eliminated by the end of the century. With this very gradual approach, severe displacement of labor and capital would be avoided, yet there would be an irrevocable movement toward trade freedom on the basis of which people could plan.

Tariffs, of course, are now only a small part of the trade problem. A free trade program would have to include the systematic dismantling of such non-tariff barriers as quotas, subsidies, and government procurement favoring domestic producers. It would also have to deal with a type of non-tariff barrier whose importance seems destined to grow in the next few years—restrictions on imports designed to protect health, consumer safety, or the environment. Progress here will require an unprecedented degree of harmonization of domestic policies so that the countries with the lowest environmental standards do not get more than their share of trade and investment. The elimination of non-tariff barriers will be an extraordinarily complex and difficult business, but it would be facilitated if it were done pursuant to an overall free trade program.

Agriculture presents the most difficult problem of all, but one that is unavoidable since the United States and other countries will not be able to move very far toward free trade in industrial products without concessions on the agricultural side. Although prospects at the moment may seem dim, pressures are building up in the U.K. and this European Community for major reforms in the Common Agricultural Policy. We should aim for an international negotiation within the next few years to reduce the level of domestic price supports and eventually phase out agricultural protection.

To make such a bold program possible would require bold moves in other areas—a greatly expanded program of assistance for workers, communities and firms adjusting to international competition; new international rules covering the rights and responsibilities of multi-national companies and the conflicting efforts of governments to regulate them; and improvements in the international monetary system providing sufficient liquidity and some greater flexibility in exchange rates.

For a free trade program of this dimension to succeed would also require a substantial strengthening of international institutions. The General Agreement on Tariffs and Trade, now in a sadly undernourished state, needs new rules on non-tariff barriers, faster procedures, new voting arrangements, and conciliation machinery with teeth. The International Monetary Fund and the Organization for Economic Cooperation and Development will have to become forums, not merely for consultation, but for the negotiation of "adjustment packages" in which surplus and deficit countries take firm commitments to modify undesirable internal and external policies.

Such a program will be called "impractical". It is—except when compared with the alternatives. I do not see any other approach that can contain protectionist forces here and abroad, reconcile European integration with the interests of the United States and other outsiders, and provide the open trading world essential to economic and social progress.

This "grand design" for free trade cannot get underway until we throw off the economic and psychological burdens of Vietnam and restore reasonable health to our domestic economy. It will probably have to wait also until the Kennedy round cuts are completed and the European Community completes its negotiations with the U.K. Thus it is a program for 1973, not 1971. Nevertheless, its endorsement now by political and business leaders around the world could transform the present grim climate of economic diplomacy.

The interdependence of nations has outpaced the development of economic policy. We must find economic policies to match the facts of interdependence if the benefits of interdependence are not to be sacrificed. This is an assignment for the century second only to the search for lasting peace.

CAMBODIA

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. RYAN. Mr. Speaker, 6 years of tragic history have apparently taught this administration no lesson. More than 50,000 dead American servicemen, hundreds of thousands of Vietnamese dead, 8 million Asian refugees, have apparently taught no lesson. The location now is Cambodia, but the plot line is a familiar one—we have seen it wrung out on our television sets and in our newspaper headlines for 6 long years now.

Last June 30, the President, announcing the end of the U.S. incursion into Cambodia, told the American public that "there will be no U.S. air or logistics support" for South Vietnamese forces in Cambodia. Nor would there "be U.S. advisers on these operations." At the same time, he said there would be "air interdiction" missions.

Congress, mindful of the past contortions of rhetoric, subsequently adopted the modified Cooper-Church amendment in the Supplemental Foreign Assistance Authorization Act, Public Law 91-652. This provides, in section 6:

(a) In line with the expressed intention of the President of the United States, none of the funds authorized or appropriated pursuant to this or any other Act may be used to finance the introduction of United States ground combat troops into Cambodia, or to provide United States advisers to or for Cambodian military forces in Cambodia.

(b) Military and economic assistance provided by the United States to Cambodia and authorized or appropriated pursuant to this or any other Act shall not be construed as a commitment by the United States to Cambodia for its defense.

Now, the Secretary of Defense has a new line. He disdains "semantics" and pronounces that "as far as Cambodia is concerned—we will use air power, and as long as I am serving in this job, I will recommend that we use air power to supplement the South Vietnamese forces." This he said just last week.

The line becomes even grimmer. On Tuesday, January 26, the Secretary released a statement prior to his appearance before the Senate Armed Services Committee in which he maintained:

Under the Nixon Doctrine, we have, we will maintain, and will use as necessary sea and air resources to supplement the efforts and the armed forces of our friends and allies who are determined to resist aggression, as the Cambodians are valiantly trying to do.

If we did know that this scenario only means deeper involvement in a dead end war, we might think we were reading lines from a comedy—a comedy of errors.

We must end the war. The administration extends it. We must stop the death and destruction. The administration increases it. We must spare the people of Southeast Asia added misery. The administration promises more.

On the opening day of Congress I introduced House Concurrent Resolution 50, calling for an immediate halt to U.S. offensive operations, and complete withdrawal of American forces from Southeast Asia by June 30, 1971. Its passage will end the war; Congress must exercise its full powers to achieve this end.

I include in the CONGRESSIONAL RECORD two editorials, one from the January 25 edition of the Buffalo, N.Y. Courier Express and one from the January 27 edition of the Washington Post. They are apt; they are compelling. I commend them to my colleagues:

[From the Buffalo (N.Y.) Courier Express, Jan. 25, 1971]

WAR POLICY: CONGRESS HURT AGAIN

The latest example of Defense Department trickery, in expanding military operations in Indochina, should teach Congress once and for all that it cannot take anything for granted in its efforts to halt escalation of the war. The leaders of the House and Senate will be tragically remiss if they do not at once launch full-scale enquiries into the obvious policy shift involving tactical air strikes in Laos and Cambodia.

A tentative start in the right direction has been made by 64 House members who have petitioned for specific legislation curbing funds for such air attacks as the use of American helicopter gunships to support friendly Cambodian, or Laotian, or Thai, troops of offensive missions. But many congressmen, and others, thought this curb was accomplished in the Cooper-Church resolution last year which banned funds for the use of American combat troops or advisers in Cambodia.

Now Defense Secretary Melvin R. Laird claims that since Congress did not specifically ban the air support when it voted a $1-billion military-aid bill, in effect Congress sanctioned the attacks. Laird also contends this shift from "interdiction" of North Vietnamese supply lines to full-scale air support of ground troops is in line with the Nixon Doctrine outlined at Guam in 1969. But others insist that policy statement warned that we should not let ourselves get drawn into step-by-step war involvements as we did in Vietnam. Yet that's what has happened in Cambodia.

Last June, President Nixon promised, after our troops had ended Mr. Nixon's invasion of Cambodia that there would be "No United States air or logistics support" for further South Vietnamese operations in Cambodia. That seemed clear enough. Now, Secretary Laird, not wanting to get involved, he says, in the "semantics" of the issue, blandly vows he'll use all facets of U.S. air power

in both Cambodia and Laos. In tandem with renewed bombing strikes against North Vietnam, this does not spell de-escalation of the war.

It seems that "assurances" from the president means very little; it is naive to rely on such assurances. Or to plead for more of them. We need more than pious assurances; we need some legal safeguards. Only Congress can supply those. When the apparent intent and spirit of an act such as the Cooper-Church resolution can be so callously perverted, then this administration has erected a credibility gap as frightening as anything preceding it, then the executive branch has reached the stage when solemn treaties can be shrugged off as mere scraps of paper.

American "liaison" soldiers (not advisers?) have been photographed with our gunships on the ground in Cambodia. The excuses used by the Pentagon to try to justify the new policy are incredible inversions of logic and reason. There is no justification, so far, that is acceptable for resuming the bombings of North Vietnam. We think the administration wrong if it believes the public and Congress will swallow, without question, the latest escalation of the war in Indochina under the illusion that it really means withdrawal from that war.

[From the Washington Post, Jan. 27, 1971]

CAMBODIA: TRUTH OR CONSEQUENCES

At the top of the right hand column on this page today we are printing, For the Record, some pertinent excerpts from President Nixon's definitive speech on Cambodia last June and we suggest you glance at them before reading on. What you will discover, in comparing what Mr. Nixon promised with recent reports of official briefings in Saigon and Phnom Penh and recent pronouncements by the White House and the Secretary of Defense, is that the administration is not doing what it said it was going to do in Cambodia or *is* doing what it plainly promised it would *not*—even while steadfastly denying that it is doing anything of the sort.

One way or the other, we are once again not being told the truth about this war. And once again we are—all of us—suffering the consequences of dissembling—the disquiet which breeds dissent which prompts the congressional hearings which feed administration defensiveness; the breakdown of public trust and the imputations of disloyalty which fan debate; the political division which robs our efforts of their force by conveying irresolution to the enemy. The Nixon administration would have us believe that this is all the fault of the war critics but those who have been around this vicious circle more than once in recent years are in little doubt about where the process begins. It begins with solemn pledges from the highest government officials which are not fulfilled. Then comes the fine print and the fancy rhetoric and the political finagling which cannot quite be put down—and probably shouldn't be—as lies or even calculated deceit, but yet have that look. And so the value of the next pledge depreciates.

What is a senator or a citizen to make, for example, of today's reassurances of a strictly limited American role in Cambodia. Only seven months ago the President told us there would be "no U.S. ground personnel in Cambodia except for the regular staff of our embassy in Phnom Penh" and yet, a day or so ago, an Associated Press photographer caught on film an American in combat dress running to a helicopter. The President tells us in June that there will be no U.S. advisers with Cambodian ground troops; in January they are discovered hovering just overhead in helicopters, calling in air strikes, and there are reports of "military equipment delivery teams" at work.

In June, Mr. Nixon drew a careful distinction between U.S. air interdiction missions specifically aimed against efforts to reestablish the Cambodian sanctuaries along the South Vietnam frontier and U.S. air support for South Vietnamese incursions into Cambodia. "There will be no U.S. air or logistics support," for these South Vietnamese operations, he declared emphatically. Yet, in January the Secretary of Defense disdains "semantics" and taunts the Congress with the promise that "as far as Cambodia is concerned . . . we will use air power, and as long as I am serving in this job, I will recommend that *we use air power to supplement the South Vietnamese forces* . . ." The simple fact of the matter seems to be that we are using air power, including close-in support from helicopter gunships, not just in support of the South Vietnamese in Cambodia, but in support of embattled Cambodians as well, anywhere local American commanders see a need to help the Cambodians with their own defense. And American military aid, of course, is no longer talked of in terms of $5 million dollars for "small arms and relatively unsophisticated weapons"; already, it has ballooned into a mammoth, across-the-board, $250 million affair.

The administration has an easy answer to all this, of course, which is that it is not violating any laws or exceeding the letter of congressional restraints and while this may be technically true, it is also beside the point. For if the President chooses to determine on his own that the fate of "Vietnamization" runs with the fate of Cambodia and that it all somehow relates to buying time for the safe withdrawal of American troops—if that is where we are now, by contrast with where we were in June—then he can probably get away with it, legally. But there is some fairly recent history that suggests this is an exceedingly dangerous business politically—and even militarily. The experience of the early days of President Johnson's stealthy expansion of our Vietnam effort surely tells us this. Yet Mr. Laird airily refuses to deal in "semantics" and lets it go at that.

We doubt, somehow, that the Senate Foreign Relations Committee will let it go at that when hearings on Cambodia get under way tomorrow. But we also hope that those proceedings do not bog down in raucous debate over congressional-vs-presidential prerogatives. What we need to know now is what happened between June and January and how we got where we are in Cambodia and why, and where we are headed. If this administration has learned nothing else about Vietnam, it should have learned by now that the truth, whatever it is, will be easier to live with than the consequences of not telling it.

OPPOSE BILL TO ALLOW ABORTION ON DEMAND

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. HOGAN. Mr. Speaker, on January 28, 1971, I presented testimony to the Maryland State Legislature opposing a proposed bill which would allow abortion on demand.

This is an issue of such great import on the National, State, and local levels that I insert the testimony I presented on that occasion at this point in the RECORD for the information of all Members.

I hope that Marylanders will rise up in righteous indignation and let their representatives in the State legislature know their opposition to this bill.

The testimony follows:

TESTIMONY OF U.S. CONGRESSMAN LAWRENCE J. HOGAN

My name is Lawrence J. Hogan. I live in Landover, Maryland, and represent the 5th District of Maryland in the U. S. House of Representatives.

I thank you for this opportunity to testify in opposition to H.B. 100, which is an "abortion-on-demand" bill. We are all aware of the tremendous public interest in this topic and of its very serious nature. Undoubtedly, this will be the most important piece of legislation before this Committee during the current session—and may well be the most important legislation before the entire legislature. If this bill passes, abortion in the State of Maryland will be practically unrestricted and a public policy stated that is permeated with serious social, economic, and moral problems.

One hundred and ninety-five years ago, Marylanders and other Americans joined hands and declared themselves a free people. In so doing, they set forth in writing a statement of the principles and attitudes which joined them together and which have ever since expressed the common philosophy of our Nation. The first of these principles, they wrote, is self-evident: all men are created equal. Early drafts of the Declaration of Independence had used the phrase "all men are born equal," but after considerable discussion, the framers of the document decided that they wanted to go on record as accepting that human beings possessed personal dignity, individual worth, and inalienable rights from the time of their creation—from the time of conception. This is history.

Today, in Maryland as elsewhere, that principle is under attack. I rise to defend it. In so doing, I do not mean to question the motives of those who disagree with me, or to demean their deep concern about personal and social problems.

The issues raised by H.B. 100 are no less important than those raised by the Declaration of Independence itself. H.B. 100 reflects its proponents' concern about the rights and health and comfort of pregnant girls and women. It does not, unhappily, treat the rights and health and comfort of other interested parties—most basically, the living unborn child within the womb. Nor does it treat the rights of the father of this new life . . . nor does it treat the concerns of the parents of the pregnant girl where she is a minor child. These omissions would not matter, however, if we could be certain that the life inside the womb was somehow not fully human. But the contrary is true! Scientific evidence is overwheming that from a very few days after conception, the fetus is a full human person. His circulatory and digestive systems are his own. His genetic make-up is complete—and, incidentally, unique. It can never be duplicated. He is in no way a part of his mother and hence cannot or should not be treated as if he were, regardless of the intensity of his mother's wishes.

Of course, this fetus is tiny, and therefore vulnerable. He lacks full physical development, and may, in the eyes of some, be unattractive. His personality does not express itself in ways intelligible to most adults of his species, and so he may seem to have none. Are feebleness, unattractiveness, helplessness valid reasons for attack, rather than for defense?

Who among us can say this his conception was planned? That the news of his beginning was welcomed by his parents without question? Who can say for certain that he would even exist if it had not been for the protection of our customs and laws which have revered life at all its stages? The pages of human history are filled with contribu-

tions and accomplishments of unwanted, illegitimate children.

Because the fetus is a human being, he should be accorded the same rights that other human beings enjoy. Maryland's current law already accommodates the real concerns for the health of the mother of an unborn child; the present bill would give her the power of life or death over another member of our society, one who lives within her and depends on her for defense. Such power would be given to any pregnant girl or woman by this proposed bill.

H.B. 100 allows abortion upon the request of the mother up to twenty weeks after conception, and thereafter only if it "is deemed necessary in the judgment of the treating physician." This is a distinction without a difference. Any time requirement is illusory rather than real. Rarely does a girl know exactly when she became pregnant and, even if she does, what's to prevent her from lying about when she got pregnant? What it boils down to is this: any pregnant female may obtain an abortion if she finds a doctor who will agree to do it. Is this something our consciences can live with?

You and I share in the privilege and responsibility of formulating public policy and making laws for our fellow men. Without trying to be exhaustive about good lawmaking, I wish to criticize this bill from the point of view of what must go into a good law. It seems to me a law dealing with such a complex social, biological, economic and moral issue ought to have these characteristics:

First, *it should reflect the best medical and scientific judgment available.* We deal with human life at its beginning. If the physicians and scientists tell us—as they do—that the fetus, at say, 15 weeks, is definitely a *human person,* how can we kill that human person without guilt? This is the hardest question to answer in the abortion argument, but one we must face up to: if biological science declares that a 15-week-old fetus is a person, then our law can allow intentionally killing such an innocent person only when another human life is at stake. This bill, by permitting abortion up to twenty weeks would make legal the killing of fetuses which science tells us are *undoubtedly* human persons, and which, in many cases, would even be viable. There are numerous instances when such aborted children have lived.

Second, *a good law does not help solve one social problem by creating others.* Besides the problem of the unborn, unwanted child, we have the problem of "back-alley" abortions and the problem of death or injury to the aborting mother through improper surgical techniques. The New York experience since last July indicates that a so-called "liberalized" abortion bill does not solve these: it creates an "abortion mentality" which fosters thousands of unnecessary abortions and it appears there have been *more* deaths than before, rather than fewer. We should not go down New York's road until we have time to study their experience and see where that road leads.

Another problem in Maryland is the increasing difficulty of adoption. The "demand" by would-be adopting parents, I understand, far surpasses the "supply" of babies. Instead of encouraging and legalizing unnecessary abortions, perhaps we should by tax credits or subsidies during pregnancy, help the woman to carry her child to term and then put him up for adoption. We should also adopt a more compassionate attitude toward the unwed mother.

Third, *a good law should harmonize the rights of all interested parties.* Here the proposed bill completely overlooks the uncontroverted fact that the child in the womb is not just a growth in someone's body, like tonsils or an appendix, but is a real human being who, in my opinion, has the right to life. According to inheritance law and tort law, that child has legal rights and should have the right to not be deprived of life and liberty without due process of law. The *father* also has rights in this matter: indeed, the bill before you creates the anomaly that the father might have to pay, involuntarily, a $500 medical fee to a doctor *for killing his child.* Your bill does not even require his written consent. The *parents* of the unwed, minor mother have similar interests, but they are not even mentioned in the proposed bill.

Fourth, *a good law should not foster crimes or put honest people into impossible crises of conscience.* Under similar laws in other states and in England, frequently an intended abortion results in the birth of a living child. Nurses are told to put him into a bucket and toss him into the incinerator. Thus the public policy of the given jurisdiction actually promotes what its laws define as *manslaughter*—and requires conscientious hospital personnel to witness or even help in the killing of a living human being, contrary to all their training, instincts, and moral convictions.

Fifth, *a good law respects the common morality of a pluralistic community.* We are not talking about contraception here; we are talking about *killing*—not just "obtaining," as the Act euphemistically puts it—a baby *after* conception. A large segment of the people of Maryland—and I am included in that group—believe this proposed law would legitimize the killing of other human beings. To allow this "on demand," is to depart from the common law tradition which allowed the killing of other persons only in self-defense situations; or, more recently, in the strict therapeutic-abortion situations where the actual physical life of the mother was certain to be jeopardized by the pregnancy's continuance.

This Act would change that common morality and require a good portion of our population to collaborate, indirectly through their taxes, in what our criminal code punishes as the worst of all possible crimes.

Sixth, *the right to live is as basic a right as one could imagine.* How far will we go? As a result of the abortion mentality arising in this country, I am told a bill has been introduced in Florida to permit the euthanasia of the elderly under certain conditions. The arguments of population-control, in many people's minds, apply to *anyone* "unfit to live." We are close to Huxley's *Brave New World*—a very dangerous and inhumane place to live—when we declare by statute that two persons in a doctor's office can decide who shall live and who shall die, with often the sole motive being only the personal convenience of one of them.

Seventh, and finally, *a good law emerges out of sound common sense and not emotionalism.* At the outset I acknowledged the sincerity of this bill's proponents and I reiterate that acknowledgement now; but it is common knowledge that emotionalism plays a good part in the pressure for this bill. One aspect of it is the population-control argument; yet demographers tell us that our population growth, probably because of contraception, is practically stable. And in any event, in the U.S. the problem is not numbers of people but *distribution* of those people. Two-thirds of this country is practically empty of people, while they leave the farms and small towns and pile into the cities. We need an incentive policy to encourage the repopulation of the rural areas—not abortion-on-demand. . . . Another argument is women's rights—but, appealing as it is, it is unrealistic to make this point in a vacuum, without considering biological and legal truths which remind us that the unborn child also has rights. Yes, let's be attentive to women's rights, but what about baby's rights? Who speaks for those unborn constituents? In a very real sense I am here today testifying for that unrepresented group of humanity who has no lobby group, who can't write you letters. They ask nothing more from you than what is their basic right—the most cherished right that any of us possess—the right to life.

Some time ago, we were all shocked to see on television pictures of grown men killing baby seals by beating them to death with clubs. Our shock and disgust were justified. But what about the destruction of human babies? Haven't they more worth than baby seals? It is sad that we cannot get the conservationists aroused over destruction of human life. The burning by saline solution, the dismembering, the torture and agony of the tiny, but sensitive, fetus are so real and so revolting that one hesitates to describe them. But the scientists assure us that the cry of an unborn infant is still a shriek of pain even if it is muffled, and it should be on the consciences of the legislators and citizens as much as it is on the ears of the nurses and doctors who hear these shrieks.

Can you treat life so recklessly, so callously? Can you give legal sanction to those who would disregard the dignity and very life of one human being for the convenience of another?

This legislation is not worthy of our past and is a disservice to our future.

I urge you. I plead with you, in the name of humanity, in the name of those unborn innocents whose death warrant you would be signing, to defeat this bill.

CUBA—SOVIET LAUNCHING PLATFORM

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. SCHMITZ. Mr. Speaker, the following two articles concerning the Soviet presence in Cuba should be of great interest to everyone who is interested in such things as Soviet presence.

Cuba becomes a substantial strategic threat to the people of the United States when integrated into the Soviet psychopolitical and nuclear military warfare operations plan. One well-informed commentator has aptly termed Cuba a "900-mile-long launching platform."

Allowing the Soviets to acquire significant military and political advantages is not going to lead to the reduction of tensions as some sources would have us believe. Tensions arise directly from Soviet goals and activities directed toward achieving these goals to which all Americans who are in favor of national sovereignty and a free society are in absolute opposition. To permit the Soviets to obtain operational bases off the coast of Florida, which increases the scope and intensity of their tension-producing activity, is contrary to the entire concept of reducing tensions.

For those interested in preventing a nuclear war, especially one which introduces the North American Continent into the strategic equation as the primary battlefield, it should be quite clear that failing to oppose Soviet advances in the Caribbean is not particularly conducive toward this end.

The SALT talks will hardly become more productive if we allow the Soviets to maintain and fortify bases in Cuba which increase their strength. If Soviet unimpeded advance in the Caribbean can

be achieved by talks in Europe then it is quite likely that the Soviets will drag out the talks in order to increase their real and material advance in this area.

The first article is by investigative reporter Paul Scott and appeared in Review of the News magazine of January 27, 1971, and the second was written by three well-known experts in the field of Latin American affairs, Dr. Manolo Reyes, Dr. Herman Portell-Villa, and Dr. Guillermo Belt, and appeared in the American Security Council's "Washington Report" for January 25, 1971.

The articles follow:

THE COMING CUBAN CRISIS

(By Paul Scott)

There is a difference as great as night and day between that highly reassuring public statement of President Nixon on Soviet naval activities in and around Cuba and the information gathered by U.S. Naval Intelligence.

While the President sees no Russian naval base in Cuba, our Navy is privately warning that for all intent and purpose the Soviets now have a base at Cienfuegos, Cuba, capable of handling missile-firing, nuclear submarines. The U.S. Navy also gathered hard evidence that the Cienfuegos base is partly operational and was used recently to service Russian submarines operating in the Caribbean.

This is the ominous conclusion of the latest Naval Intelligence estimate of Soviet naval capabilities and intentions in Cuba waters now being circulated at the highest levels of the Nixon Administration.

The highly classified document was prepared before President Nixon made his astonishing statement over nationwide TV while being interviewed by four network correspondents. In discussing Cuba and Soviet naval activities in the area, the President stated:

"Well, I can tell you everything our Intelligence tells us, and we think it's very good in that area because as you know, we have surveillance from the air, which in this case is foolproof, we believe.

"First, let's look at what the understanding is. President Kennedy worked out an understanding in 1962 that the Russians would not put any offensive missiles into Cuba. That understanding was expanded on October 11, this year, by the Russians when they said that it would include a military base in Cuba and a military Naval base. They, in effect, said that they would not put a military Naval base into Cuba on October the 11th.

"Now in the event that nuclear submarines were serviced either in Cuba or from Cuba, that would be a violation of the understanding. That has not happened yet. We are watching the situation closely. The Soviet Union is aware of the fact that we are watching closely. We expect them to abide by the understanding. I believe they will.

"I don't believe that they want a crisis in the Caribbean and I don't believe that one is going to occur, particularly since the understanding has been clearly laid out and has been so clearly relied on by us, as I stated here today."

In sharp contrast to this Presidential "fig leaf," the highly classified Naval Intelligence document reveals that late in December a Soviet submarine tender operating from Cienfuegos, Cuba, carried out "servicing exercises" with three Russian submarines. The operational rendezvous of the Soviet surface ship with the submarines, including one nuclear powered sub, was the first of its kind for the Russians in Cuba waters. The bold "servicing exercises," photographed by U.S. reconnaissance aircraft, took approximately two hours and included the loading of supplies from the Soviet tender to one of the three submarines.

At least a dozen members of the submarine crew were exchanged during the operation. Those leaving the submarine were taken to Cienfuegos for "rest and recreation" or flown from Cuba back to the Soviet Union. Several high-ranking Soviet naval officers who had been flown to Cuba from the Soviet Union took part in the exercise.

Naval submarine analysts who studied the Intelligence estimate say the "servicing exercises" definitely show that the Soviets can and are planning to use Cienfuegos as a submarine operating base.

Although the actual rendezvous took place outside of Cienfuegos Harbor, all supplies transferred to the submarine from the Russian tender were first picked up at the Cuban port. This clearly indicates that the Kremlin plans to use Cuba as a major supply base in the Western Hemisphere. Soviet naval crews housed in barracks at Cienfuegos Harbor were used to load the supplies on the Soviet submarine tender. Several members of the Soviet land-based crew went aboard the tender and took part in the "servicing exercises."

In addition to the carefully planned supply operation, the submarine tender and the submarines were in direct radio contact with a newly built naval communication center at Cienfuegos. Cuban refugees report that the center is completely manned by Russians. The high-powered radio at Cienfuegos is already being used to transmit weather and coded messages to Soviet missile-firing submarines now believed to be stationed off the Atlantic Coast as well as in the Caribbean and Gulf of Mexico.

The original copy of this Naval Intelligence estimate was forwarded to the White House during the recent holidays where Dr. Henry Kissinger, the President's National Security Advisor, indicated that it would be carefully used in the formation of any Cuban action deemed necessary. Yet, while the Intelligence finding leaves no doubt that the Russians are using the Port of Cienfuegos as a submarine base, there has been no official determination of this at the White House policy-making level. All Naval officials involved in the drafting of the estimate have been able to learn is that the estimate is now in the hands of Kissinger's foreign policy staff in the White House for "further analyzation and study." *No National Security Council meeting has been called to discuss its ominous implications.*

President Nixon's unexpected TV statement on Cuba not only surprised and shocked Naval Intelligence officials, but they had no inkling that the President would discount the Soviet naval activities in the Cuba area, nor could they fathom his reasons for doing so. The President's statement highlights the often frightening gap that exists at times between those who have responsibility for gathering the facts and those who interpret them for use in policy-making.

The position the President is taking has been interpreted by these Naval officials as an indication that President Nixon and his policy-makers haven't been able to agree on what to do about the new Soviet threat. If they accept the hard facts of the Naval Intelligence estimate, it is pointed out, the President and his advisors must conclude that the Russians have double-crossed them and violated the "understanding" not to use Cuban ports or bases for their submarines. That finding might trigger a new U.S.-Soviet "confrontation" over the use of Cuba as a base for offensive weapons—a "confrontation" that the Nixon Administration apparently is not willing or ready to face at this time, or which it wants delayed for reasons that are only known at the White House level.

Significantly, Mr. Kissinger recently asked Secretary of State Rogers again to sound out the Soviets on whether the submarine tender now operating in Cuba's waters will permanently use Cuban ports. Naval intelligence officials say the answer is clear by the fact that the submarine tender has been operating out of Cuban ports for the past three months and another is en route to replace it.

Two other parts of President Nixon's statement on Cuba also bother officials at Naval Intelligence. One was his pronouncement that he believed the Russians would keep the "understanding" not to put a naval military base in Cuba. In effect, the President by saying this publicly was accepting the private assurances of Soviet Foreign Minister Gromyko and Ambassador Dobrynin over the hard facts gathered by the Navy. Yet, Gromyko and Dobrynin are both known to have lied to the late President Kennedy during the 1962 Cuban missile crisis. At the time the Russians were sneaking I.R.B.M.s and medium-range bombers into Cuba, Gromyko and Dobrynin were assuring Kennedy that the Soviets had no intention of putting offensive weapons on the island.

To most military Intelligence experts it is a little frightening that President Nixon would even consider discussing Cuba with the two Soviet diplomats after their earlier deceptions. And to accept their word now, as the President says he has, is considered folly of the most dangerous kind. Especially in light of the Intelligence that the President has access to on Soviet activities in Cuba.

The other disturbing statement by the President was his contention that U.S. surveillance of Cuba from the air is foolproof. None of the Intelligence services have claimed that. For months, Defense Intelligence officials have been urging that more use be made of Cuban refugees so that the government wouldn't be caught "off guard" as it was before the 1962 Cuban crisis. Despite the high degree of accuracy of new U.S. reconnaissance cameras and devices, they still can't determine what is hidden under camouflage facilities and in storage areas. It is pointed out that daily reconnaissance flights would be needed over Cuban ports to determine if any Soviet submarines were using them. Now, if there are two reconnaissance flights a week this is considered high. And still unknown to U.S. officials is what the Russians have succeeded in hiding in the hundreds of caves being used as military storage areas on the island.

This lack of vital intelligence about Soviet activities in Cuba is privately admitted by rank and file American Intelligence officers. They claim it is the result of policy restrictions placed on the methods they can use to gather information on Cuba. An example of these restrictions is the White House bar against financing Cuban refugee operations to gather firsthand data on Soviet activities on the island. White House aides take the position that this type of intelligence gathering is prohibited by the 1962 "understanding" on Cuba reached by U.S. and Soviet officials.

The only sure way that the U.S. can learn the full Soviet capability in Cuba, these Intelligence officials say, is to use anti-Castro refugees to do the spying. "As long as the policy-makers have the preconceived idea that Russia has no plans to use Cuba as a military base," stated one military Intelligence officer, "it is impossible to convince them that a round-the-clock surveillance of Cuba is needed."

There are increasing signs that the President's handling of Cuba is closely tied to his strategy for the Strategic Arms Limitation Talks (S.A.L.T.) with the Russians. Drafted by Presidential Aide Kissinger, the S.A.L.T. strategy calls for the U.S. to avoid

any direct confrontation with the Soviets until it can be determined if the Russians are serious about curbing defensive and offensive weapons delivery systems. Kissinger privately takes the position that a U.S. admission that the Russians now have an operational naval base in Cuba could trigger demands in Congress that immediate action be taken to force the Soviets out of Cuba.

Such a U.S.-Soviet confrontation in turn would force a complete breakdown of the S.A.L.T. negotiations, which have been given the Administration's highest foreign policy priority. President Nixon is counting on reaching a missile agreement with the Soviets before the 1972 Presidential campaign.

During the recent Helsinki round of the S.A.L.T. negotiations (November 2 to December 19), the Soviet delegation showed its diplomatic interest in Cuba. The Soviet negotiators noted that Russia had every right to put a military base in Cuba if she so desired. They contrasted a Soviet base in Cuba to U.S. bases in Europe or the Mediterranean. The inference was that the Russians would be willing to forego any Cuban base if the U.S. pulled its aircraft carriers out of the Mediterranean or gave up its air and naval bases in Spain. The Soviet negotiators' argument is in line with the main Russian S.A.L.T. demand. It states that the U.S. must include its aircraft bases in Europe and aircraft carriers in the Mediterranean in any overall agreement covering both offensive and defensive weapons.

This use of Cuba as a S.A.L.T. bargaining weapon clearly highlights the importance that the Kremlin attaches to its naval activities on that strategic Caribbean island. In light of this use of Cuba, Intelligence officials would like to see President Nixon adopt a more realistic view of what the Russians are up to in the Caribbean. Unless the President acts quickly, they see the Kremlin using Cuba to blackmail this country into either pulling its Naval forces out of the Mediterranean area or forcing the U.S. to make other concessions.

The American Intelligence community sees the Soviet naval base in Cuba as part of a network of naval bases the Russians are now establishing around the world. These include Mersa Matruh, and Alexandria, in Egypt; the Socotra Islands at the mouth of the Red Sea; and, a former French base in Algeria. The expanding Soviet navy also has acquired the right to use the Port of Modisio in Somaliland, Trincomalee in Ceylon, the Mauritius Islands in the Indian Ocean, and one or more ports in Nigeria.

The establishment of this network of bases by the Soviets is being cited by Intellience officials as evidence that the Kremlin has adopted a forward military strategy designed to control the strategic waterways of the world. This forward strategy also will permit the Soviet's missile-firing nuclear submarines to remain on stations constantly within the defenses of the U.S. and other N.A.T.O. nations. Its potential for blackmail, alone, is enormous!

If viewed in this light, the construction of the Cienfuegos base in Cuba is an even more ominous development than the attempted deployment of Soviet nuclear missiles on Cuban bases in 1962.

The Cienfuegos base would be needed if really large numbers of nuclear submarines were to be continuously off the coast of the United States. That is the true threat of the base. Which suggests in turn that the Soviets are now planning continuous deployment of very large numbers of "Yankee" class and other nuclear submarines in the Caribbean and along the American coast. The Cienfuegos operation reveals an undoubted Soviet intention to gain a solid "capability" to knock out the Panama Canal and the entire land-based bomber component of the U.S. deterrent, plus the controls of the "Safeguard" A.B.M. system.

The most horrifying single aspect of the story of the Cienfuegos base is still the response with which the bad news was met at the White House and in Congress. Consider a simple comparison. In 1962, the Congress was in flames over reports of Soviet missiles in Cuba, even before the presence of those missiles was confirmed by U–2 reconnaissance photographs. Contrast this with the near Congressional silence that has engulfed the news from Cienfuegos ever since it first came out that the Russians were building a base there.

And then think of the Nixon Administration's response to *this* news, that is even more alarming! Consider President Nixon's reassuring statement that the Russians have no plans of doing what our Intelligence people say they are doing.

The obvious intent was, and is, to prevent the American public from growing alarmed, when we should be deeply alarmed. The question each of us should personally ask the White House and our Representatives in Congress is: Why is the full story of Soviet activities in Cuba being withheld from the public?

If enough of us raise our voices, we can force the Nixon Administration to take the necessary measures to dismantle the Soviet nuclear submarine base in Cuba before it is used as a serious *blackmail* threat!!

One wonders what the outcome of the first Cuban missile crisis would have been if the late President Kennedy had delayed the Naval blockade of Cuba and warning to the Russians until after the Soviets had their missiles operational. How serious would Soviet blackmail have become? Intelligence leaks, some of them by the same sources that provided information for this article, forced Kennedy to act sooner than he originally had planned. Many involved in the first Cuban missile crisis believed that had Mr. Kennedy delayed his blockade decision a week or ten days the outcome would have been different.

What *does* Mr. Nixon's procrastination mean? Certainly no answer comforting to those concerned about American security is possible!

Cienfuegos: The Tip of the Soviet Iceberg in the Western Hemisphere

(A Report by the Cuban Watch Committee on Cuba)

(Editor's Note.—This analysis which assesses the strategic implications of the stepped-up level of Soviet activity in Cuba, has been released by three respected members of the growing Cuban community of 600,000 persons who have been forced into exile in the United States by Castro's Communist government It takes into account numerous intelligence reports, including those reaching them from various Cuban underground sources which in the past have proven reliable, and evaluates them against the broad background of their own personal experience in the fields of diplomacy, international law, politics, education, economics, and public affairs.)

Soviet Military Activity Not Confined to Cienfuegos

Since mid-1968 Cuban underground sources have been reporting regularly on Russian progress in converting Cienfuegos, on the southern coast of Cuba, into a key Soviet naval base in the Caribbean.[1] However, this did not come to the attention of the American public until a Soviet naval flotilla visited there on September 9–12, 1970. This event forced the White House to remind the USSR of the 1962 agreement between President Kennedy and Premier Krushchev that peace in the Caribbean could only be assured if Soviet nuclear missiles and bombers were not reintroduced into the Hemisphere. This incident itself is but one aspect of the greatly accelerated over-all Russian military program in Cuba. Reports from the underground which underline its alarming scope include.

The Soviet plan to develop the island of Cuba into a major naval operating base. This involves the modernization of the harbors of Nipe, Caribarien (Cayo Frances), Matanzas, Havana, Mariel, Cabanas, and Bhia Honda, all on the northern coast, and Santiago de Cuba and Cienfuegos on the southern coast. Mariel, 20 miles west of Havana, already has submarine pens that are operational; construction crews are working day and night at Caibarien and at Cayo Alcatraz in Cienfuegos Bay. Two Soviet admirals and three high-ranking civilian engineers were flown there non-stop from Russia in the long-range Soviet TU–95 Bear aircraft the first week of December, 1970, to supervise the naval construction program

In accordance with an agreement reached on January 8, 1969, between the USSR and Communist Cuba, the Nuclear Institute in Managua reportedly is now staffed with some 760 Soviet technicians. One noncritical nuclear plant is said to be already in operation and a second, capable of producing military quality fissionable material, is expected to become operational during this year.[2]

As of September, 1970, the Soviet Army strength in Cuba was estimated by the Cuban underground to be between 20,000 and 22,000 soldiers. They conduct regular maneuvers in Pinar Del Rio province, in the mountains near Candelaria, San Cristobal and San Diego on the Rosario Sierra.

An important Soviet Army military complex is being developed in the mountains at La Cubilla, near the towns of Cumanayagua and Seibabo, complete with electrified wire fences, pill-boxes, trenches, artillery emplacements and mysterious mounds covering entrances to underground installations. No Cuban is allowed to enter this area; the construction has been carried out entirely by Russian troops.

Soviet Army engineers have constructed a modern, eight-lane military highway from Havana and San Antonio de los Banos to Cienfuegos and are maintaining and improving the 400 mile stretch of strategic road from Cienfuegos to Santiago.

Soviet Military Installations Going Underground To Avoid U.S. Aerial Surveillance

Having learned a lesson in 1962 when the U–2 photographs foiled their effort to smuggle nuclear missiles into Cuba, all Soviet military installations, except those naval facilities which cannot be placed underground, are being built in caves or tunnels interconnecting the caves. Cuba has more than 3,000 natural or man-made caves which the Russians have already inventoried and explored. Marshal Grechko, the Soviet Defense Minister, visited many of these caves himself during his visit to Cuba in November, 1969. These provide the Soviets' answer to U.S. photographic surveillance of the island.

Ninety percent of the fuel reserves in Cuba are underground as are the major ammunition depots. Underground hospitals have been built at the Sierra de Cristal, near the Nipe and Levisa Bays in Oriente province, and in la Loma de San Vincente just off the road which runs between Santiago de Cuba and Guantanamo. Of particular importance are the various underground complexes lying within the quadrangle formed by Minas de Bajurayabo, Jaruco, Herradura and Mariel. Included in this area is the Nuclear Institute at Managua. Other locations where caves have been reinforced with concrete linings of up to six feet are the Sierra de Lupe, Oriente province; the Altura Central on the Isle of

[1] Broadcast by Radio Free America of the American Security Council, July 11, 1968.

[2] See "Washington Report" No. 69–6, February 10, 1969.

Pines which contains a number of large marble caves ideally suited for underground installations.

Underground missile bases are reported in the mountains of the Gobernadora, near Mariel; in Manicaragua, Las Villas province, at a place the Russian soldiers call "La Campana"; at San Cristobal and in the Sierra de los Organos in Pinal del Rio province. The latter has been of considerable interest to the Russians for some time. In April, 1969, eight extremely heavy, square wooden boxes were unloaded at night from Soviet ships at the Casablanca Arsenal docks under maximum security precautions, placed on large, 20-wheel flatbed trucks and driven off in a Soviet Army convoy in the direction of the Sierra de los Organos. This operation was repeated the last week in January, 1970, when another eight boxes, each 32 by 9½ by 13 feet, with a peaked, roof-like construction running lengthwise, were loaded on large trailers and convoyed by Soviet troops toward the same destination.

CONCLUSION

On the basis of our analysis of these reports, the "Watch Committee on Cuba" has reached several significant conclusions:

1. Soviet activities in Cuba suggest a sense of urgency which prompts them to accept increasing tensions with the US in order to achieve their goals.

2. The importance of Cuba as the prime Soviet base for directing Communist activities in the Western Hemisphere has *increased* and justifies a higher level of Soviet military investment.

3. While recognizing that their increased level of military activity in Cuba cannot be completely concealed, the Soviets are making every effort to hide the full scope of their program from the U.S.

4. As "hard" intelligence becomes more difficult to acquire, greater attention must be given to reports from the Cuban underground and to developing a more realistic assessment of Soviet revolutionary strategy for Latin America.

5. There are signs that the Soviets, emboldened by their greatly increased strategic nuclear capabilities since 1922, including their newly acquired, but fast growing Polaris-type submarine fleet may be preparing for a new test of will with the US involving another experiment in *fait accompli* nuclear power politics.

6. Should the President of the United States be confronted with a new Cuban missile crisis, he will find that the stakes are even higher, the hard photographic evidence of Soviet military capabilities will not be available, and his room for maneuver considerably reduced by the new balance of strategic power.

BOLDNESS, THE KEY TO SOVIET POLICY TOWARD LATIN AMERICA

Although Khrushchev takes credit for conceiving the missile gambit and for presenting it, as Premier, to the Politbureau, he emphasizes that the decision to pursue this dangerous course was an act of collective leadership. This is borne out by his candid admission (made to Dr. A. McGehee Harvey in 1969) that after the U–2 crisis in the spring of 1960, he was no longer "calling the shots"; that after Powers was shot down, his own ascendency during the next four years was over. Thus the policies followed by the USSR during this perilous period were not in any sense imposed by Khrushchev upon his colleagues in the Kremlin as Stalin might have done, but were indeed a coldly calculated collective acceptance of the risks inherent in his proposal.

CHANGES AFFECTING THE POLITBUREAU'S ASSESSMENT OF THE CUBAN SITUATION IN 1971

While undoubtedly there are wider considerations affecting Soviet foreign policy than those cited below—for example, intellectual unrest at home, economic unrest within the European satellites, and the continuing possibility of a war with Communist China—the Watch Committee believes the following changes which have occurred since 1962 have an important bearing on the Politbureau's assessment of the Cuban situation today:

The balance of strategic nuclear power in the world has shifted, just as Khrushchev had predicted, in favor of the Soviet Union. Consequently the U.S. would be even less likely than before to risk nuclear war with the USSR.

Communism now has a base on the continent of South America—Chile. But, like Castro, Allende's government faces attack by enemies from within and without.

The Castro regime, unable to solve even its own internal economic problems, has lost the support of the overwhelming majority of the Cuban people, including the rank and file of Castro's army. The possibility of internal revolt within the coming year cannot be discounted.

The forces of revolution in Latin America, particularly in Bolivia, Peru and Colombia are ripe for Communist exploitation provided the continental base in Chile can be maintained.

As a result of the protracted Vietnam War, the U.S. public has forced the Administration to announce a policy of non-involvement in local conflicts in the less developed areas of the world.

OPTIONS AVAILABLE FOR POLITBUREAU CONSIDERATION IN 1971

The Watch Committee wishes to emphasize that a Soviet policy of boldness paid off in 1962 and that today's balance of power would tend to encourage rather than inhibit new Russian adventures in brinkmanship. The expanded Soviet military program for Cuba clearly involves improving the USSR's nuclear capabilities in the Western Hemisphere.

In the discussions on Cuba between Secretary of State Rogers and Foreign Minister Gromyko on October 19, followed up as they were by the New York meeting between Dr. Kissinger and Foreign Minister Gromyko and Soviet Ambassador Dobrynin on October 22, the Nixon Administration reconfirmed the earlier Kennedy-Khrushchev "understanding". To many Latin Americans these talks, in effect, regularized the Soviet military presence on a Communist base in the Caribbean. Certainly they have not resulted in a permanent reduction of Soviet naval power in the Caribbean. The Russians are still standing behind their Tass statement that they have not been, and are not building *their "own"* military base in Cuba.

The Watch Committee recalls that the original Kennedy-Khruschev" understanding" called for international inspection in Cuba to confirm the withdrawal of the Soviet missiles. This never took place because the Communist government in Cuba refused to allow inspection teams into the country. Taking into account the changes that have occurred since 1962, particularly the United States' loss of clear-cut strategic superiority over the USSR; the fact that on site inspection is still not permitted by Castro; and the great number of reports from members of the Cuban resistance that the Soviets are secretly installing nuclear missiles in underground installations; the Watch Committee believes that in the interest of national security prudent U.S. policymakers have little choice but to presume the worst. The Committee suggests, therefore, that appropriate preparations should be made to deal with any of the following possible Soviet courses of action:

The clandestine deployment of nuclear weapons systems into Cuba.

The overt use of Cuba as a nuclear submarine base (thus doubling the on-station time in the Western Atlantic for these subs) but maintaining the fiction that Russian Polaris-type submarines are merely observing their international port-of-call rights by visiting Castro's naval base at Cienfuegos whenever necessary to meet their operational requirements.

Emphasizing Cuba's role as the political and military base for all Soviet revolutionary expansion in Latin America by letting it be known that the nuclear weapons deployed to Cuba will be used, if need be, in direct support of Chile or any other Communist regime that may come to power in the Hemisphere if they are invaded by external armed forces, whether these forces are acting unilaterally or as members of the Organization of American States.

From the Cuban Watch Committee on Cuba:

Dr. MANOLO REYES,
Dr. HERMINIO PORTELL-VILA,
Editor, Radio Free Americas.
Dr. GUILLERMO BELT,
Former Ambassador to the United States, the United Nations, and the Organization of American States.

GROWING DRUG PROBLEM IN ALLEGHENY COUNTY CITED BY REPRESENTATIVE MOORHEAD

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. MOORHEAD. Mr. Speaker, a Senate panel recently completed a series of drug hearings in Pittsburgh.

The panel heard from many experts and community spokesmen about the evils of drugs and their debilitating nature on all community life. But the missing factors in the hearings were the drug users and addicts themselves.

Reporter Al Donalson, writing in the January 24 Pittsburgh Press, takes a look at Pittsburgh's, and Allegheny County's, drug dilemma, noting last week's hearings.

We all have heard that drugs are now everybody's problem, no longer just another scourge in the ghetto.

The latest drug death figures from Allegheny County points that up with surprising equality.

The racial and sexual breakdown of Allegheny County's 38 drug deaths last year was: 19 whites, 16 male and three female; and 19 nonwhites, 16 male and three female.

These fatalities represent more than a 100-percent increase on 1969's figures. There is small doubt that the drug problem in our area is growing at a rapid rate.

As one of those interviewed in Mr. Donalson's article says, the only way the problem is going to be licked is through more money for research and technology.

At this time I would like to put Mr. Donalson's article into the CONGRESSIONAL RECORD for the information of my colleagues:

HERE'S REAL DRUGS STORY MISSED BY PROBERS HERE

(By Al Donalson)

A team of Senate probers headed by U.S. Sen. Richard S. Schweiker, R-Pa., came to town last week and got this word:

Drug abuse here has reached epidemic proportions, and more federal money is needed to curb an alarming increase in the number of drug addicts in Allegheny County.

The word came from a procession of witnesses representing government, industry, law enforcement and public health agencies.

However, with the exception of an 18-year-old Ross Twp. drug user, the U.S. Senate subcommittee members didn't hear any testimony from addicts or those who have been victimized by addicts.

Schweiker said the panel tried to get drug users to testify but was "regrettably unsuccessful."

TRAGEDY ILLUSTRATED

There are hundreds of tales available which illustrate the tragedy and despair of the local drug scene.

Item. "Hoss," a Hill District jitney driver, picked up two passengers and took them to Homewood.

When his passengers reached their destination, Hoss didn't get his fare. His payoff was having the pair rob him of his wallet, car and clothes.

"They was junkies, man," said Hoss.

"And I felt stupid walking three or four blocks damn near naked in broad daylight to get to the fire station in Homewood.

"People out there was staring at me like I was crazy," he said.

CAR SURROUNDED

Item. On a recent weekday afternoon, a white Cadillac stopped on Centre Avenue in the Hill District, and was surrounded immediately by scores of addicts.

They clustered around the car with money clutched in their hands.

The driver of the car was selling heroin. One bag for $7, two bags at a bargain rate—$13.

One of the buyers ripped open one of his bags and dabbed a bit of the white substance on his thumb. He then licked the powder off his thumb and told his partner:

"Yeah man, this is some good stuff, let's split."

They hurried up Centre Avenue like two kids with a new Christmas toy, leaving dozens of other buyers crowded around the car trying to place their orders before the supply ran out.

Item. A numbers writer watching this scene slowly shook his head and said:

"Man, I don't understand it with these young dudes. Can't nobody tell them nothin'.

"Like, dig, I know a young brother named Blood who's about 19. Heavy (brainy) young dude, too. The cat was going to college. But he got kicked out when he was caught mainlining.

"Like, man, the cat's habit is $300 a day now. Square business, $300 a day.

ALWAYS HUSTLIN'

"The dude can't even afford to sleep because he's always got to be hustlin' to get his bread (money) together for his habit.

"His Jones (urge for drugs) came down last week and he went to Oakland on a tip. He busted an old gray (white) dude in the head and took about $1,000 from him.

"Man, Blood was hell on wheels for about three days with that grand. But his main man who was selling him good stuff got busted. So, like, Blood got some bad stuff from another pusher.

"It had a lot of flour mixed up in it. Blood damn near died behind that stuff," said the numbers writer.

Item. A Hill District businesswoman takes a pistol out of her purse and clicks off the safety when leaving her store in the evening.

There is usually a group of at least 15 to 20 junkies hanging around the outside of her door.

"When they see the gun and hear the safety click off, they know I mean business and don't bother me," she said.

"I know it's like the Wild West to pull out a gun. But that's what it's like down here—a jungle."

Similar tales, originating in wealthy suburbs as well as the inner city ghettos, can be told.

Drug abuse is now no respecter of person. It cuts across racial and class lines in rural areas as well as the cities and suburbs.

123,000 USING IN HIGH SCHOOL

A recent survey published in a Pennsylvania Department of Health journal revealed that at least 123,000 high school students in the state are regularly using drugs.

This number, which represents about 11 per cent of the total high school student population, does not include those who only occasionally use drugs.

It was also discovered that 70 per cent of the regular users come from "upper socio-economic" families, and that 25 per cent live in rural areas.

County Coroner Cyril Wecht's 1970 report shows 19 of the 38 narcotics deaths last year in Allegheny County were suffered by whites.

In 1969, when there were 17 narcotics deaths, only three of the victims were white.

This shift of drug abuse from the ghetto to the suburbs is thought to be one of the main reasons for the increased interest in combating addiction.

Many in the black community are bitter about this late interest exhibited by whites. Their sentiments are articulated by Charles Mikell, a specialist on alcoholism and drug abuse for Community Action Pittsburgh.

"As long as the junkies were those niggers in the Hill District, no one paid any attention to the problem. But now that drugs have spread to the lily white suburbs, everyone now is very upset and wants to know why something isn't being done," Mikell, himself black, says.

"The only way the problem is going to be licked is through more money for research and rehabilitation."

ANSWERS STILL IN FUTURE

Mikell's plea for more funds for research and rehabilitation was shared by every witness who testified this week during the hearings.

However, any answers through research are probably a year or two away. The federal Harrison Act of 1914 stifled drug research in the United States.

Designed then to stem a rising flow of narcotics, the statute proved to be punitive to any physician who attempted to treat an addict. Hundreds of doctors were jailed as a result of the act.

Although the law isn't as vigorously enforced as in the past, its influence can still be felt.

IRS OKAY REQUIRED

Any scientist who wishes to do research on marijuana must be approved as a researcher by the Internal Revenue Service (IRS).

To be eligible, a researcher must be legally authorized by state law. Physicians with unrevoked licenses and state universities are eligible by state law.

But others, like pharmacologists, chemists and private universities must go through a tangle of bureaucratic red tape to become registered.

Once registration has been granted, the researcher then must purchase marijuana, through IRS, from the National Institute of Mental Health.

If the researcher intends to use human subjects, he must then deal with the Food and Drug Administration (FDA) and the Bureau of Narcotics and Dangerous Drugs in addition to the other two agencies.

SECURITY MEASURES PRESCRIBED

The researcher must also adopt a carefully prescribed set of security measures. If any marijuana is lost, the researcher must document the circumstances surrounding the loss.

At all times, the researcher must maintain exact records of the amount of marijuana used, and for what purpose.

Some of these restrictions will be loosened when the recently enacted Comprehensive Drug Abuse Prevention and Control Act of 1970 becomes effective May 1.

Section I of the act guarantees protection from prosecution to certified researchers and subjects who use marijuana and other drugs in legitimate scientific research.

THE NEED FOR A COMPREHENSIVE NATIONAL HEALTH INSURANCE PROGRAM

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1971

Mr. FRASER. Mr. Speaker, the desire for the improvement in the delivery of health services is universal. The number of legislative proposals already introduced in these early days of the 92d Congress is ample evidence of this fact.

And yet, even the most comprehensive proposals, those which deal with the skyrocketing costs of medical care, the distribution of medical personnel, and the Federal role in the delivery of health care including the financing of this program only touch the surface of the problem. As the following article by Mr. Howard Lewis shows, another concern is the laws of the States under which medicine is practiced. Any comprehensive medical program that is enacted by Congress must also deal with the serious legal problems which Mr. Lewis discusses.

Mr. Thomas J. Watson, the chairman of the board of the International Business Machines has also written an excellent article in which he sums up the hard evidence in favor of a comprehensive national health insurance program. As Mr. Watson says:

We need a national health insurance law.

What follows in these two articles are two views on the state of medicine today, both thoughtfully developing proposals and details with which the Congress must deal:

THE PROBLEM DOCTORS

(By Howard Lewis)

(NOTE.—Howard Lewis is a consultant to government agencies and co-author, with his wife, of "The Medical Offenders.")

If you are like most laymen, you take comfort in the belief that doctors of medicine are closely regulated by stringent laws, rigorous government agencies and exacting professional groups.

Of course, the typical physician's own conscience inspires him to practice with competence and honor. He fully deserves the confidence and respect he receives from his patients.

However, the fact is that the privately practicing physician is largely a free agent, scarcely subject to regulation once he secures a license. The laws governing medical practice are shot through with loopholes. Even where restrictions are clear, enforcement is spotty.

It merits pointing out that medicine's disciplinary vacuum creates no problem in regard to the vast majority of M.D.'s. Nonetheless, on at least one ground the typical physi-

cian can be faulted: he seldom enforces among errant colleagues the high standards of conduct he personally upholds. The lack of effective discipline in medicine has produced an anomalous fringe group—licensed M.D.'s who constitute a hazard to patients.

Dr. Harold B. Jervey, past president of the Federation of State Medical Boards, has estimated that between 15,000 and 20,000 physicians in private practice repeatedly commit acts unworthy of the profession. He estimated 2,500 to 7,500 are actually breaking the law through narcotic violations, fraud and other felonies. These offenders account for about fifty million patient visits a year.

The problem doctors include those who are guilty of negligence and incompetence, abandonment of the patient, and assault through unauthorized procedures—the major causes of civil malpractice actions.

There are also physicians who seize upon medical service as a means of exploiting patients: fee gougers who levy unconscionable charges; "overtreaters," who perform unnecessary services; the fee splitters; quacks, who betray the canons of scientific medicine.

Also there are the mentally ill, including the senile. Mental illness is one of medicine's most widespread disciplinary problems, and its handling illustrates the weakness in medical licensing.

In sixteen jurisdictions insanity is not even grounds for suspending a physician's license. In most other states the license can be suspended only if the physician is actually in a mental institution.

I recently came across one doctor who is often incapable of maintaining a rational train of thought, much less a competent medical practice. Other doctors in his community regard him as a psychotic and try to steer patients away from him. He nontheless sees a large number of patients, and they sustain an alarming number of injuries. The way the law is now, he can continue practicing indefinitely.

I mentioned this doctor while testifying at a New York State Senate committee hearing on medical malpractice. Joseph Jaspan, the committee counsel, added: "We know of a practicing physician who has to spend six months of every year in a mental hospital." The state licensing board has not acted against him, and even if it did it's doubtful that the weak state law would uphold them.

No state law limits a physician to his area of medical competence or requires him to keep up with medicine. Nor does any state check on physicians likely to be incapacitated because of age. One retired doctor in his eighties is nearly blind and has long since lost touch with medicine. He keeps up his medical license by paying an annual registration fee.

The profession as a whole is loath to act on disciplinary matters. In New York State there are conservatively an estimated 1,200 to 2,700 licensed M.D.'s unfit to practice medicine. Last year the New York State Board of Medical Examiners—actually more active than most licensing boards—took a grand total of nine disciplinary actions. The Medical Society of the State of New York took not a single one, an achievement shared by 31 other state societies.

Thus the laws and professional codes that are supposed to protect the patient actually protect the medical offender. There needs to be immediate reform to plug loopholes in the law, to secure more vigorous disciplinary action. In Washington State and in California, this occurred with the cooperation of the state medical societies.

But for the profession to be spurred there first needs to be an outcry from the lay community. Until medical licensing laws are overhauled, selecting a physician can be hazardous for the patient.

THE RIGHT TO LIFE

(By Thomas J. Watson, Jr.)

(NOTE.—Thomas J. Watson Jr. is chairman of the board of International Business Machines. These remarks are excerpted from a speech delivered in Rochester, Minn., on the Mayo Foundation's Industry Day.)

I have become increasingly appalled to read of a country which during the past two decades has dropped from seventh in the world to sixteenth in the prevention of infant mortality; in female life expectancy from sixth to eighth; in male life expectancy from tenth to twenty-fourth; and which has bought itself this unenviable trend by spending more of its gross national product for medical care—$1 out of every $14—than any other country on the face of the earth.

The country I am talking about is our own U.S.A., the home of the free, the home of the brave, and the home of the decrepit, inefficient, high-priced system of medical care.

I know experts disagree over our precise international standings. I realize that medical problems here and abroad are not identical. I know American medicine has scored many brilliant triumphs.

But on the evidence, we are clearly moving in the wrong direction; failing to fulfill adequately for all our people the first right set down in the Declaration of Independence—the right to life.

What must we do to restore that right?

First, as the Carnegie Commission said in October, we have to beef up our arsenal: Train more doctors, more nurses, more paramedics; bail our medical and dental schools out of their deep financial troubles; break ground for new hospitals and clinics; in a word, spend more money.

Second, we must have better management, better organization, more efficiency.

I find it shocking to read of legal roadblocks against comprehensive prepaid group practice, which has repeatedly delivered better care at lower costs; of slums without a doctor; of highly trained medical corpsmen who, if they want to enter medicine as a civilian career, find just one job open to them—hospital orderly.

We cannot continue to live with facts like these.

Third, we must put health care within reach of every American.

Under our present system, the poor—especially the non-white poor—suffer by far the most. Non-whites have a life expectancy six years shorter than whites; twice the whites' infant mortality rate; four times the whites' maternal death rate.

How do we extend coverage for medical bills to everyone? By stretching the umbrella of private health insurance which still doesn't come close to covering Americans today? No. We need a far more thoroughgoing reform.

That brings us up against an old taboo, "socialized medicine." I completely believe in the American free enterprise system. But when the system fails to produce I think we should not flinch from looking to some sort of government intervention.

That, in American medicine today, means some new form of national health insurance.

Twenty-one years ago President Truman urged a national health system. In 1949, as a dyed-in-the-wool free enterpriser, I accepted the argument that we didn't need it. But I cannot accept that argument in 1970.

A variety of health insurance bills have been introduced in the Congress. But no comprehensive plan appears to be moving very fast. We do not need national health insurance as a political football in 1972. We need a new national health insurance law. I hope the Administration will put this at the top of its priority list for 1971.

To get that legislation, the partisans of varying plans—in the Congress, the American Medical Association, the A.F.L.–C.I.O.—must get together. To speed such compromise, I believe all of us as citizens should start now to build a bonfire of persuasion—to speak out, to demand change, and not stop until we get the legislation we need.

We can take pride in our system of universal public education, social security, and work laws.

The time has now arrived for us to have a system of universal public medicine to do for us what the Scandinavian and British systems have done for those countries: Put them medically at the top of the world.

We must bring the fullness of American medical care to all the American people. As the greatest nation in the world I believe we can do no less.

JUNTA STRIKES OUT AGAIN

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. EDWARDS of California. Mr. Speaker, I would like to insert in the RECORD the following article by Rowland Evans and Robert Novak on the latest act in the Greek tragedy, and to commend these Washington Post columnists for their continuing efforts to keep the American public informed on the true nature of the regime to which this country is giving its full military and diplomatic support. The handling of Demetracopoulos affair by Ambassador Tasca and the Greek generals was sickening, to say the least, and leads one almost to conclude that with enemies like the Greek generals the Communists who would like to foment true revolution in Greece really do not need any friends. The generals appear to be doing a very adroit job of cutting the ground from beneath their own feet. I only hope U.S. policy in Greece will be redirected before we find ourselves in another "brush fire" conflict in the name of freedom and democracy. With that I submit the Evans-Novak report:

[From the Washington Post, Dec. 23, 1970]

ANOTHER GREEK TRAGEDY

In their handling of the death of an old man whose son is a self-exiled leader of the anti-junta resistance movement, the Greek military dictatorship has now demonstrated an arrogant attitude toward the U.S. Senate that has cost it dearly here.

That attitude casts doubt on the wisdom of the Greek colonels and the wisdom of the United States in recently restoring full military aid to Athens. What's more, the event casts shadows on U.S. ambassador to Athens, career diplomat Henry Tasca.

The incident was triggered with the fatal illness of the 81-year-old father of Elias Demetracopoulos, a prominent Greek journalist who fled to the United States in 1967. On Dec. 11, three liberal Democratic senators signed an extraordinary request to Col. George Papadopoulos, Greek prime minister, asking that Demetracopoulos be given 48-hour safe passage to visit his dying father. The message went through the State Department to Tasca.

For nine days there was no answer to the senators. Finally, on Dec. 20, four days after Demetracopoulos's father died, alone and untended, the three senators—Mike Gravel

of Alaska, Frank Moss of Utah, and Quentin Burdick of North Dakota—received a telegram from the Greek Embassy here.

That response, incredibly enough, said Demetracopoulos should have routinely applied to the Embassy for his "safe conduct" pass. Had he done so, say those familiar with his role as a major anti-junta resistance leader, he might have been held in the Embassy on trumped-up charges, a Greek citizen with no recourse to U.S. assistance.

Five days earlier, on Dec. 15, Tasca cabled the State Department echoing the Greek Embassy's message to the three senators—that the Greek Embassy had been instructed to handle Demetracopoulos's appeal. But when high State Department officials asked the Embassy to elaborate on Tasca's bland cable, they were informed no message had been received from Athens.

Accordingly, on the evening of Dec. 15, the department wired Tasca again, this time instructing him to see Prime Minister Papadopoulos and to cable back yes or no on the safe-conduct request. To that message, there apparently was no answer at all.

Thus, on Dec. 16, the day the old man died, the three senators wrote President Nixon asking his personal investigation. They wanted to know whether Tasca and the Greek government deliberately stalled until the case had become moot with the death of the father. As we write this, there has been no reply from the White House.

In the background of this miserable affair, two circumstances bear deeper scrutiny.

First, Demetracopoulos personally prevailed on many anti-junta senators to postpone the confirmation of Tasca in 1969. His argument: Filling that post, vacant since January 1969, would place the United States fully behind the junta despite its grossly anti-democratic practices. That might have influenced the Council of Europe not to expel Greece.

The long Senate delay in Tasca's confirmation scarcely endeared Demetracopoulos to him. Some State Department officials believe Tasca dragged his heels in handling the safe-conduct request.

Far more important to U.S. diplomats is what the affair reveals about the colonels' inability to understand their powerful opposition in the United States. The request was a rare opportunity for Papadopoulos to make a dramatic gesture proving his boast that the junta is moving toward democratic procedures. As one top diplomatic operative told us: "If that government had any sense of security, they would have given Demetracopoulos red-carpet treatment, but they didn't have the nerve."

Instead, they apparently feared political trouble from the arrival of a resistance leader under the emotional circumstances of his father's death. Papadopoulos promised over television last weekend that all political prisoners would be freed next spring—if peace and order prevail. The return, if only for two days, of an exiled resistance leader to Athens might have brought new outbreaks.

Whatever the reason, the squalid handling of the affair is raising new questions in the Senate about the junta and its full backing by the U.S. government.

THE NEED FOR ACTION ON CONVERSION

HON. MICHAEL J. HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. HARRINGTON. Mr. Speaker, one of the gravest problems facing my district, the Commonwealth of Massachusetts and many other sections of this Nation is economic instability caused by a decrease in Federal expenditures on certain space and defense activities.

Without prompt congressional attention, it will be only a short time until many persons will face unemployment because of current efforts to reorder national priorities and to move from a military-oriented to a civilian-oriented economy.

I have filed two economic conversion proposals which will launch a broad-based, comprehensive effort to ease this transition. These bills will provide immediate relief for the highly skilled worker by retraining scientists and providing technical assistance to small businesses to achieve conversion. Funding is earmarked for State and regional conversion planning commissions so that action on the local level can get underway. In addition, Federal funds will be provided for conversion research, subsidies to industry, and direct aids for recruitment of unemployed scientists and engineers into the Government. Legislation similar to this has been filed in the Senate.

It is imperative that conversion legislation be passed this year if we are to check the steadily increasing unemployment among the highly skilled scientific, engineering, and technical professions.

Rapid action on these bills and speedy implementation of these proposals is needed before our technological community is dismantled and the job situation grows even worse.

It is time for Congress to stop theorizing and start acting.

OATH OF OFFICE

HON. GOODLOE E. BYRON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. BYRON. Mr. Speaker, Mrs. Arita Van Rensselaer, one of my constituents and an experienced hand on Capitol Hill, has written a poem in honor of my taking the oath of office as a U.S. Congressman and in honor of the 92d Congress. I would like to commend Mrs. Van Rensselaer for her originality and honesty in her poem and thank her for her loyalty and devote patriotism. The citizens of Keedysville, Md., can be proud of such a distinguished citizen.

The poem is as follows:

OATH OF OFFICE

(By Mrs. Arita Van Rensselaer)

Across the plaza—and beneath the dome
The new ones come—they have just left home.
They glance toward Freedom, as she stands on high
Towering in the sunlight, against the cold wintry sky.
They know at first they must enter her school
And learn to legislate democracy rule by rule.
They stand up tall, to hear the opening prayer
For family and friends, watch from the gallery there.
It is a moment of awe when the gavel falls
And a great thrill when the new name he calls.
After the oath a stir and commotion reflects in the faces
So many, so very many from all the strange places,
As well as close by—some were known before
But all have entered by that one open door—
The choice of the people—the chosen ones in the land
Only these may enter the chamber, at the Speaker's well to stand.
It is thrilling—yet appaling and mingled with fear
For this is a term that lasts only to the second year.
Now the ordeal descends, each vote must be right
To please all the factions, and bring Peace in sight.
Yet, what about conscience, what about the balance of trade,
What about international relations, and the enemies we have made?
What to do about poverty, misplaced persons, young people and things
They all want to be happy, carefree and enjoy privileges of kings.
The impossible right now is the imperative demand
From marchers and demonstrators on every hand.
How do we tell parents that citizens must be trained from birth
If we want to create a paradise of equality on this earth
That citizenship is a challenge of self control with pride
And that the real revolution must take place inside
The individual, within his heart, and his very soul.
He alone sets the standards, and must reach for the goal
Of the general good—the welfare of all.
Let's see what happens, now, comes the first roll call.
Taxation is a problem we resented in colonial days
Now, it has become the monster that is before us always.
Taxes upon taxes, an astronomical sum
Yet the budget will not balance, and so the protests come.
Committees, Committees, Oh which will it be?
Try to get on a committee that benefits the constituency.
"Public Service" is a phrase, that is much overworked
But who knows what, if some of these duties are shirked.
There are constituents and clients, and lobbyists galore
And the only way to dodge them is to be speaking from the floor.
So, that maiden speech brings forth enthusiastic applause
But can it truly help to make and preserve our laws?
The new session comes in like a Happy New Year
With a burst of applause, and an exultant loud cheer.
And all these remarks could be "Revised and Extended" to many more
But only if there is "Consent" to all that has gone before.
While the Spirit of Freedom stands high over all
Unchanging in purpose, all evil to forestall.
All good to the nation her light has inspired
True guidance and faith for the new leaders acquired.
Congratulations and dreams echo down through the halls
While plans for real work begin as darkness falls
The future of the nation only Freedom can foretell
But, if "In God is our Trust"—all will be well.

NEIGHBORHOOD HEALTH CENTERS: BRINGING HEALTH CARE BACK TO THE PEOPLE

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. FRASER. Mr. Speaker, as medical and hospital costs skyrocket, the average American is finding that its harder than ever to locate high quality health care—particularly if he lives in a central city or a sparsly settled rural area.

Now that the days of the house call are behind us, access to medical care is limited on evenings and weekends even in those communities where doctors are abundant. People who need care after the working day are often forced to resort to overcrowded hospital emergency rooms where admissions have shot up by 250 percent during the past 20 years.

One new approach to health care delivery, the neighborhood clinic, may help reverse this unfortunate trend. Many of these new consumer-oriented health facilities have been established by local public health agencies with the backing of the U.S. Public Health Service and the Office of Economic Opportunity. But Federal aid for a neighborhood-based clinic is not always essential as the residents of the Beltrami neighborhood in Minneapolis have found. In this older but still vital community, residents set up their own part-time clinic staffed by volunteer doctors, nurses, and pharmacists. The following article from the Minneapolis Tribune tells how it was done:

FREE CLINIC SERVES NORTHEAST RESIDENTS

(By Sam Newlund)

The Beltrami Health Clinic is a place where you can't tell the medical staff from the patients without asking, and where lab technician Kim Williams wears her blue denim shirttail outside her jeans.

That's enough to make the clinic, at 759 Pierce St. NE., somewhat offbeat.

It's also different because it's free, and because its freewheeling, socialistic approach to community medicine is practiced in a northeast Minneapolis neighborhood more noted for its conservatism than for giveaway programs.

The clinic's rooms are mostly upstairs in a building occupied by Margaret Barry Neighborhood House. Although not nearly as big, the health clinic bears some resemblance to a free community clinic in the Cedar-Riverside neighborhood.

Miss Williams, 25, is one of a number of volunteers—including doctors, nurses, pharmacy students and others—who donate varying amounts of time to the clinic. Her regular job is medical technician (bacteriology) at University of Minnesota Hospitals.

In the free clinic, the medical lab is a kitchen. Coffee simmers on a stove next to a table where Miss Williams examines specimens under a microscope loaned by the university.

While she was doing that one day recently, a doctor down the hall was attending to a squalling infant in one of the offices that have been converted into examining rooms.

Downstairs, in a small room called "the pharmacy," three pharmacy students and a girl volunteer were cataloging donated drugs and filling bottles with pills taken from sample packages distributed by drug firms.

In a waiting room, community organizer Ed Lambert tossed an indoor Frisbee with a 12-year-old boy.

The clinic was Lambert's brain-child. As head of community organization for the East Side Citizens Community Center, an anti-poverty agency run by Mobilization of Economic Resources (MOER), Lambert began promoting the clinic idea after the failure of an effort to form a citizens lobby to push property tax reform.

Lambert and others surveyed the Beltrami Park Neighborhood and found that an overwhelming majority of those contacted favored a free, non-emergency medical clinic to battle the rising cost of medical care.

Nearly half of those questioned reported transportation problems in getting medical service. Nearly half of the job-holders said they had trouble getting to a doctor when the need arose.

With help from a number of sources—drugs and equipment, for example, from drug firms, private doctors and the university—the clinic has been open since Dec. 8.

But nobody came that first day except the staff.

Since then, roughly half a dozen to 15 or so patients have shown up for each clinic session. The clinic is open from 7 p.m. to 10 p.m. on Tuesdays and 12:30 p.m. to 5 p.m. Saturdays.

The clinic is the city's newest example of a growing interest in community-based public medical care. Pilot City Health Center on the North Side is a more fully developed example.

Advocates of community clinics still hope for "outreach centers" operated as branches of the new Hennepin County General Hospital, although that concept's prognosis is in doubt.

Experimenters like Lambert put great store in "neighborhood-managed" clinics as a means of reaching clients early enough to make use of effective preventive medicine. The belief is that grass-roots involvement and management are more apt to yield greater use by patients.

In the Beltrami Clinic's case, the "neighborhood managers" are a board of directors including members who have been staunch supporters of conservative causes.

One of these is Mrs. Charlotte Capra, president of Concerned Residents of Beltrami, a precinct chairman in Mayor Charles Stenvig's election campaign and a member of the conservative Taxpayers ("T") Party.

Mrs. Capra and her husband helped lead a successful fight last summer to block an urban renewal project in the Beltrami neighborhood.

In an interview, Mrs. Capra said she wants to keep an eye on the clinic "because of the socialistic trend in this type of thing." She said she doesn't want the clinic used by "people who don't need it," although she doesn't believe that has happened yet.

"We are an independent people," Mrs. Capra said of her Beltrami neighbors, "and we're used to paying our own way."

One policy set by the board is not to dispense birth-control pills or contraceptives to unmarried women unless, in consultation with a doctor, they are deemed necessary for medical reasons.

According to Mrs. Gertrude Goodacre, a Stenvig supporter and chairman of the clinic board, the board was influenced in that decision by a neighborhood Roman Catholic priest.

Nobody asks your income when you come to the Beltrami clinic, despite the board's desire to help only the needy.

A recent visitor was Mrs. Ray Barclay, 444 NE. Filmore St. She brought her 8-month-old daughter, Tammy, who was suffering from a severe cold.

Mrs. Barclay said she was pleased with the service. "I don't have to sit here and wait like you usually do," she said. Before the clinic opened, she took her child to a private medical clinic in Fridley where, she said, a routine examination and shots cost $17.

Antibiotics were prescribed for Tammy, and although they weren't on hand at the moment, her mother was told they would be brought to her home.

Mrs. Barclay said she plans to make a private donation to the clinic.

THIRD SILVER STAR FOR FARNHAM

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 29, 1971

Mr. MORSE. Mr. Speaker, there is perhaps no greater and more meaningful honor that any man can receive than the respect and commendation of the citizens of his hometown, the place where he was born and raised.

I am delighted, therefore, to note that on February 19, the Chamber of Commerce of Wilmington, Mass., will honor Maj. Donald W. Farnham for his outstanding gallantry in the Vietnam conflict. A dinner will be held for that purpose, and the Board of Selectmen of Wilmington are to proclaim the day as Maj. Donald W. Farnham Day.

Major Farnham enlisted in the U.S. Army 13 years ago. The recent recipient of his third Silver Star, the Nation's third highest award for valor, the holder of six Purple Hearts for wounds received in action and numerous other awards and medals of commendation, he is said to be the most decorated soldier of the Vietnam war.

The record of his tremendous courage and bravery, and his devotion to his fellow men speaks for itself, and I am happy to be able to share it, as it appeared in the Wilmington Town Crier, with my colleagues in the House:

THIRD SILVER STAR FOR FARNHAM

Major Donald W. Farnham of Wilmington who enlisted in the Army about a dozen years ago, has been awarded his third Silver Star, the nation's third highest award for valor.

The award was made at the Miami Military Academy, in Florida, where Farnham is currently teaching in the ROTC.

His most recent award was for conspicuous gallantry and heroism above and beyond the call of duty, in action against a hostile force, while serving as aircraft commander and armed helicopter unit commander.

He was escorting lift helicopters into a landing zone and the flight came under intense automatic weapons and small arms fire. His aircraft received numerous hits and Farnham was wounded. In spite of the extensive aircraft damage and wounds received, he remained on station, in support of the ground forces, until his aircraft was shot down by enemy ground fire.

Farnham was evacuated from the landing zone and returned to the staging area. He refused medical assistance and insisted on returning to the landing zone. As his aircraft approached the landing area, it again was subjected to a withering fire from the enemy.

After he had expended all his ammunition Farnham attempted to evacuate some of the wounded soldiers from the area. Al-

though the evacuation was successful, his aircraft was hit by automatic weapons fire and Farnham was wounded a second time. He managed to fly his crippled aircraft back to the staging area, where he immediately transferred to a replacement aircraft and returned to the landing zone to continue support of the beleagured ground forces.

On each pass across the area Farnham's aircraft was subjected to a murderous volume of small arms fire and automatic weapons fire from a village adjacent to the landing zone. Farnham flew his aircraft on a succession of low-level attacks on the heavily entrenched enemy forces.

The North Vietnamese were deployed throughout the area in trenches, buildings and fortified positions and, despite the heavy enemy fire and without regard for his personal welfare, Farnham continued his attack. He made firing passes, flying directly into the mouth of a cross fire from machine gun emplacements set up facing the landing zone.

Throughout the day Farnham flew individual support for the ground forces, unescorted, making low-level firing passes along the perimeter of the landing zone in order to deliberately divert the enemy fire from the ground forces.

By this time the enemy had directed all his fire toward Farnham's aircraft and automatic weapons fire brought his aircraft down. Due to the enemy situation and the onset of darkness, it was impossible to evacuate Farnham.

Throughout the night Major Farnham organized and lead the ground forces on successive attacks against the enemy and on two occasions was forced to engage in hand-to-hand combat.

Despite what appeared to be insurmountable odds, his unit gained the momentum required to suppress the enemy.

DONALD FARNHAM HAS SIX PURPLE HEARTS

Major Donald W. Farnham, the most decorated soldier of the Vietnam War, has six Purple Hearts, for wounds received in action.

Thirteen years ago the then sixteen-year-old Wilmington boy enlisted in the U.S. Army before graduating from Wilmington High School. He enlisted to become a paratrooper, and the military life appealed to him. He soon attained non-commissioned rank, and became a sergeant, after which he enrolled in an Army Helicopter School.

Farnham was one of the first helicopter pilots to go to Vietnam, and he spent a total of 47 months in active service in that war-stricken country.

It was for him a very interesting experience. He evolved new methods of fighting with helicopters, and was shortly one of the outstanding helicopter pilots in the U.S. Army, always being foremost in combat with the enemy.

"I don't think anyone enjoys killing anybody else", he told the Miami Journal a few weeks ago. "But we are interested in saving our own people. Those who dislike the war the most are the people in the military, because they are the ones who have to fight it".

During the 47 months of combat flying Farnham picked up, in addition to the six Purple Hearts, three Distinguished Flying Crosses, the Bronze Star, the Air Medal with 43 Oakleaf Clusters and two "V" devices, the Joint Services Commendation Medal, two Army Commendation Medals, the Navy Commendation Medal, as well as the three Silver Stars.

Other decorations include the Vietnamese Cross for Gallantry with two palms and two silver star devices, the Presidential Unit Citation, Valorous Unit Citation, Meritorious Unit Citation, Navy Unit Commendation Medal, and the Vietnamese Honor Medal. There are others.

Skydiving was his favorite hobby, until he broke his back in 1967.

SENATE—*Monday, February 1, 1971*

(Legislative day of Tuesday, January 26, 1971)

The Senate met at 12 o'clock meridian on the expiration of the recess and was called to order by the President pro tempore (Mr. ELLENDER).

The Reverend Billy H. Cline, pastor, Merrimon Avenue Baptist Church, Asheville, N.C., offered the following prayer:

Our Father and our God, we give thanks for the assurance that Thy ways are steadfast and reliable. We pray that we may be conscious of Thy eternal presence and of our daily need of Thee. Forgive us that we are not always strong in the consciousness of Thy presence.

Bless this Senate that each Member may find strength for every time of need, and help each Member to be aware of the needs, cares, and anxieties of people everywhere. Reveal to them the solutions to the overwhelming problems of our Nation and the world.

Deliver us from animosity, hatred, and prejudice, and help us to establish lines of communication so that we can make our contribution toward the betterment of mankind and peace throughout the world.

Help us to respect ourselves and one another for Thou hast created us.

Through Jesus Christ our Lord we have prayed together. Amen.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Leonard, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the President pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, were referred to the Committee on Armed Services.

(For nominations received today, see the end of Senate proceedings.)

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Journal of the proceedings of Friday, January 29, 1971, be approved.

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

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

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

S. 484—INTRODUCTION OF A BILL DESIGNATING LINCOLN BACK COUNTRY IN MONTANA AS A NEW WILDERNESS AREA

Mr. MANSFIELD. Mr. President, my able colleague, Senator LEE METCALF, and I work together on many projects and problems of interest to the people of the State of Montana. One of the most popular proposals in recent years was our bill which would designate the Lincoln Back Country in Montana as a new wilderness area. The Lincoln Back Country in Montana is one of the finest examples of wilderness—an area of unsurpassed beauty. People of the State, conservationists, and friends from all over the country support this program to preserve the area in its natural condition. This legislation had virtually unanimous support and was passed by the Senate in 1969. Unfortunately, the House of Representatives did not consider the measure because of their insistence that they have a mineral survey completed prior to the enactment of the measure. We are now informed that the mineral survey will be available this spring.

Senator METCALF and I have sent to the desk identical legislation which would authorize the extension of the national wilderness program to the Lincoln Back Country. We are hopeful that the legislation will again receive unanimous support here in the Senate and that our colleagues in the House of Representatives will be able to favorably consider the measure during this first session of the 92d Congress.

Mr. President, I ask unanimous consent to have the text of this legislation printed in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 484) to authorize and direct the Secretary of Agriculture to classify as wilderness the national forest lands known as the Lincoln Back Country, and parts of the Lewis and Clark and Lolo National Forests, in Montana, and for other purposes, introduced by Mr. MANSFIELD (for himself and Mr. METCALF), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 484

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is hereby authorized and directed to classify as wilderness those national forest lands containing approximately 240,500 acres in the Helena National Forest in Montana, known as the Lincoln Back Country, and parts of the Lewis and