

X, United States Code, section 593(a) and 3384:

To be brigadier general

Col. Benjamin L. Hunton, SSAN xxx-xx-xx...  
xxx... Infantry.

The Army National Guard of the United States officers named herein for appointment as Reserve Commissioned officers of the Army under provisions of title X, United States Code, section 593(a) and 3392:

To be major general

Brig. Gen. Robert L. McCrady, SSAN xxx...  
xxx-xx-xxxx Adjutant General Corps.

To be brigadier general

Col. William J. McCaddin, SSAN xxx-xx-x...  
xxx... Field Artillery.

Col. Charles A. Rollo, SSAN XXXX  
Field Artillery.

Col. Dana L. Stewart, SSAN xxx-xx-xxxx  
Armor.

IN THE NAVY

Rear Adm. Philip A. Beshany, U.S. Navy, having been designated for commands and other duties determined by the President to be within the contemplation of title X, United States Code, section 5231, for appointment to the grade of vice admiral while so serving.

The following-named officers of the Navy for temporary promotion to the grade of rear admiral in the staff corps indicated subject to qualification therefor as provided by law:

MEDICAL CORPS

Richard D. Nauman  
Willard P. Arentzen

SUPPLY CORPS

Joe G. Schoggen  
Edward E. Renfro III  
James E. Forrest

CHAPLAIN CORPS

Richard G. Hutcheson, Jr.

CIVIL ENGINEER CORPS

Donald G. Iselin  
Albion W. Walton, Jr.

DENTAL CORPS

Anthony K. Kaires

CONFIRMATION

Executive nomination confirmed by the Senate May 10, 1971:

INTERNATIONAL ATOMIC ENERGY AGENCY

Dwight J. Porter, of Nebraska, a Foreign Service officer of the class of Career Minister, to be the deputy representative of the United States of America to the International Atomic Energy Agency.

HOUSE OF REPRESENTATIVES—Monday, May 10, 1971

The House met at 12 o'clock noon. The Chaplain, Rev. Edward G. Latch, D.D. offered the following prayer:

*Study to show thyself approved unto God, a workman that needeth not to be ashamed.—II Timothy 2: 15.*

Our Father God, amid the disturbances about us and the bewilderments within us we come seeking the quiet sanctuary of Thy healing and heartwarming presence. In this moment of prayer grant us to hear and to heed Thy summons to greater moral discipline, to tap the higher resources of inner strength, and to develop a finer faith in goodness and truth that, come what may, we may keep our hearts with Thee.

We pray for our Speaker who this day celebrates his birthday. We thank Thee for him, for his integrity of mind, his sincerity of spirit, and his devotion to our country through this House of Representatives. Grant unto him, we beseech Thee, health and strength, wisdom and patience for this year and for many years to come.

We pray in the spirit of the Master of all good workmen. Amen.

THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Arrington, one of its clerks, announced that the Senate agrees to the amendment of the House to a concurrent resolution of the Senate of the following title:

S. Con. Res. 22. Concurrent resolution designating "Human Development Month" and "Voluntary Overseas Aid Week."

ON A U.S. WITHDRAWAL FROM VIETNAM

(Mr. JACOBS asked and was given permission to address the House for 1

minute and to revise and extend his remarks and include extraneous matter.)

Mr. JACOBS. Mr. Speaker, the following is the language of House Resolution 319, which I introduced on March 17, 1971. I was hoping it might catch the attention of the administration:

H. RES. 319

Whereas the President of the United States on March 4, 1971, stated that his policy is that: "as long as there are American POW's in North Vietnam we will have to maintain a residual force in South Vietnam. That is the least we can negotiate for."

Whereas Madam Nguyen Thi Binh, chief delegate of the Provisional Revolutionary Government of the Republic of South Vietnam stated on September 17, 1970, that the policy of her government is "In case the United States Government declares it will withdraw from South Vietnam all its troops and those of the other foreign countries in the United States camp, and the parties will engage at once in discussions on:

"—the question of ensuring safety for the total withdrawal from South Vietnam of United States troops and those of the other foreign countries in the United States camp.

"—the question of releasing captured military men."

Resolved, That the United States shall forthwith propose at the Paris peace talks that in return for the return of all American prisoners held in Indochina, the United States shall withdraw all its Armed Forces from Vietnam within sixty days following the signing of the agreement: *Provided*, That the agreement shall contain guarantee by the Democratic Republic of Vietnam and the National Liberation Front of safe conduct out of Vietnam for all American prisoners and all American Armed Forces simultaneously.

CONGRESS SHOULD DELEGATE CONTROL OF THE DISTRICT OF COLUMBIA TO THE DISTRICT OF COLUMBIA

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

Mr. FAUNTROY. Mr. Speaker, had I a vote in this Chamber—and I should have as the duly elected Representative of nearly 800,000 American citizens who happen to live in the District of Columbia—had I a vote, and I hope that the 92d Congress in this session will vote to give me the vote; had I a vote today I would

vote to assign responsibility for decision-making on several of the bills you will consider today to the District of Columbia City Council.

I have watched with interest the vital issues that have claimed the attention of you, our Nation's finest legislators, in the 3 weeks I have been privileged to serve among you. We, as Representatives of the people of the United States, have considered and must deal in this session with a complex and broad range of issues—from the war in Indochina, the faltering position of the dollar in the world economy, the state of this Nation's economy, to the overhaul of the Nation's welfare system. Our list of needs is long; our time is short.

Faced with these pressing issues, the House will consider this afternoon on the District Calendar H.R. 2596. This bill would allow members of the District Fire Department, the Executive Protection Service, and the U.S. Park Police to play in the District police band.

What concerns me, Mr. Speaker, is that this House must spend its valuable and all too limited time discussing such matters which properly are matters for a city council. The Members of the House can far more valuably spend their time in their offices handling constituent mail rather than sitting here acting as the District of Columbia City Council. That this Congress must deal with such questions as who can play in the police band clearly illustrates once again the futility of a system that requires Congress to sit as a municipal legislature.

Let me stress, Mr. Speaker, that I am not opposed to H.R. 2596. If this bill had come before the City Council as a municipal regulation while I was Vice Chairman of the District's City Council, I probably would have voted in favor of it. But this matter should come before a city council and not the National Legislature. Of what possible concern could it be to the people of California or Oklahoma whether a park policeman can play the tuba in the District police band? It is my hope, Mr. Speaker, that before this session is over the citizens of this colony will have self determination. Home rule for the District of Columbia would not only free the citizens of this city, but it would also free the Congress of the United States of much wasted time.

### PROGRAM OF WORK ON ALTER-NATE FRIDAYS ANNOUNCED

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

Mr. BOGGS. Mr. Speaker, first I would like to announce for the benefit of all Members, that beginning after the Memorial Day recess, on the first and third Fridays we will have legislative sessions, providing, of course, that there is business to be considered.

The second and fourth Fridays will be free of business. We plan to keep this schedule throughout the summer months. I make this announcement so that there will be no uncertainty about the program after Memorial Day.

Also, Mr. Speaker, I would like to announce in the event some of the Members did not hear our distinguished Chaplain that all of us join in wishing you a very happy birthday. We are very proud of you.

### HAPPY BIRTHDAY, MR. SPEAKER

(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 take this time for the purpose of joining with the distinguished majority leader in extending to the distinguished Speaker our very best wishes on his birthday anniversary.

### J. EDGAR HOOVER

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

Mr. DORN. Mr. Speaker, today marks the 47th anniversary of J. Edgar Hoover's leadership of the Federal Bureau of Investigation. I am honored to join my colleagues in paying tribute to this dedicated public servant. His service to the Nation has become a symbol of absolute integrity, of strength and perseverance, and we are all grateful to him. Over the years the FBI has come to reflect the outstanding personal characteristics of its Director. The esprit de corps, the efficiency, and integrity of the FBI staff have become a model for law enforcement organizations all over the Nation and indeed the world.

Mr. Speaker, ours is an open and free democratic society. But there are those from within and without who would subvert our Nation and replace our free institutions with totalitarian institutions. The FBI has been a most effective instrument of our free society in combating this subversion. But just as important, Mr. Speaker, the Bureau has accomplished this without itself endangering the very free and open society we wish to maintain.

In view of the awesome effectiveness of the FBI in combating crime and subversion, one shudders to think what might have happened had the Bureau been formed and led by a weaker and less restrained Director. A weaker Director might have succumbed to ever-

changing political pressures and circumstances, and the results could have been tragic for our free society.

But it is the mark of J. Edgar Hoover's leadership that he has so clearly recognized the true enemies of society while always maintaining the Bureau's absolute integrity. The effectiveness of the Bureau in combating the ordinary interstate crime under its jurisdiction is well known. Equally well known has been the Bureau's effective infiltration of the ever-changing conspiracies dedicated to violent overthrow of our Government. In this connection, J. Edgar Hoover was one of the first to recognize and warn the Nation about the Communist menace. More recently, the Bureau has moved effectively, under the proper legal authority, to combat criminal syndicates and ideological terrorist groups.

Mr. Speaker, rarely in our Nation's history has an executive agency enjoyed the confidence, trust, and respect that our people have extended to the Federal Bureau of Investigation. I know that the people of my area believe in the FBI.

In large measure this public trust is a tribute to the man who has shaped and directed the Bureau. For this reason I am pleased to join in paying tribute to the Honorable J. Edgar Hoover on this anniversary of his service and wish for him continued success and good health.

### DISTRICT OF COLUMBIA BUSINESS

The SPEAKER. This is District of Columbia Day. The Chair recognizes the gentleman from South Carolina (Mr. McMILLAN), chairman of the Committee on the District of Columbia.

### SCHOOL FARE SUBSIDY

Mr. McMILLAN. Mr. Speaker, I call up the bill (H.R. 6638) to amend the act of August 9, 1955, relating to school fare subsidy for transportation of schoolchildren within the District of Columbia, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 6638

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act entitled "An Act to provide for the regulation of fares for the transportation of schoolchildren in the District of Columbia," approved August 9, 1955 (D.C. Code, Sec. 44-214a), as amended by an Act approved October 8, 1968, is further amended by deleting "1971" and substituting "1974".*

With the following committee amendment.

Page 1, line 7, strike out "October 8, 1968" and insert in lieu thereof "October 18, 1969".

The committee amendment was agreed to.

Mr. McMILLAN. Mr. Speaker, I move to strike the last word.

Mr. Speaker, the sole purpose of H.R. 6638 is to extend the present subsidy for transportation of school children in the

District of Columbia, established by an Act of Congress approved October 18, 1968 (Public Law 90-605, 82 Stat. 1187), which will expire in August of this year, for a period of three years to August 1974.

### BACKGROUND

For many years, transit companies operating in the District of Columbia have been required by law to carry schoolchildren at a fare not exceeding one-half the established adult fare. The Metropolitan Area Transit Commission having jurisdiction over such carriers in the city is responsible for determining the amount of such reduced fares for schoolchildren. This reduced rate has never been sufficient to cover the cost of carrying the schoolchildren, and up until three years ago, the Commission was compelled to set the adult fare at a level which was high enough to cover the entire cost of the carrier's operation, including the cost of transportation of schoolchildren in excess of the receipts from their reduced fares. Thus, the economic effect was that the adult bus-riding public had to make up the uncovered cost resulting from the reduced fares for transportation of the schoolchildren.

In 1968, however, the Congress enacted Public Law 90-605, which made it possible for the cost of carrying schoolchildren in the District to be borne by the community as a whole. Under the provisions of this act of 1968, the Washington Metropolitan Area Transit Commission is required to certify to the Commissioner of the District of Columbia for each calendar month, with respect to each bus company transporting schoolchildren in the city, an amount representing the difference between the total of all reduced fares paid to such carrier by schoolchildren and the amount which would have been paid if such fares had been at the lowest adult fare set by the Commission for regular route transportation. Upon receipt of such certification, the Commissioner of the District of Columbia is required to pay each carrier the amount so certified by the Transit Commission.

At the time of enactment of this law, in October 1968, the reduced fare for schoolchildren was 10 cents, and has remained at that level to the present time. The lowest adult fare in 1968 was 25 cents, and since that time has increased to the present level of 40 cents.

The following table, submitted to our committee by the Washington Metropolitan Area Transit Commission, shows the amount of this subsidy paid to the carriers affected, during the 3-year period since the enactment of Public Law 90-605. It will be seen from these figures that whereas a total of 7,686,711 school passenger rides were subsidized during the first year under this system, at a certified subsidy amount of \$1,402,552.33, during the third such year, ending in August of 1971, it is estimated that 10,041,741 school passenger rides will have been certified, a total subsidy cost of \$3,010,052. The increase in the cost shown is attributable not only to the increase in the number of school passenger rides, of course, but also to the increases in the adult fares which have accrued since 1968.

TABLE I.—SCHOOL FARE SUBSIDY PAID UNDER PUBLIC LAW 90-605

Month	D.C. Transit System, Inc.		WMA Transit Co.		Month	D.C. Transit System, Inc.		WMA Transit Co.	
	School passengers	School subsidy certified	School passengers	School subsidy certified		School passengers	School subsidy certified	School passengers	School subsidy certified
September 1968	640,825	\$96,123.75	17,614	\$2,642.10	April 1970	904,065	\$198,894.30	15,957	\$3,191.40
October 1968	934,545	141,234.82	23,413	3,511.95	May 1970	914,376	210,162.72	14,848	2,969.60
November 1968	751,954	122,192.53	17,799	2,669.85	June 1970	462,331	101,712.82	6,620	1,382.05
December 1968	600,842	97,676.73	10,142	1,521.30	July 1970	437,998	120,959.08	3,817	954.25
January 1969	822,608	164,521.60	18,019	2,702.85	August 1970	144,376	43,312.80	570	142.50
February 1969	789,920	157,984.00	18,082	2,712.30					
March 1969	854,555	170,911.00	19,689	2,953.35	Total, Sept. 1, 1969 through Aug. 31, 1970	8,794,786	1,942,437.26	150,914	30,460.20
April 1969	672,860	134,572.00	15,640	2,981.40	September 1970	701,627	210,488.10	15,023	3,755.75
May 1969	791,341	158,268.20	16,392	3,278.40	October 1970	1,182,114	354,634.20	21,795	5,449.00
June 1969	350,918	70,183.60	5,965	1,193.00	November 1970	1,044,342	313,302.60	14,121	3,530.25
July 1969	267,898	53,579.60	2,348	469.60	December 1970	797,097	239,129.10	12,803	3,200.75
August 1969	43,112	8,622.40	230	46.00	January 1971	1,008,709	302,612.70	13,495	3,373.75
Total, September 1, 1968, through August 31, 1969	7,521,378	1,375,870.23	165,333	26,682.10	February 1971	1,022,897	306,869.10	13,980	3,495.00
September 1969	654,522	130,904.40	17,339	3,467.80	March 1971	1,272,523	381,756.90	16,256	4,876.80
October 1969	999,623	204,442.24	21,374	4,274.80	April 1971	904,065	271,219.50	15,957	5,584.95
November 1969	759,379	167,063.38	12,330	2,466.00	May 1971	914,376	274,312.80	14,848	5,196.80
December 1969	779,601	171,512.22	11,573	2,314.60	June 1971	462,331	138,699.30	6,620	2,317.00
January 1970	903,422	198,752.84	13,714	2,742.80	July 1971	437,998	131,399.40	3,817	1,335.95
February 1970	897,486	197,446.92	16,516	3,303.20	August 1971	144,376	43,312.80	570	199.50
March 1970	937,607	206,273.54	16,256	3,251.20	Total, Sept. 1, 1970 through Aug. 31, 1971	9,892,455	2,967,736.50	149,286	42,315.50

<sup>1</sup> Estimate—based on 1970 passenger figure for month.

SCHOOL TICKET SYSTEM

Our committee is advised that each schoolchild who requires bus transportation gets a form signed by his teacher, stating that he is a bona fide pupil. He must present that form in order to buy a book of schoolbus tickets, either 10 tickets for \$1 or 20 rides for \$2. These ticket books can be purchased either from the D.C. Transit office or from certain banks in the city; or in some instances, they may be obtained at the schools themselves. The child deposits one such ticket in the fare box, of course, when he gets on the bus.

These tickets are counted as they pass through the fare box, and that count is audited by personnel of the Washington Area Transit Commission. There are two such auditors on the premises of the D.C. Transit Co. each day, who conduct at least a spot check on the fare box tallies each day and also check the procedures by which the company keeps track of the school tickets. The school tickets themselves are turned over to the Transit Commission once each month.

Your committee is further informed that the District of Columbia public school system provides these schoolbus tickets free of charge to high school students less than 18 years of age who reside more than 1½ miles from the school but within the school zone, and whose parents have corresponded with the high school principal indicating their financial need for such help.

We are advised that the costs per year of these free ticket distributions have been as follows:

Cost of tickets distributed

School year:	
1968-69	\$60,048
1969-70	278,632
1970-71	250,375

<sup>1</sup>As of Apr. 8, 1971.

In addition, the public school system provides transportation for some 950 special education students, in 53 vehicles owned and operated by the school system. The cost of this operation, however, is in no way involved in the schoolbus

fare subsidy which is the subject of this proposed legislation.

PROVISIONS OF THE BILL

The bill H.R. 6683, provides a 3-year extension to the provisions of the act of August 9, 1955 (69 Stat. 616) as amended by the act of October 18, 1968 (82 Stat. 1186). The bill amends present law (D.C. Code, sec. 44-1214a) by extending the expiration date of the provisions of the section of the year 1974. The Washington Metropolitan Transit Commission will continue, under the proposed extension, to certify each month to the Commissioner of the District of Columbia the number of school fares on which the District of Columbia is to reimburse the D.C. Transit Co. the difference between the school fare paid and the lowest adult fare.

CONCLUSION

On the basis of the experience during the past 3 years and the testimony received at the public hearings, our committee concurs with the views favoring extension of the subsidy expressed by the District of Columbia Commissioner and the Transit Commission. The Chairman of the Transit Commission summed up the agency's position as follows:

Philosophically, we at the Commission believe that the 1968 law places the burden of providing transportation for school children where it properly belongs, on the community at large rather than on only those members of the community who happen to ride the bus. Speaking from the standpoint of the practical result, we can report that the shift of that burden has resulted in substantial benefit to the city's bus riders and to the city itself.

The basic desire of all parties is that the citizens of the District of Columbia continue to receive the best possible transportation service at the lowest possible cost to the user of that service. This bill is designed toward that purpose.

HEARINGS

Public hearings on this proposed legislation were conducted on April 7 and April 30, 1971. Testimony in support of the bill was offered by spokesmen for the

Commissioner of the District of Columbia, the Washington Metropolitan Area Transit Commission, and the D.C. Transit System.

COST ESTIMATES

Our committee is informed that the estimated cost of this legislation, over the 3 years of its existence, will be some \$8,-634,300, based upon present fare levels and general economic conditions.

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

Mr. McMILLAN. I would be happy to yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, would the gentleman say what this subsidy will amount to and whether the bus company in the District of Columbia is already being subsidized beyond the school fare subsidy?

Mr. McMILLAN. Well, as the gentleman from Iowa knows, back in the States and the counties they pay the school children's fare to and from school, but here in Washington they had no such provision until about 3 years ago when we passed this act originally. We are trying to subsidize a part of the fare because we felt that the private bus company should not be required to pay all of the schoolchildren's bus fare. We believe the District of Columbia government would like to subsidize a part of their children's school fare as it has been done for the past few years.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, what will be the total cost of this and what will be the total cost of present Federal contributions?

Mr. McMILLAN. It is costing about \$3 million a year.

Mr. GROSS. In fact, we are paying at the present rate based upon the contribution to the District government about 17 percent; is that correct, or is it more?

Mr. McMILLAN. This contribution is a small amount of what we pay here. I understand that the District government gets around \$500 million under grants. So, this is just a small amount that we pay with reference to the overall contribution.

Mr. NELSEN. Mr. Speaker, for years schoolchildren have been riding the local streetcars and/or buses at a reduced rate and up until 3 years ago the regulatory commission, in effect, charged off the difference between the school fare and the regular rate to the adult riders.

In 1968, Public Law 90-605 provided that under arrangements with the WMATC an amount representing the difference between the total reduced fares paid by such schoolchildren and the regular fare would be paid by the District government. Provisions were set up where school bus tickets were obtained through the school system and the total count was audited by personnel of the WMATC, and upon certification by that commission the District government paid the D.C. Transit Co. for the difference between the school fare and the regular fare each year.

This bill would extend the provisions of this program from August 1971 for a period of 3 years, to August 1974.

The chairman of the city council takes the position on this bill that there is \$18 million due and owing the city government under the franchise agreement for the removal of track on various city streets. It would seem that certainly if there were any sale in the future of the transit company, that would be a factor which would have to be taken into consideration to insure that the city government was credited with the amount due it. The chairman's position will undoubtedly be further clarified when hearings are held on the District of Columbia budget as respects the \$18 million.

The city government, in submitting their proposals on this legislation, requested an amendment to this bill which would permit the Commissioner to reduce the payment to a carrier of schoolchildren with respect to any certification filed by the WMATC in such amounts which would be equal to other amounts due the District from such carrier.

This legislative setoff provision would allow but not require the Commissioner to withhold payment in whatever amount the carrier might owe the District of Columbia government.

Inasmuch as this proposal was made by the District government, I think it important that the matter be clarified for the future. In my opinion, it was the intent of the committee in reporting out this bill that, without such proposed amendment, the District government had the legal authority to effect such setoff now, and the proposed amendment to authorize the Commissioner to effect such setoff was unnecessary. Accordingly, it seems necessary to point out as part of the legislative history of the bill we consider today that the fact that the committee did not act to adopt the recommendation of the District government as respects legislative authority for setoff, the failure of the committee to act should in no way be taken as an indication that the District government lacks such authority. In fact, the converse is true; what the committee is saying is that the District government does not need legislative authority for setoff inas-

much as they have it under existing law.

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

Mr. McMILLAN. Mr. Speaker, at this time I yield to the gentleman from Missouri (Mr. HUNGATE) to call up a bill from his subcommittee.

#### PENALTIES FOR ASSAULTS ON DISTRICT OF COLUMBIA FIREMEN

Mr. HUNGATE. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 5638) to extend the penalty for assault on a police officer in the District of Columbia to assaults on firemen, to provide criminal penalties for interfering with firemen in the performance of their duties, and for other purposes, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 5638

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 432 of the Revised Statutes relating to the District of Columbia (D.C. Code, sec. 22-505) is amended by inserting after "District of Columbia," where such phrase first appears, the following: "or any officer or member of any fire department operating in the District of Columbia."*

Mr. HUNGATE. Mr. Speaker, I move to strike the last word.

Mr. Speaker, the purpose of H.R. 5638, which was requested by the District of Columbia government, is to provide the same criminal penalties for assaults on firemen in the District of Columbia, and for interfering with such firemen in the performance of their official duties, as are presently provided by law for assaults on and interference with police officers in the city.

#### PROVISIONS OF THE BILL

The bill amends subsection (a) of section 432 of the Revised Statutes relating to the District of Columbia (D.C. Code, section 22-505), presently applying to assaults and other interference with police officers and employees of penal and correctional institutions, so as to extend the penalties provided in this subsection to cover such assaults on officers and members of the Fire Department of the District of Columbia and any other fire department operating in the District of Columbia. These penalties are a fine of not more than \$5,000, imprisonment for not more than 5 years, or both.

The harassment of firefighters in the District of Columbia, and the deteriorating climate between the firefighter and the citizen in this city, has become a very real and menacing problem in recent years, and is steadily growing more serious.

In 1965, for example, there were 4,000

false alarms sounded in the District of Columbia; and in 1970, this number rose to 17,000. Our committee is advised that drastic measures are being considered to combat this situation, including the recommended discontinuance of fire alarm boxes in areas of the city which have proved to be particularly perilous to the firemen, and which boxes have been used in recent years almost exclusively for the sounding of false alarms.

Further, this committee has been furnished with a list of more than 100 documented incidents of many types of harassment—including stoning by rocks and bottles, members assaulted on the fireground, engine houses being fired into, and apparatus being fired on while responding to an alarm—which have occurred solely in the area of the city east of the Anacostia River, within a period of approximately the past 3 years. And this list does not comprise the total number of such incidents, but only those of the most serious nature.

Further, while the area referred to above is the section where this problem has been the most prevalent, such incidents have by no means been confined to that location. The fact is that virtually every fire company east of Rock Creek Park has been similarly affected to some degree.

#### NEED FOR LEGISLATION

At the present time, there is no law in the District of Columbia making it a crime to assault or otherwise interfere with a fireman while he is performing his official duties. For this reason, any prosecution for such an offense would presently have to be made under the general statutes relating to assault, disorderly conduct, or rioting. Our committee is advised that these statutes not only do not provide sufficiently severe penalties for assaults on firemen engaged in their hazardous work, but also they are not broad enough to permit adequate prosecution for this most serious offense. For example, the existing statutes referred to would require a direct assault by a person upon a fireman, whereas the provisions of H.R. 5638 would facilitate prosecution also for resisting, opposing, impeding, and interfering with a fireman while in the performance of his duties.

Thus, the problem existing in this area at the present time is not the subject of a specific statute, a condition which the enactment of this proposed legislation would alleviate.

#### HEARING

A public hearing on this bill was conducted on March 29, 1971. At this time, testimony in favor of the measure was offered by spokesmen for the District of Columbia Fire Department, the Commissioner of the District of Columbia, and the North Washington Council of Citizens Associations. No opposition to the bill was expressed.

#### CONCLUSIONS

Our committee feels strongly that the grave problem of assault upon and other forms of interference with firefighters while performing their highly perilous work in the District of Columbia de-

mands the strongest and most effective legislative relief which we in the Congress can enact, and that the same law which provides criminal penalties for such offenses against police officers and officers and employees of penal or correctional institutions in the District should certainly be extended to protect the city's firemen as well. Accordingly, we commend the bill H.R. 5638 for favorable and prompt action.

COMMISSIONER'S LETTER

The following letter from the office of the Commissioner of the District of Columbia expresses the Commissioner's recommendation for the enactment of this proposed legislation:

THE DISTRICT OF COLUMBIA,  
Washington, D.C., March 26, 1971.

HON. JOHN L. McMILLAN,  
Chairman, Committee on the District of  
Columbia, U.S. House of Representatives,  
Washington, D.C.

DEAR MR. McMILLAN: The Commissioner of the District of Columbia has for report H.R. 5638, a bill "To extend the penalty for assault on a police officer in the District of Columbia to assaults on firemen, to provide criminal penalties for interfering with firemen in the performance of their duties, and for other purposes."

At the present time assault on a fireman, or interference with a fireman while he is performing his duties in connection with extinguishing a fire, are not the subject of a specific statute. Prosecutions must be brought under the general assault, disorderly conduct, or rioting statutes. In this regard, it should be noted that there were 33 incidents of assaults against District of Columbia firemen during the calendar year 1970.

H.R. 5638 amends subsection (a) section 432 of the Revised Statutes relating to the District of Columbia (D.C. Code, sec. 22-505 (a)), presently applying to assaults on police officers and employees of penal, correctional, or juvenile institutions, to extend its coverage to officers and members of the District of Columbia Fire Department and any other fire department operating in the District of Columbia. In emergency situations involving interference with firemen in the performance of their duties, prompt and effective enforcement of a statute specifically covering these situations is necessary to prevent widespread destruction of property.

In light of the foregoing, the Commissioner of the District of Columbia recommends enactment of H.R. 5638.

Sincerely yours,

GRAHAM W. WATT,  
Assistant to the Commissioner.  
(For Walter E. Washington,  
Commissioner).

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

Mr. HUNGATE. I am happy to yield to the gentleman from New York.

Mr. GROVER. Mr. Speaker, I want to compliment the gentleman from Missouri for presenting this legislation. Recent events in New York City have indicated the need for this type of legislation in urban areas. I would state that I have a great deal of respect for these men who go unarmed into various sections of urban areas trying to save lives. I think the legislation the committee is sponsoring should be looked into very, very carefully and some of our other urban areas.

Mr. HUNGATE. Mr. Speaker, I thank

the gentleman from New York for his support which has been very helpful.

Mr. GROSS. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, I would like to ask the gentleman from Missouri whether the gentleman thinks these penalties are severe enough?

Mr. HUNGATE. If the gentleman will yield, I will reply that I think they are probably as severe as the courts would impose.

Mr. GROSS. They are probably more severe than the courts would impose, would the gentleman not agree, in view of the way the courts have been performing here recently?

Mr. HUNGATE. I would respond to the gentleman from Iowa by saying that I would just think the penalties are as severe as you could probably get convictions for and sentences for. It would be quite an improvement over the present situation where it is simply a misdemeanor to assault a fireman when he is responding to a call.

I would say further to the gentleman from Iowa, that as I recall our testimony, that we have been reasonably fortunate insofar as the District of Columbia firemen getting shot at, wounded, or serious things of that nature, there have not been so many. There have been a good many cases of throwing stones and bottles, which, of course, we do not want to have, and there was also one case where a fire engine responding to a call was actually burned up.

Mr. GROSS. I wanted to ask the gentleman about that. I think this legislation is a good step in the right direction. I only hope that the courts will provide the maximum penalties under the terms of this legislation.

Referring to the situation of the burned firetruck, and I note the report of the committee also stated that episode occurred at Howard University. I would ask the gentleman from Missouri whether the gentleman's committee inquired into this to find out who replaced the pumper truck that was destroyed by a fire at Howard University?

Mr. HUNGATE. As I recall that, that burden fell on the city government. In other words, they were asked to assume the bill. In that situation it was destroyed there at the university and consequently the government paid for the destroyed truck.

Mr. GROSS. It is my understanding the university did not pay for the destroyed firetruck, although rioting students drove firemen away and then set it afire. That was left to the city of Washington, and I assume the taxpayers across the country got the opportunity to finance 17 or 20 percent of the cost of the replacement, since that is the Government's contribution to the support of the District of Columbia.

Mr. HUNGATE. The gentleman's memory, I believe, is correct, and his statement of the facts is correct insofar as I recall the testimony before the committee by the firemen and others who were there at that time.

I would say to the gentleman from

Iowa that Howard University is perhaps something like Missouri University in that it does not take complete responsibility for all of the acts of its students.

Mr. GROSS. I suspect that if it had occurred at the University of Missouri the students who were responsible would have at least been expelled and the burden of replacing the truck would have fallen upon the city of Columbia, Mo., and no part of it on the Nation's taxpayers. So far as I know no one was ever penalized for burning up the costly firetruck at Howard University.

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

Mr. GROSS. I yield to the gentleman.

Mr. HAYS. Mr. Speaker, I realize that all the gentleman is saying is certainly relevant, I think. But I was reading in this morning's Post, and the Star and Post of yesterday, statements by some commentators about the demonstrators here last week and describing them and they kept calling the demonstrators "our children."

I, for one, resent having old Dr. Spock referred to as "our children." Certainly, I think most Americans would feel the same way. He is a little too old to be called anybody's child in this generation. I doubt if anybody who could have fathered him is still alive.

Mr. GROSS. I thank the gentleman from Ohio (Mr. HAYS) for his observation, and I certainly agree with him.

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

Mr. GROSS. I yield to the gentleman.

Mr. HUNGATE. The gentleman is aware, I am sure, that this committee has no direct oversight over the operation of Howard University and would lament with him any loss suffered by the city.

Mr. GROSS. The gentleman says we have no oversight over Howard University? Congress only put out about \$45 million a year for the operation of Howard University.

Mr. HUNGATE. But that does not pass through the Committee on the District of Columbia.

Mr. GROSS. I am talking about the Congress of the United States.

Mr. HUNGATE. Mr. Speaker, I move the previous question on the bill.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

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

The SPEAKER. Evidently a quorum is not present.

The Sergeant-at-Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 312, nays 0, not voting 120, as follows:

[Roll No. 85]

YEAS—312

Abbutt  
Abernethy  
Abourezk  
Adams  
Addabbo  
Anderson,  
Anderson,  
Calif.  
Anderson, Ill.  
Andrews, Ala.  
Andrews,  
N. Dak.  
Annunzio  
Arends  
Ashbrook  
Aspin  
Baker  
Begli  
Belcher  
Bennett  
Bergland  
Blester  
Blatnik  
Boggs  
Boland  
Bolling  
Bow  
Brasco  
Bray  
Broomfield  
Brotzman  
Brown, Mich.  
Brown, Ohio  
Broyhill, N.C.  
Broyhill, Va.  
Buchanan  
Burke, Fla.  
Burke, Mass.  
Burleson, Tex.  
Burlison, Mo.  
Burton  
Byrne, Pa.  
Byrnes, Wis.  
Byron  
Cabell  
Caffery  
Carey, N.Y.  
Carney  
Carter  
Casey, Tex.  
Cederberg  
Chamberlain  
Chappell  
Clancy  
Clark  
Clausen,  
Don H.  
Clawson, Del.  
Cleveland  
Collier  
Collins, Ill.  
Collins, Tex.  
Colmer  
Conable  
Conte  
Corman  
Coughlin  
Crane  
Culver  
Daniel, Va.  
Daniels, N.J.  
Davis, S.C.  
de la Garza  
Delaney  
Denholm  
Dennis  
Dent  
Derwinski  
Devine  
Dickinson  
Dingell  
Dorn  
Downing  
Dulski  
Duncan  
du Pont  
Dwyer  
Eckhardt  
Edwards, Ala.  
Elberg  
Erlenborn  
Esch  
Evans, Colo.  
Evins, Tenn.  
Fascell  
Findley  
Fisher  
Flood  
Flowers  
Flynt  
Foley  
Ford, Gerald R.  
Fountain  
Fraser  
Frenzel  
Frey  
Fulton, Pa.  
Fuqua  
Garmatz  
Gaydos  
Gettys  
Gibbons  
Goldwater  
Gonzalez  
Goodling  
Gray  
Green, Oreg.  
Griffiths  
Gross  
Grover  
Gubser  
Gude  
Hagan  
Haley  
Hall  
Hamilton  
Hammer-  
schmidt  
Hansen, Idaho  
Harsha  
Harvey  
Hathaway  
Hays  
Hechler, W. Va.  
Henderson  
Hicks, Wash.  
Horton  
Hosmer  
Howard  
Hull  
Hungate  
Hunt  
Hutchinson  
Ichord  
Jacobs  
Jarman  
Johnson, Calif.  
Jonas  
Jones, Ala.  
Jones, N.C.  
Karth  
Kastenmeier  
Kazen  
Keating  
Keith  
Kemp  
Kemp  
King  
Kluczynski  
Kyl  
Kyros  
Landgrebe  
Landrum  
Latta  
Leggett  
Lennon  
Link  
Lloyd  
Long, Md.  
Lujan  
McClary  
McClure  
McCullister  
McCormack  
McDade  
McDonald,  
Mich.  
McEwen  
McFall  
McKay  
McKinney  
McMillan  
Macdonald,  
Mass.  
Madden  
Mahon  
Mailliard  
Martin  
Mathias, Calif.  
Mathis, Ga.  
Mazzoli  
Meeds  
Meicher  
Metcalfe  
Michel  
Miller, Calif.

Miller, Ohio  
Minish  
Mizell  
Mollohan  
Monagan  
Montgomery  
Morgan  
Morse  
Moss  
Murphy, Ill.  
Murphy, N.Y.  
Myers  
Natcher  
Nedzi  
Nelsen  
Nichols  
O'Byrne  
O'Hara  
O'Konski  
Passman  
Patman  
Patten  
Pelly  
Perkins  
Pettis  
Peysner  
Pickle  
Pike  
Pirnie  
Poage  
Poff  
Powell  
Preyer, N.C.  
Price, Ill.  
Price, Tex.  
Pryor, Ark.  
Pucinski  
Purcell  
Quie  
Quillen  
Railsback  
Randall  
Rarick  
Reid, Ill.  
Reid, N.Y.  
Roberts  
Robinson, Va.  
Robison, N.Y.  
Rodino  
Rogers  
Roncalio  
Rooney, Pa.  
Rostenkowski  
Roush  
Roy  
Ruppe  
Ruth  
Sandman  
Satterfield  
Scherle  
Schmitz  
Schneebell  
Schwengel  
Scott  
Sebelius  
Seiberling  
Shipley  
Shoup  
Shriver  
Sikes  
Sisk  
Skubitz  
Slack  
Smith, Calif.  
Smith, Iowa  
Smith, N.Y.  
Snyder  
Springer  
Stafford  
Stagers  
Stanton  
J. William  
Steiger, Ariz.  
Stephens  
Stokes  
Stratton  
Stubblefield  
Sullivan  
Talcott  
Taylor  
Teague, Calif.  
Teague, Tex.  
Thompson, Ga.  
Thompson, N.J.  
Thomson, Wis.  
Thone  
Tiernan

Udall  
Van Deerin  
Vander Jagt  
Vanik  
Veysey  
Vigorito  
Waggonner  
Waldie  
Wampler  
Whalen

Whalley  
White  
Whitehurst  
Whitten  
Widnall  
Williams  
Wilson,  
Charles H.  
Winn  
Wright

Wyatt  
Wydler  
Yates  
Yatron  
Young, Fla.  
Young, Tex.  
Zablocki  
Zion  
Zwach

Mr. Green of Pennsylvania with Mr. Wyman.  
Mr. Aspinall with Mr. Forsythe.  
Mr. Ashley with Mr. Lent.  
Mr. Hanley with Mr. Terry.  
Mrs. Abzug with Mr. Conyers.  
Mr. Cotter with Mr. Mayne.  
Mr. Reuss with Mr. Steiger of Wisconsin.  
Mr. Runnels with Mr. Wylie.  
Mr. Griffin with Mr. Alexander.  
Mr. Galifianakis with Mr. Anderson of Tennessee.

NAYS—0

NOT VOTING—120

Abzug  
Alexander  
Anderson,  
Tenn.  
Archer  
Ashley  
Aspinall  
Badillo  
Barro  
Barrett  
Bell  
Betts  
Bevill  
Blaggi  
Bingham  
Blackburn  
Blanton  
Brademas  
Brinkley  
Brooks  
Camp  
Celler  
Chisholm  
Clay  
Conyers  
Cotter  
Danielson  
Davis, Ga.  
Davis, Wis.  
Dellenback  
Dellums  
Diggs  
Donohue  
Dow  
Dowdy  
Drinan  
Edmondson  
Edwards, Calif.  
Edwards, La.  
Ehleman  
Fish

Ford,  
William D.  
Forsythe  
Frelinghuysen  
Fulton, Tenn.  
Nix  
Galifianakis  
Gallagher  
Gialmo  
Grasso  
Green, Pa.  
Griffin  
Halpern  
Hanley  
Hanna  
Hansen, Wash.  
Harrington  
Hastings  
Hawkins  
Hébert  
Heckler, Mass.  
Helstoski  
Hicks, Mass.  
Hillis  
Hogan  
Holfield  
Johnson, Pa.  
Jones, Tenn.  
Kee  
Koch  
Kuykendall  
Lent  
Long, La.  
McCloskey  
McCulloch  
McKevitt  
Mann  
Matsunaga  
Mayne  
Mikva  
Mills  
Mink

Minshall  
Mitchell  
Moorhead  
Mosher  
O'Neill  
Pepper  
Podell  
Rangel  
Rees  
Reuss  
Rhodes  
Riegle  
Roe  
Rooney, N.Y.  
Rosenthal  
Roussetot  
Roybal  
Runnels  
Ryan  
St Germain  
Steele  
Saylor  
Scheuer  
Spence  
Stanton,  
James V.  
Steed  
Steele  
Steiger, Wis.  
Stuckey  
Symington  
Terry  
Ullman  
Ware  
Watts  
Wiggins  
Wilson, Bob  
Wolff  
Wylie  
Wyman

Mr. Edmondson with Mr. Ware.  
Mr. Edwards of California with Mr. Mosher.  
Mr. Dowdy with Mr. Baring.  
Mr. Mann with Mr. Brademas.  
Mrs. Hicks of Massachusetts with Mr. McKevitt.  
Mrs. Hansen of Washington with Mr. Koch.  
Mr. Long of Louisiana with Mr. Dow.  
Mr. Edwards of Louisiana with Mr. William D. Ford.  
Mr. Davis of Georgia with Mr. Sarbanes.  
Mr. Watts with Mr. Ullman.  
Mr. Brinkley with Mr. James V. Stanton.  
Mr. Pepper with Mr. Scheuer.  
Mr. Kee with Mr. Helstoski.  
Mr. Ryan with Mr. Badillo.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### DISTRIBUTION OF A MINOR'S SHARE IN DECEDENT'S ESTATE

Mr. HUNGATE, Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 2594) 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 exceed the value of \$1,000, and ask unanimous consent that the bill be considered in the House as in the Committee on the Whole.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 2594

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 19 of title 20, District of Columbia Code, is amended by adding at the end thereof the following new section:*

"§ 20-1908. Distribution of minor's share  
"If (1) any person entitled to a distributive share of a decedent's estate is under twenty-one years of age and is not otherwise under a legal disability, (2) such distributive share consists of personal property or money of the value of not more than \$1,000, and (3) there is no duly appointed and qualified guardian for such person—

"(A) if such person is eighteen years of age or over, the executor or administrator may deliver such share to such person and his receipt shall be sufficient voucher therefor;

"(B) if such person is under eighteen years of age, the executor or administrator may deliver such share to the custodian of such person and the receipt of such custodian shall be sufficient voucher therefor."

(b) The table of sections for such chapter is amended by adding at the end thereof the following new item:

"20-1908. Distribution of minor's share."

Mr. HUNGATE. Mr. Speaker, I move to strike out the last word.

So the bill was passed.  
The Clerk announced the following pairs:

Mr. O'Neill with Mr. Betts.  
Mr. Hébert with Mr. Rhodes.  
Mr. Blaggi with Mr. Davis of Wisconsin.  
Mr. Celler with Mr. Hastings.  
Mr. Mills with Mr. Saylor.  
Mr. Podell with Mr. Bell.  
Mr. Gallagher with Mr. Frelinghuysen.  
Mr. St Germain with Mr. Hogan.  
Mr. Rooney of New York with Mr. Halpern.  
Mr. Rosenthal with Mr. McCloskey.  
Mr. Jones of Tennessee with Mr. Dellenback.  
Mr. Holfield with Mr. Bob Wilson.  
Mr. Wolf with Mr. Fish.  
Mr. Brooks with Mr. Archer.  
Mr. Bevill with Mr. Minshall.  
Mr. Barrett with Mr. Johnson of Pennsylvania.  
Mr. Donohue with Mr. Steele.  
Mr. Matsunaga with Mr. Spence.  
Mr. Mikva with Mr. Hawkins.  
Mr. Symington with Mrs. Chisholm.  
Mrs. Mink with Mr. Clay.  
Mr. Rees with Mr. Nix.  
Mr. Roe with Mr. Rangel.  
Mr. Fulton of Tennessee with Mr. Wiggins.  
Mr. Gialmo with Mr. Blackburn.  
Mr. Moorhead with Mr. Hillis.  
Mr. Danielson with Mrs. Heckler of Massachusetts.  
Mr. Blanton with Mr. Kuykendall.  
Mr. Bingham with Mr. Mitchell.  
Mr. Steed with Mr. Camp.  
Mr. Stuckey with Mr. Ehleman.  
Mr. Harrington with Mr. Diggs.  
Mr. Drinan with Mr. Dellums.  
Mr. Roybal with Mr. Riegle.

Mr. Speaker, the purpose of this bill, H.R. 2594, is to facilitate the distribution of a minor's share in the personal property of an estate, whenever such share is of the value of \$1,000 or less, and the minor is not otherwise under a legal disability and does not have a duly appointed and qualified guardian.

Distribution under the provisions of the bill would be made directly to the minor if he is 18 years of age or older, or to his custodian if he is under 18 years of age.

#### REASON FOR LEGISLATION

The reason for the proposed change in law made by H.R. 2594 is to avoid the necessity of creating a guardianship estate for the minor where his inheritance is not more than \$1,000. Experience has shown that the creation of a guardianship for property of this modest value is impractical and expensive. The expenses incurred in opening the estate and administering the estate through the years of minority, together with the attendant formalities of a court-supervised estate, indicate a need for the expeditious and less expensive distribution and management of an interest having a value of \$1,000 or less.

#### PRESENT LAW

Under existing law in the District of Columbia, if at the end of the administration of a decedent's estate any assets remain which are due and payable to a distributee who is under the age of 21, such assets must be paid or delivered to a duly appointed and qualified guardian. This means that the decedent's personal representative must go to court and secure the appointment of a guardian of the minor's estate. In the case of small estates, the cost involved may exceed any ultimate benefit that the minor receives.

Guardianships in the District of Columbia are initiated by the filing of a petition and order. Since most persons are unable to prepare the documents, it is necessary to engage the services of an attorney. Upon appointment, the guardian must qualify by posting a bond. Thereafter, a 60-day report is required, followed by annual accounts until the minor attains the age of 21 years. Any disbursement for the care of the minor can only be made upon order of the court, after a petition therefor has been filed by the guardian. Not only must the surety of the guardian be approved by the court, but the guardian must file an annual report with the court and retain all assets intact until the minor reaches his majority, at which time a final account is filed and distribution is made to the minor.

Under the present procedure in the District of Columbia, our committee is advised, the costs incurred in the case of a \$1,000 guardianship would be approximately as follows: original court costs, \$10 to \$12; initial bond premium, \$10; attorney's fees, \$50; and expenses of travel to the court house. Any additional court costs and fees, if incurred, as for petitions for expenditures or other relief, of course would be deductible. Finally, court costs for auditing the usual accounts would be between \$5 and \$10, plus the annual renewal bond premium of \$10.

#### EFFECT OF THE BILL

H.R. 2594 is intended to eliminate the need for the protracted and expensive procedures referred to above in the cases of personal property in the amount of not more than \$1,000, distributable to a minor. Our committee is well aware that the court costs and other fees referred to could easily render the guardianship estate less valuable at termination than at its inception, despite constant court supervision. Likewise, in many cases, the minor may be either socially, economically, or physically much more in need of his funds during his minority than when he reaches the age of 21.

#### HEARING

The Judiciary Subcommittee of our committee held a hearing on this proposed legislation on April 27, 1971, at which time a representative of the government of the District of Columbia, the Register of Wills of the District of Columbia, and representatives of the Bar Association of the District of Columbia, all appeared in support of H.R. 2594. There was no testimony in opposition to the bill, and no expression has been received by our committee in opposition to it.

#### PRECEDENTS

Informal procedure, such as is contemplated and provided for in H.R. 1594, with regard to handling small amounts of property, is in accord with the modern legal trend, as may be seen by reference to the District of Columbia Code—title 21, section 120—under which a minor may receive up to \$3,000 in settlement of a civil action, without the necessity of the appointment of a guardian of his estate.

In addition, the District of Columbia Code—title 4, section 159—permits the police to dispose of the property of a decedent in his possession without distribution to a court-appointed fiduciary if the value is not more than \$1,000.

Also, such procedure as is provided in H.R. 2594 is in accord with Maryland law—Annotated Codes, new title 93A—which deals with minors' estates.

#### CONCLUSION

It is the judgment of our committee that minors who are distributees of decedents' estates should be treated no differently than minors who receive funds in settlement of civil actions, or in other cases such as are outlined above. Our committee, therefore, urges the enactment of H.R. 2594.

Mr. HUNGATE. Mr. Speaker, I move the previous question on the bill.

The previous question was ordered.

The SPEAKER pro tempore (Mr. Boggs). The question is on the engrossment and third reading of the bill.

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

#### DISTRICT OF COLUMBIA ADMINISTRATION OF ESTATES ACT

Mr. HUNGATE. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 7931) to amend the District of Columbia Code

with respect to the administration of small estates, and for other purposes, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

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

There was no objection.

The Clerk read the bill, as follows:

#### H.R. 7931

*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 "District of Columbia Administration of Estates Act".

SEC. 2. Sections 20-2101, 20-2102, 20-2106, and 20-2107 of the District of Columbia Code (relating to the administration of small estates) are each amended by striking out "\$500" wherever it appears and inserting in lieu thereof "\$2,500".

SEC. 3. (a) Section 15-707(a) of the District of Columbia Code, as amended by section 144(10) (A) of the District of Columbia Court Reorganization Act of 1970, is amended by striking out "Superior Court" and inserting in lieu thereof "court having jurisdiction over probate matters in the District of Columbia."

(b) Section 15-707(b) of the District of Columbia Code, as amended by section 144(10) (A) of the District of Columbia Court Reorganization Act of 1970, is amended to read as follows:

"(b) Where the estate does not exceed \$500 in value the Register of Wills shall receive no fees, and where the estate does not exceed \$2,500 in value the fees may not exceed \$15."

SEC. 4. The last sentence of section 20-2105 of the District of Columbia Code (relating to the administration of small estates) is amended to read as follows: "The Register of Wills may demand and receive for services performed by him under this chapter such fees as shall be set by the court having jurisdiction over probate matters in the District of Columbia."

SEC. 5. Section 19-101 of the District of Columbia Code (relating to the family allowance) is amended—

(1) by striking out in subsection (a) and subsection (e) "\$500" and inserting in lieu thereof "\$2,500" and

(2) by striking out in the third sentence of subsection (a) "\$200" and inserting in lieu thereof "\$600".

SEC. 6. Section 2 of title IV of the District of Columbia Revenue Act of 1937, as amended (D.C. Code, sec. 40-102) is further amended by adding at the end of subsection (d) thereof the following: "When the only assets of a decedent's estate requiring administration consist of not more than two motor vehicles, the Commissioner of the District of Columbia may upon proof satisfactory to him that all debts and taxes owed by the decedent have been paid or provided for, transfer the title to such motor vehicles to the person or persons entitled thereto or their nominee; and in such case, no administration of the decedent's estate, or other proceedings, need be had. In the event that any of the persons entitled to the transfer of title hereunder shall be a minor, the custodian or the legal guardian of said minor may nominate transferees on behalf of such minor."

SEC. 7. Section 20-334 of the District of Columbia Code (relating to the order of preference of persons entitled to administer estates) is amended—

(1) by striking out in clause (3) of subsection (a) "the father shall be preferred; and, where there is no father, the mother shall be preferred", and inserting in lieu thereof "the father or mother shall be preferred"; and

(2) by deleting in such subsection (a), clauses numbered (5), (9), and (10), and

redesignating clauses numbered (6), (7), and (8) as (5), (6), and (7), respectively.

Sec. 8. Section 20-1106 of the District of Columbia Code (relating to the authority of the court regarding sales of realty) is amended—

(1) by inserting in the third sentence immediately after the word "or" the following: ", except where consents have been filed with the court as hereinafter provided,"; and

(2) by adding the following: "Upon a proper showing by the fiduciary of an estate that the personal estate of a decedent is insufficient to meet all of the aforesaid charges and that all or part of the decedent's real estate must be sold to pay all or part of the said charges, the court may order the sale of all or part of said real estate without reference to the auditor, provided all persons who have an interest in the real estate to be sold shall have filed with the court their consents to the sale thereof. In the event a person having an interest in the said real estate is not sui juris, the court may accept on his behalf the consent of a fiduciary duly appointed for the estate of said person, or may appoint a guardian ad litem who shall have the right to file a consent on behalf of said person"; and

(3) by adding at the end of the section heading, immediately following the word "report", a semicolon and "sales without reference to the auditor".

Sec. 9. The item relating to section 20-1106 in the analysis of chapter 11 is amended by inserting immediately before the period at the end of the word "report", a semicolon and "sales without reference to the auditor".

Sec. 10. Section 18-511 of the District of Columbia Code (relating to the appointment of a guardian ad litem) is amended by striking out "shall" and inserting in lieu thereof "may".

Mr. HUNGATE. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, the purposes of the bill, H.R. 7931—which if enacted will be cited as the "District of Columbia Administration of Estates Act"—are to amend the District of Columbia Code to increase the jurisdictional amount for the administration of small estates, to increase the family allowance, to provide simplified procedures for the settlement of estates, and to eliminate provisions which discriminate against women in administering estates.

The bill is the embodiment of legislation which was proposed by the Commissioner of the District of Columbia and recommended for approval by the Congress.

#### SMALL ESTATES ACT

Under existing law dealing with the settlement of small estates in the District of Columbia (District of Columbia Code, title 20, sec. 2101, et seq.), the surviving spouse or minor children of a person who dies leaving an estate consisting only of personal property of a value not to exceed \$500, may petition the probate court for an order which among other provisions, eliminates the necessity of a formal administration of the estate or the probate of a will.

Also under existing law, the person entitled to be preferred in the appointment of an administrator may, in the case of a person who dies intestate leaving an estate consisting only of personal property of a value not in excess of \$500, and there is no surviving spouse or minor child, similarly petition the probate court for an order waiving formal

administration and permitting the expeditious settlement of the estate.

For some time, the Register of Wills of the District of Columbia, and the Bar Association of the District of Columbia, have considered proposals to increase the size of the estate which might be processed as a small estate, thus saving formality, time and money. After prolonged consideration of the problem, they jointly agreed that \$3,000 would be a reasonable amount to fix as the size of an estate which could be handled as a small estate under the Small Estate Act. However, the Commissioner of the District of Columbia, after reviewing the matter, recommended to the Congress that the limit for small estates be increased from \$500 to only \$2,500, and that is the figure contained in section 2 of the reported bill.

Such increase, our committee is advised, is in conformity with the trend of other States; for example, the limit for small estates in some other jurisdictions is as follows: \$5,000 in Illinois; \$3,000 in Ohio; \$3,000 in New York; \$2,500 in Pennsylvania; \$2,500 in Virginia; and \$2,000 in Maryland.

#### FAMILY ALLOWANCE

Present law (District of Columbia Code, title 19, sec. 101) fixed \$500 as the amount of the family allowance to which a surviving spouse is entitled out of the personal estate of a decedent for the personal use of such spouse and any minor children. This same provision also provides \$200 as the maximum amount to which the family allowance may be subjected for the payment of funeral expenses. Also, at present the family allowance is exempt from all other debts and obligations of the decedent.

Since the family allowance is interrelated with the Small Estates Act, both the District of Columbia Commissioner and the bar association recommend that the family allowance be increased to the same amount as the top limit for small estates; namely, from \$500 to \$2,500, and section 5 of the bill so provides. In addition, it is recommended by them, and section 5 of the bill so provides, that the liability of the exempted family allowance for funeral expenses be raised from \$200 to \$600.

The small estates and family allowance provisions were enacted into law by the act approved June 24, 1949 (63 Stat. 269). Our committee agrees with the District of Columbia government that changes in economic conditions since that time have acted to make the present amounts of \$500 unrealistic in terms of present-day values and requirements.

Further, it is the view of your committee that the proposed increase in these jurisdictional amounts to \$2,500 would materially aid in relieving the probate court as well as the Office of Register of Wills of the detailed procedures and time-consuming processes now required in administering estates having assets of more than \$500. Thus, if the reported bill is enacted into law, a greater number of persons will be able to use the relatively inexpensive and expeditious method of winding up the affairs in a decedent's estate, and the increase of

\$2,500 should prove to be of significant benefit not only to the surviving spouse but to the dependent children whose needs are most immediate and pressing.

As indicated, the maximum of amounts as fixed in this reported bill, namely, \$2,500 for both small estates and family allowances, is in line with the maximum amounts in other jurisdictions.

#### TRANSFER OF MOTOR VEHICLES WITHOUT ADMINISTRATION

Section 6 of the reported bill also permits the transfer of title to not more than two automobiles registered in the name of a decedent, without the necessity of formal administration of an estate in cases where the automobiles are the only assets of the estate requiring administration. The bill provides, however, for the submission of satisfactory proof that all debts and taxes owed by the decedent have been paid or provided for prior to the transfer of title to such motor vehicles, and for the protection of the rights of a minor who may be entitled to the transfer of title.

Similar legislation is already in effect in the neighboring jurisdictions of Maryland and Virginia.

#### NO PREFERENCES IN APPOINTMENT OF ADMINISTRATOR

The law at the present time (District of Columbia Code, title 20, sec. 334) prefers a male over a female and a femme sole over a married woman, within the same class, whether the court is required to appoint an administrator of an estate of a person dying intestate. The reported bill provides for the elimination of this preference and creates equality among the sexes in this regard.

#### SALE OF DECEDENT'S REALTY FOR PAYMENT OF DEBTS

Existing law (District of Columbia Code, title 20, sec. 1106) authorized the probate court to require the sale of the realty of a decedent whenever necessary for the payment of funeral expenses, debts, costs of administration, taxes, and legacies. Prior to the approval of the sale of such realty, however, the auditor of the court must have ascertained and reported the debts and legacies, the deficiency of personal assets, and the real estate necessary to be sold for the payment of such charges and legacies.

Sections 8 and 9 of the reported bill eliminate the necessity of a reference to the auditor in those cases where it is satisfactorily shown to the court that there is a deficiency of personal estate to pay debts, expenses, taxes, and legacies. Thus, if a proper showing is made by the fiduciary of the need of such sale, and consents to the sale are obtained from all interested parties—and such interested parties must be sui juris—such sale may be had.

The proposed amendment to existing law is permissive, and should the court or the Register of Wills entertain any question as to the allegations of the parties involved, reference to the auditor would be required in accordance with the present law.

#### DISCRETIONARY APPOINTMENT OF GUARDIAN AD LITEM

Under existing law (District of Columbia Code, title 18, sec. 511) the appoint-

ment of a guardian ad litem (who must be an attorney) is mandatory when an infant or a person of unsound mind is an interested party to the proceedings. The function of the guardian ad litem, of course, is to protect the interest of his ward and to contest the will if he deems it necessary and proper.

Often the appointment of guardians ad litem are not only burdensome and time-consuming but expensive as well to the estates involved, and it is desirable that the appointment of a guardian be made only when the court finds that it is necessary to protect the interest of a ward, rather than in all cases.

Section 10 of the bill as reported amends existing laws to authorize the court, in its discretion, to appoint a guardian ad litem to represent an infant or a person of unsound mind when a will is offered for probate.

By thus permitting the exercise of the court's discretion, the appointment of a guardian may be avoided in cases where it is unnecessary. Examples would be where it is obvious that the interest of the ward is protected by admitting the will, such as first, where a minor or incompetent is the sole beneficiary and hence takes the entire estate and whereas, by intestacy, he would take either less than the entire estate or nothing; or second, where a minor or incompetent takes the same or a greater share by will than he would by intestacy. In such cases, the appointment of a guardian ad litem to advise the court that it would not benefit the ward to contest the will is unnecessary. The estate would thereby save the expense of a fee for the guardian ad litem and the time required by him to file his report to the court.

#### HEARING

The Judiciary Subcommittee of our Committee held a hearing on the proposed legislation on April 27, 1971, at which a representative of the District of Columbia government, the Register of Wills, and representatives of the Bar Association of the District of Columbia testified in support thereof. No testimony was received in opposition to it, nor has any expression been received by our committee in opposition to the legislation.

#### CONCLUSION

In view of the ultimate benefits obviously to be derived from the enactment of this legislation, expedited procedures, savings of time and money, and the fact that the provisions of the reported bill bring up to date local practice and procedures and conform them more nearly to those in nearby jurisdictions, our committee urges the favorable action of the Congress thereon.

Mr. BROYHILL of Virginia. Mr. Speaker, I am pleased to be a cosponsor of the bill H.R. 7931, and to commend it to my colleagues for their favorable action.

The general purpose of this proposed legislation is to simplify certain procedures with respect to the administration of small estates in the District of Columbia, in conformity with the trend in many of the States, and thus to benefit the local courts, the District of Columbia Register of Wills, and the heirs of the decedents themselves.

This bill will amend the District of Columbia Small Estates Act so as to raise from \$500 to \$2,500 the maximum value of an estate consisting only of personal property, in which the surviving spouse or minor children of the decedent may seek and obtain a court order to eliminate the necessity of formal administration of the estate or the probate of the will. This will save formality, time, and money for all concerned. At the present time, the maximum limit for such simplified handling of small estates in my own State of Virginia is \$2,500; and I see no reason why the present unrealistic limit of \$500 should not be raised to that amount in the District of Columbia.

The bill provides also that the amount of the family allowance to which a surviving spouse is entitled out of a personal estate in the District of Columbia, for use on behalf of such a spouse or surviving minor children, be increased from the present amount of \$500 to a limit of \$2,500; and at the same time, the maximum liability of the exempted family allowance for funeral expenses is raised from the present \$200 to \$600. In view of present economic conditions, these provisions are obviously realistic.

It is obvious that these provisions of H.R. 7931 will serve materially to spare the District of Columbia Probate Court and the District of Columbia Register of Wills a great deal of time-consuming and unnecessary work in the administration of estates with assets in excess of \$500. At the same time, the surviving spouse and minor children will benefit through the use of relatively inexpensive and expeditious settling of such estates.

H.R. 7931 also authorizes the transfer of title, without formal administration, to not more than two motor vehicles registered in the name of a decedent upon a showing that all debts and taxes have been paid or secured and that the claimant is the rightful owner of such automobiles. It is provided further, however, that the vehicles must be the only assets of the estate requiring administration.

Present law in the District of Columbia prefers a male over a female, and a single woman over a married woman, within the same class, whenever the court is required to appoint an administrator of an estate. H.R. 7931 will eliminate this preference, and thus create equality among the sexes in this respect.

At present, the District of Columbia probate court has authority to order a sale of real estate of a decedent for the payment of funeral expenses, debts, taxes, administration expenses, or legacies. However, the court cannot order such a sale until the auditor of the court first determines the need for such a sale. This proposed legislation will eliminate this requirement, when a satisfactory and proper showing is made by the fiduciary of the need for the sale, or if consent thereto is obtained from all interested parties. In many instances, this provision will save needless expense and a loss of time.

The final provision of this bill pertains to the appointment of a guardian ad litem to represent a minor or incompetent heir at law, and the next of kin where the will of a decedent is offered for pro-

bate. At present, the law requires the court to make such an appointment, even though in many instances such an act is useless on its face. For example, this is true in cases where the minor or incompetent is the sole heir and thus entitled to the entire estate, or where such an heir takes under the will an equal or larger share of a decedent's estate than he would take if the will did not exist. Under such circumstances, this provision of H.R. 7931 will save the estate the expense of a fee for the guardian and the time required by the guardian to file his report to the court.

I am informed that the District of Columbia Bar Association has been advocating these reforms for several years, and that the Commissioner of the District of Columbia has requested the enactment of this proposed legislation.

The benefits which will accrue from this legislation to the probate court, the Register of Wills, and to the heirs to these small estates are both obvious and substantial. The bill is very much in the public interest, and I urge the support of this body for its passage.

Mr. HUNGATE. Mr. Speaker, I move the previous question on the bill.

The previous question was ordered.

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

#### METROPOLITAN POLICE DEPARTMENT BAND

Mr. HAGAN. Mr. Speaker, I call up the bill (H.R. 2596) 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, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 2596

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to authorize the establishment of a band in the Metropolitan Police force", approved July 11, 1947, is amended as follows:*

(1) The second sentence of the first section of such Act (D.C. Code, sec. 4-182) is amended to read as follows: "The Commissioner is authorized in his discretion to detail officers and members of the Metropolitan Police force and the District of Columbia Fire Department to participate in the activities of such band." The first sentence of such section is amended by striking out "Commissioners" and inserting in lieu thereof "Commissioner". The third sentence of such section is amended by striking out "Commissioners are" and inserting in lieu thereof "Commissioner is".

(2) Such Act is amended by inserting immediately after the first section the following new section:

"Sec. 2. The Secretary of the Interior is authorized in his discretion to detail officers

and members of the United States Park Police force to participate in the activities of the band established by this Act, and the Secretary of the Treasury is authorized in his discretion to detail officers and members of the Executive Protective Service to participate in the activities of such band."

(3) Section 5 of such Act is repealed and section 4 of such Act (D.C. Code, sec. 4-184) (relating to an authorization of appropriations) is redesignated as section 5.

Mr. HAGAN. Mr. Speaker, the purpose of H.R. 2596 is to permit members of the District of Columbia Fire Department, the Executive Protective Service, and the U.S. Park Police force to be detailed by the Commissioner of the District of Columbia, the Secretary of the Treasury, and the Secretary of the Interior, respectively, to participate in the activities of the Metropolitan Police Department Band.

This bill is essentially identical to H.R. 8205 of the 89th Congress, passed by the House on August 22, 1966; to H.R. 831 of the 90th Congress, approved by the House on March 13, 1967; and to H.R. 9551 of the 91st Congress, passed by the House on July 28, 1969.

#### NEED FOR LEGISLATION

Actually, some members of these other forces do participate as members of the Police Department Band. However, since present law does not permit them to be officially detailed to this duty, they must do so without any coverage as to disability compensation which applies when such members are performing their official duties. In short, therefore, while members of all these forces may and do participate as members of the Police Department Band, only members of the Metropolitan Police Department are presently protected against injury or disability incurred while engaged in the band's activities.

It is the opinion of our committee that all members of this band should be adequately protected against injury incurred while engaged in the band's activities. This bill will accomplish this by providing that members of all these forces, when assigned to the police band, will be engaged in official duty and hence will be eligible during such activity for the same disability benefits to which they are entitled when performing their regular duties.

Another present difficulty in connection with members of the District of Columbia Fire Department, the Executive Protective Service, and the U.S. Park Police force, participating as members of the Police Department Band is that they must do so on their own time, whereas the time spent by Police Department members of the band in rehearsals and performances counts as part of their regular work week. Further, if such time is spent outside their regular duty hours, then the Police Department members are entitled to an equal amount of compensatory time off. The provisions of this bill will extend this arrangement also to members of these other forces who participate in the band's activities, so that the time so spent by all members of

the band will be considered as part of their duty hours.

It is the view of our committee that these provisions will have the desirable effect of materially increasing the size of this fine Police Department Band.

#### BACKGROUND

The Metropolitan Police Department Band was first officially authorized by an Act of Congress in 1947, as "a band to perform at such municipal or civic functions and events as may be authorized by the Commissioners of the District of Columbia."

The members participate in this band without extra compensation, though a director is authorized at a salary not to exceed that of a captain in the Metropolitan Police Department.

The Metropolitan Police Department Band presently consists of 20 regularly participating members. By calling upon other musicians in the Executive Protective Service, the U.S. Park Police, and the District of Columbia Fire Department, it is possible to organize a unit of approximately 50 pieces.

#### ROLE OF THE METROPOLITAN POLICE DEPARTMENT BAND

At a public hearing on this legislation conducted on August 1, 1966, our committee was informed that the mission of the Police Department Band is far broader in scope than merely playing at parades, ceremonials, and dedicated for whatever public relations value these may have. While the band does strive, of course, to make a good showing in such highly competitive performances as American Legion Parades and Shriners Parades, of far greater importance to the Police Department, and to the District, is the band's contribution in the fields of community relations, cadet recruiting, crime deterrence, and bringing the true image of the policeman before the District of Columbia citizen of tomorrow.

This portion of the Police Department Band's mission is made possible by an arrangement with the District of Columbia Superintendent of Schools, by which this police band joins with the various high school bands in the city for special assembly programs. Each of these programs requires two 1-hour rehearsals. During these rehearsals and the assembly program itself, the seating arrangement is such that a police musician sits in a group of high school musicians, all playing the same type instrument. Through this experience of common interest and participation in music, the children and the policemen discover a mutual appreciation and understanding of each other, which the Police Department has found to be invaluable to all concerned. These children will be less hesitant and reluctant to call on their new friend, the police bandsman, and their parents will also be more apt to regard the policeman in the light of friendship.

The point is eloquently expressed in a letter addressed to former Metropolitan Police Chief John B. Layton from the principal of one of the senior high

schools in the District. This letter was submitted to this committee in testimony, and states in part as follows:

DEAR CHIEF LAYTON: On Thursday, February 11, it was our pleasure to have the Police Band perform for our student body at an assembly. The students and faculty were quite impressed. It is my belief that this was an excellent bit of public relations. You are to be commended for encouraging and maintaining this group. It is an image of the Police Department we need to encourage just as well as the law enforcement side of the Department. In closing, I would like to again commend you for maintaining and promoting this worthwhile group.

The Metropolitan Police Department Band offers opportunities also to members of these forces with previous musical training to come into its program. For example, the present director has organized a group of District of Columbia police cadets, most of whom had no previous knowledge of music whatever, into a group of drummers. Also he offers private lessons free of charge to any member of the various forces who wishes to learn to play an instrument.

#### CONCLUSIONS

Our committee is of the opinion that this Police Department Band represents a useful weapon in the war against crime in the District of Columbia. Further, we believe that its service in this respect has not been utilized to its fullest extent. Our committee suggests, for example, that this band, as it will expand under the provisions of this bill, might well be sent outside the District of Columbia to perform as an aid to the recruitment program. Such a demonstration to the public that the Metropolitan Police Department offers opportunities for outlets other than just police work could prove a valuable asset, indeed, to recruitment.

The committee recommends this proposed legislation, therefore, to augment the important contribution which this band is making toward alleviating crime in the District of Columbia, and urges that its use be expanded as far as is practicable.

The Commissioner of the District of Columbia recommends that this bill be enacted into law.

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

#### GENERAL LEAVE TO EXTEND

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent that all Members may be permitted to extend their remarks on all District of Columbia bills considered today.

The SPEAKER pro tempore (Mr. Boggs). Is there objection to the request of the gentleman from Missouri? There was no objection.

#### THE ORDERLY PROCESS OF GOVERNMENT

(Mr. CAFFERY asked and was given permission to address the House for 1

minute, to revise and extend his remarks and include extraneous matter.)

Mr. CAFFERY. Mr. Speaker, all persons who value the orderly process of government must condemn the disgraceful events which occurred on the very steps of this Capitol last week. It was a scene most of us thought we never would see, one so fraught with destructive potential that we can only be grateful it was handled so well by police officials. Police restraint was all the more remarkable when you consider their utter exhaustion after so many long and trying days. They deserve our praise and thanks.

Despite the unfortunate and inaccurate picture that it may have given the Nation and the world of the U.S. Congress under siege, we know that not to be true. Indeed, it is a telling measure of the strength of our system that this ragtag army had no more effect. Notwithstanding momentary inconvenience to tourists, staff members, and even to Members of Congress, the work of this body was not impaired. The people of America should know that.

Nevertheless, the events of last week and of the last 3 weeks in the Capital remind us again of that most delicate and persistent problem of a free society: the reconciliation of minority rights with those of the majority.

Protection of individual rights is a tenet upon which this Nation was founded and has flourished. Far from diminishing in priority, the sanctity of those rights is accorded increasing consideration in the operation of this Government.

But some of this Nation's best legal wisdom—most notably that of Mr. Justice Holmes—has established the commonsense principle that in order to remain free and open, a society must carefully balance individual freedoms against the security of other citizens.

This balance is particularly important in a case such as we have witnessed over the last few weeks, where this Government has been confronted by a band seeking less to enforce its own rights than to hinder and destroy the rights of others.

As I watched the mob on the one side and the police on the other, I thought of the meeting in jail between Emerson and Thoreau, after Thoreau had refused to pay his taxes. Emerson said something like, "Thoreau, what are you doing in there?" and Thoreau replied, "Emerson, what are you doing out there?" We pay our money and take our choice.

But somewhere along the line the idea began that civil disobedience in this country meant a carte blanche right for a person to act without risk of penalty; and that calling your group action a "demonstration" or a "protest" invested it with such an aura of nobility and acceptability that participants could escape individual responsibility for individual actions.

American jurisprudence has no margin for vigilante action. We have from the beginning of our country held

fast to the belief that we are a nation of laws above men, and that "might" makes right only when that "might" takes the form of the expression of the will of the majority of the people through legal process.

The same law which governs individual conduct must also govern group conduct or, if you will, mob conduct. When individual identity dissolves into group identity it often assumes a new character. The mob becomes a new creature entirely, operating as one, devoid of the quality of conscience. The mob does not say, "Thus does conscience make cowards of us all." Instead, robbed of conscience, members of the mob quickly lose whatever responsibility they may have felt when acting alone and follow the most base and primitive instincts with destruction as their goal.

Mobbery has no place in a democratic society because it seeks to destroy the very instrument—in this case the Government—which gives it the right to become a mob. Most often the intent is not to change but to destroy. The object is not to persuade but to seize. The goal is not to influence but to annihilate.

Mr. Speaker, among my earliest remarks in this body was a statement almost 2 years ago in support of legislation to prohibit camping on public grounds in the District of Columbia. To my regret, that legislation did not become law. But my endorsement of the proposal sprang from beliefs which I expressed then. After the last few days in this Capital, I am even more convinced of their soundness.

In that speech, I said:

Washington, D.C., belongs to all of the people of this nation. This great city fixes the temper and sets the tone of thinking throughout the land. We must guarantee that all our citizens have access to their government, its agencies and to the public property and grounds wherein these bodies reside. We must hear opinions, we must listen to reason, we must change in many things because the winds of change are upon us, and yet we must be determined that we will stand as firm as an anvil under the hammer. But we cannot, we must not, we shall not permit a breakdown of our laws that would allow any group to usurp the freedom of access that is the right of all the people of this nation. We must all abide by our laws with firmness and reverence.

If the organizers of last week's provocation were seeking to dramatize what a fascist state really is, they must surely have seen themselves reflected in the looking glass. As I stood and observed the confrontation, it was not the weary police officers who reminded me of Hitlerism. Rather, it was in the actions of the mob—frothing madly, scaling the walls, screaming and cursing and chanting and taking off their clothes—that I could sense the dread echo of Auschwitz.

For whatever cause they came, those people who assaulted this building are just as intemperate, just as inflexible as the most repressive dictatorship. More tragically, like a dictatorship, they are declaring by such action that the people do not count, that the people's judgment

in choosing their Government comes to nothing.

This Government has stood, not by responding to the whims of the few, not by acceding to the irrational demands of the mob. It has stood because it places supreme value in law and reason. We can ill afford to forget this.

#### HEARINGS BY SUBCOMMITTEE ON INTERNATIONAL COOPERATION IN SCIENCE AND SPACE

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

Mr. FUQUA. Mr. Speaker, today, there is a growing interest in international activities in space, and in science generally. Since there appear to be new opportunities to promote more extensive cooperative ventures in these fields in the foreseeable future, the chairman of the Science and Astronautics Committee, the Honorable GEORGE P. MILLER, established the Subcommittee on International Cooperation in Science and Space at the beginning of this session of Congress.

As the chairman of this new subcommittee, I have scheduled 3 days of public hearings for May 18 through 20, 1971. The purpose of the hearings will be to conduct a general review of the nature and extent of past and current international cooperative programs in science and space; to determine the functions, activities, and interrelationships of the various Government agencies involved in such programs; to gain perspective on the problems and obstacles which exist and those that are anticipated; and to explore prospects for the future.

Witnesses will appear from the State Department, the National Aeronautics and Space Administration, the Office of Science and Technology, the National Science Foundation, the National Academy of Sciences, the Atomic Energy Commission, and the National Oceanic and Atmospheric Administration.

Mr. Speaker, science traditionally has transcended ideological and political barriers. Moreover, activities in space are intrinsically international, a fact which Congress recognized in the National Aeronautics Space Act of 1958; that act, which created the National Aeronautics and Space Administration, expressly provides that U.S. space activities shall be conducted so as to contribute materially to cooperation with other nations and groups of nations. Pursuing that policy, NASA has conducted our space program openly, and has shared the results with the world at large. Even more important is the fact that we have invited the participation of foreign scientists in many space projects; indeed, the United States has urged other nations to play as significant roles as possible in a cooperative effort.

The record of the past decade includes some 250 agreements under which the United States has launched foreign satellites, foreign experiments have been flown on NASA spacecraft, foreign

scientists have assisted in the analysis of data received from U.S. spacecraft, as well as lunar surface samples acquired from Apollo missions, and foreign nations have helped in the operation of American tracking and data acquisition facilities around the world. This is a record we can all be proud of. Still, it should be recognized that much more can, and should, be done in collaboration with other nations.

NASA's post-Apollo program is currently under discussion between our Government and friendly nations abroad, and we continue in the hope that some form of genuine partnership will prove to be practicable. It is also noteworthy that recently there have been indications of a greater willingness on the part of the Soviet Union to engage in certain limited cooperative space efforts with the United States. I am sure I speak for the other members of our subcommittee when I say that these signs are encouraging, and might possibly represent a new departure toward a more meaningful dialog between our nations.

No one can say with any certainty what the future will hold. But it is clear that the potential of international cooperation is so great that to seek new initiatives, and to explore new opportunities will be worth our best efforts. It is in this spirit that the Subcommittee on International Cooperation in Science and Space will undertake its initial hearings this month.

#### THE HOPKINS COUNTY, TEX., ANNUAL DAIRY FESTIVAL

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

Mr. PATMAN. Mr. Speaker, it is my privilege to represent the leading dairy county in the State of Texas, Hopkins County in northeast Texas. This single county of 793 square miles has a concentration of about 500 dairy farms which together account for over 10 percent of all the milk produced in Texas. Hopkins County produces more than a third of a billion pounds of milk each year with a value well in excess of \$20 million—over twice the production of any other Texas county.

Certainly, no farm commodity is more essential than milk. In my opinion, milk is a strategic material indispensable to national survival. And few farm operations require more time and thoughtful attention than dairy farming—unremitting hard work day in and day out. But despite the amount of effort involved and the rising prices in practically every other part of our economy, the price of milk has actually dropped during the past 10 years—solid proof of the fact that America's dairy farmers are giving the consuming public a square deal.

On May 13, the people of Hopkins County will gather in Sulphur Springs, the county seat, for the annual Hopkins County Dairy Festival—one of the largest attractions of its kind in all of Texas. The people of Hopkins County are justifiably proud of their wonderful dairy industry, and everyone in the

county is to be commended for helping to maintain an atmosphere in which dairy farms and associated industries can grow and prosper.

Mr. Speaker, I proudly call the Hopkins County Dairy Festival to the attention of my colleagues both as a means of paying tribute to the people of the county and of reminding every Member of this House of the tremendous importance of our American dairy industry. Dairy farmers in Hopkins County and throughout the Nation are doing a wonderful job by producing an abundant and economical supply of wholesome and healthful milk for all our people. I am sure that the Congress will follow the lead of the people of Hopkins County by maintaining a national environment in which dairy farms throughout the Nation can continue their important work with ever greater efficiency. Dairy farmers are among the great people of this world, and with proper import laws and farm programs, our farmers will continue to deliver good health to the American people. I know that all of you join with me today in saluting Hopkins County for a job well done, and in wishing its citizens continued growth and prosperity.

#### CONGRATULATIONS TO J. EDGAR HOOVER

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

Mr. KING. Mr. Speaker, today marks the 47th anniversary of J. Edgar Hoover as Director of the Federal Bureau of Investigation. Nothing that I might accomplish today will be more important or will give me greater personal satisfaction than the few remarks I am now privileged to make.

I wish to extend my personal congratulations to one of the great Americans of our time, Mr. J. Edgar Hoover, on his tremendous accomplishments in the field of law enforcement during his past 47 years as the FBI's Director. Little did the Attorney General of the United States, the Honorable Harlan F. Stone, think on May 10, 1924, that the young 29-year-old lawyer whom he had appointed the day before to become Director of the Bureau of Investigation would during the next 47 years change law enforcement from the low position it held in the minds of Americans to a highly respected profession held in high esteem.

His great work in the field of law enforcement affected not only Federal Government law enforcement agencies, but elevated all facets of law enforcement, including State, county, and city.

In the light of the devious campaign that has been waged against this great American during the past few months by ill-advised citizens posing as liberals, I feel it fitting today to mention a few of Mr. Hoover's great accomplishments since 1924.

One of his first moves, after taking over the position of Director, was to establish a Fingerprint Division with approximately 800,000 fingerprints that were on file with the Federal Government and with the International Chiefs of Police

Association. Through his determination he has proved the value of fingerprint identification and the Identification Division now has more than 200,000,000 fingerprints on file. In March 1932, the small son of Charles A. Lindbergh was kidnapped from his home in New Jersey. The collective efforts of FBI Agents broke the case; the kidnaper was apprehended, tried, convicted, and electrocuted for his crime.

Through Mr. Hoover's efforts, the gangsters of the "terrible thirties" were eliminated from their petty thrones of authority. Their power came through murder, bank robberies, and a large variety of crimes which caused a pall of terror to hang over the land until FBI agents fought the criminals in numerous gun battles and conquered them. They fought and killed such gangsters as John Dillinger, "Baby Face" Nelson, "Ma" Barker, "Pretty Boy" Floyd, and others. Mr. Hoover was stung by a Senator's speech that he was a desk-bound police officer and did not go out into the field and make arrests. Mr. Hoover let it be known that he wanted to arrest the next nationally known famous criminal that could be located and he did so on May 1, 1936, when he led the raiding party which arrested Alvin Karpis in New Orleans on that day.

Through Mr. Hoover's efforts, espionage was controlled during war years, and through the diligent efforts of FBI agents, Julius and Ethel Rosenberg were arrested, found guilty, and executed for spying. The FBI solved the Brinks' robbery which involved \$2,775,000 after 6 years of tedious investigation.

The great accomplishments of the FBI continue today just as they have since 1924. It has been an honor and privilege to take a few moments of your time today, gentlemen, to let you and the world know that I respect this great American, J. Edgar Hoover.

#### THE UNITED STATES IN SPACE— INTERNATIONAL COOPERATION AND ACHIEVEMENTS

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

Mr. FREY. Mr. Speaker, in approximately 2 weeks the Congress will be asked to consider the NASA authorization bill for fiscal year 1972. The information I am presenting today represents the fourth article in a series of seven which will discuss the United States in space. It is my sincere hope that this background I am providing will offer my colleagues a fuller understanding of this country's commitment to space—a commitment leading to a better tomorrow.

Today I want to talk about the field of international achievements and international cooperation—two areas in which our space program has had a highly beneficial impact.

I believe most of my colleagues are aware that the National Aeronautics and Space Administration's international activities are based on the National Aeronautics and Space Act of 1958 which provides that U.S. space activities be conducted so that they contribute mate-

rially to cooperation with other nations and groups of nations. NASA's record over the past 12 years in meeting this objective has been nothing less than spectacular.

NASA has entered into some 250 agreements for international space projects; orbited foreign satellites; flown foreign experiments on its spacecraft; participated in more than 600 cooperative scientific rocket soundings from sites in all quarters of the world; and involved more than 50 foreign scientists in the analysis of lunar surface samples.

As a specific outgrowth of this work, consider the following activities. Today data from U.S. weather satellites is provided daily to 50 countries around the world. In another field, major satellite ground stations in a dozen countries have participated in the experimental testing of communication satellites. Earlier work in this area was the forerunner to our present 79-nation Intelsat commercial communication satellite network. And, just as significantly, foreign nationals participate extensively in the operation of NASA's overseas tracking and data acquisition facilities.

In terms of NASA's second major field of endeavor, aeronautics, cooperative aeronautic projects have been carried out with the Canadian, German, and British agencies. This work has contributed importantly to the development and testing of a variety of new and advanced V/STOL aircraft.

From this brief highlight we can appreciate the number and diversity of international projects and agreements to which NASA has been a party. But I also wish to make abundantly clear the benefits both the United States and our cooperating partners have derived from these international efforts.

The results of this work can be evaluated and measured in a number of ways. To me, one of the most exciting aspects of our international programs is that of the cost savings. For example, Canada has assumed total financial responsibility for a series of satellites in the NASA ionospheric research program. Similarly, Germany is today providing financial support on a major solar probe program. Cooperation of a different sort is provided by Brazil, India, and Norway. These countries are responsible for the extensive range support required for sounding rocket projects.

Naturally there are also profound scientific benefits in this field of international cooperation. Over the past few years, NASA has witnessed an amazing increase in the mission sophistication of foreign countries requesting "payload space" on NASA experimental flights. This is a direct result of the foreign experimenters being required to compete with one another in flying their instruments on NASA satellites. Furthermore, we are now seeing an era in which the foreign experiments flown are providing wholly new data. When other countries first joined with NASA to gain launch support, many of the missions were duplicative or of questionable value. More and more, however, experiments such as being flown on the Canadian topside sounder satellites, the Italian atmospheric density satellites, and the German ba-

rium cloud probes represent new and intriguing approaches to scientific experimentation. This and other similar work have contributed to significant advances in the state-of-the-art in balloon technology, remote sensing, spacecraft engineering, and aircraft design.

A very recent example of this Nation's international space cooperation program is the work of the foreign scientific and technical community under NASA's post-Apollo projects—the space shuttle, the space station and the space tug. First, NASA undertook a major international indoctrination program to determine the interest of countries around the world in participating with NASA in these projects. The countries of Western Europe, as well as Canada, Japan, and Australia thus became prime participants in NASA's management reviews to gain the planning information necessary for a decision on committing funds. Presently, under European financial support, British, French, and West German industrial firms are working with NASA's prime contractors in design studies for a space shuttle. As an outgrowth of this work, the European Space and Research Organization is independently funding complementary studies of possible orbit-to-orbit tug designs. It now remains for these and other countries to determine the extent to which they wish to join with the United States in the new space ventures of the 1970's and 1980's.

I, for one, am looking forward to the time when our NASA astronauts will be joined in space by the astronauts from other countries.

It is also significant to comment upon the particular fields of space study which have been chosen by our international partners. Similar to the emphasis we have seen by NASA in applications programs, much of the international activity has also been focused on this area. As I discussed in my previous article on May 6, one of the most far-reaching application ventures is with India. In 1974, NASA will make available the ATS-F experimental satellite to India to conduct an experiment in instructional TV broadcasting to some 5,000 remote Indian villages. Moreover, through our earlier work with this nation, India will assume total responsibility for the construction of ground transmitters, the design and production of augmented TV receivers, the planning of instructional programs, and the complete logistics required to implement and support all elements of the system.

I have also previously discussed the work of NASA in the area of earth resources technology, but that discussion ignored the vast international implications of the program. One example of this international activity is the cooperative project being undertaken jointly by the United States, Brazil, Canada, and Mexico designed to acquaint the international scientific and policymaking community with the potentials of remote sensing. People from these three foreign countries have been trained in remote sensing techniques, have established ground test sites in their own countries, and are acquiring and instrumenting their own experimental aircraft.

In an ever wider range of effort in this

field of earth resources, NASA has begun working more closely with the Outer Space Committee at the United Nations. During this very week, in fact, NASA is holding an international workshop in the field of earth resources in which 51 nations have been invited to gather to review the status of research and experimentation in this new and valuable field.

In still other applications areas, NASA is presently reviewing a proposal to launch a French synchronous meteorological satellite as a joint contribution to the international global research program. Perhaps of more immediate interest is work being done by NASA in bringing together the world's major commercial air carriers to consider implementation of a global air traffic control and navigational satellite system. Establishment of such a system will not only bring greater economies in operation to the carriers, but offer the elements of greater safety and convenience to the individual air traveler.

Finally, one of the major contributions to international peace and understanding will be the cooperative space ventures now being discussed between NASA and the U.S.S.R.

In a recent 5-year plan issued by the Soviet Congress—CPSU—heavy emphasis was put upon accelerating the country's space effort during the 1971-75 time period. Under the plan, Russia will seek to develop more advanced domestic communication satellite systems, earth resources and meteorological satellite systems, in addition to undertaking sophisticated planetary exploration. The Soviet goal was outlined to be the comprehensive exploitation of space technology, the exploration and settlement—where practical—of the planets, the exploration of the moon in greater detail, and the extensive use of earth orbital stations.

However, based upon both the expenditure associated for such an ambitious effort and the similarity of the Soviet space program to that of the United States, Russia, through its Academy of Sciences, has begun to explore the possibility of cooperative efforts with this country. In a recent meeting in Moscow with the then Acting Administrator of National Aero Space Agency, Dr. George Low, the Academy, and NASA agreed to the following areas for cooperation: meteorological satellite systems, meteorological rocket soundings, environmental earth resources satellite systems, moon and planetary exploration systems, and space biology and medical systems. NASA is very optimistic that meaningful agreements can be generated which will permit the United States to join with the Soviets in undertaking programs in these areas.

Certainly, one of the most dramatic proposals to date for a cooperative effort would be a docking between the Russian Soyuz manned spacecraft and a U.S. Apollo command service module. NASA in Houston is presently investigating this as one means by which it could utilize surplus Apollo spacecraft and launch vehicles after the end of the Skylab mission in 1973. The docking mission would be flown in mid-1975. There would appear to be a number of minor

technical problems in such a mission, none of which is insurmountable. The program has been in the discussion stages with the Russians since late in 1970.

In summary, when the United States investigated the possibility of space agreements with the Soviet Union in the early 1960's, the effort produced only a modest exchange of weather pictures. With Russia demonstrating an increasingly impressive capability in space and building confidence in her program, the hope is greater than ever that fruitful cooperative efforts between the Soviet Union and this country can be carried forth.

It is vitally important for this Congress to recognize that NASA has established, through its international programs of the sixties a broad base of institutions, facilities, competence, and patterns of cooperation from which it can move forward in the future. It is engaged in a major new effort to increase international cooperation in the seventies by extending its activities with the other nations of the world, to include participation in the development and use of major new space systems and in the experimental development of new applications of space technology. The NASA objective is also to bring about a greater sharing of both the costs and the benefits of the exploration and utilization of space and to seek new paths of cooperation with the Soviet Union.

As in all matters involving international agreement, progress will take time, but the 1970's should see major advances in international space cooperation far beyond the substantial achievements of the 1960's. Perhaps through such cooperation and collaboration, a greater common understanding can be achieved that will enable us to solve pressing political, as well as technological, problems.

#### DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION J. EDGAR HOOVER

The SPEAKER. Under previous order of the House, the gentleman from Illinois (Mr. COLLIER), is recognized for 30 minutes.

Mr. COLLIER. Mr. Speaker, 47 years ago today, May 10, 1924, Harlan Fiske Stone, the Attorney General of the United States, summoned one of his subordinates to his office and said:

"Young man, I want you to be Acting Director of the Bureau of Investigation."

The young man replied:

"Mr. Stone, I will take the job—on certain conditions."

When asked, "What are your conditions?", he outlined them:

"The Bureau must be divorced from politics. It must no longer be a catchall for political hacks. We must base every appointment on merit. We should make promotions on proved ability only, and the Bureau should be responsible to no one but the Attorney General."

The older man said:

"I would not give it to you under any other conditions."

The young man was J. Edgar Hoover.

Undoubtedly the Attorney General was criticized for appointing a man who was only 29 years old to such an important position, just as President Nixon is today being taken to task for retaining a man who has reached 76.

Many years after the interview with his superior, Hoover told about his most inspiring moment:

I resolved then and there to dedicate my full energies to making the FBI an organization which was efficient at all times, where employment was based strictly on merit, and where political string-pulling could not exist. I knew that only in this way would the FBI win and hold the respect of the people.

Under his inspired and dedicated leadership, the Bureau was soon transformed from a scandal-ridden refuse for political time-servers into a highly efficient organization which is completely independent of politics, with appointments based on qualifications and experience, and demonstrated ability the sole consideration for advancement.

Most people who work for the executive branch of the Government in our Nation's Capital have come here from all over the United States, but John E. Hoover was born in Washington, D.C., January 1, 1895. Members of his family had been connected with the National Government since the early days of our existence as an independent country.

Early in his own Government career, he had a coworker who was also listed on the payroll records as "John E. Hoover." As the story goes, the John E. come-lately agreed to part his name on the side in order to avoid confusion. Perhaps the other John E. Hoover will some day be mentioned in the history books, with a footnote in the chapter devoted to J. Edgar Hoover.

Young Hoover was graduated from George Washington University Law School in 1916 and received his master's degree in law in 1917. His first Government job was with the Library of Congress, where he began work October 13, 1913.

He began his career in the Department of Justice on July 26, 1917, at a starting annual salary of \$990. Later that year he was put in charge of a unit in the Department's enemy alien registration section.

In 1919, Attorney General A. Mitchell Palmer named Francis P. Garvan as Assistant Attorney General in charge of all investigations and prosecutions that dealt with the problem of bomb explosions. As part of Garvan's administrative staff, Palmer established a General Intelligence Division with J. Edgar Hoover, the special assistant to the Attorney General, in charge. Hoover received instructions to study subversive activities in this country in order to determine their extent and what action could be taken in the way of prosecution.

As he studied the backgrounds of the Communists, he soon became aware that a conspiracy, with headquarters in Moscow, was dedicated to the overthrow by force and violence of all non-Communist governments throughout the world,

including our own. It must be borne in mind that the Communists had overthrown the Kerensky regime in November 1917, and shifted the Russian capital from St. Petersburg—Petrograd—to Moscow the following year.

Hoover recognized that the writings of Karl Marx, Friedrich Engels, Leon Trotsky, Nikolai Lenin, and their disciples constituted a blueprint for placing the entire world under Communist domination, not by means of free elections and free choices, but through violence and subversion. He soon realized that the actions of the Communist Party were part of the conspiracy. He has never lost sight of that fact.

On August 22, 1921, almost half a century ago, Hoover was transferred to the Bureau of Investigation as Assistant Director at an annual stipend of \$4,000. Soon after Stone became head of the Department of Justice in 1924, he began looking for the best man to replace William J. Burns, the Bureau's head. He mentioned his problem at a Cabinet meeting.

When the Secretary of Commerce, Herbert Hoover—who was not related to the younger man—returned to his office, he told his assistant, Lawrence Richey, that Stone was searching for an intelligent young man to head the Bureau of Investigation. Richey asked:

"Why should they look around when they have the man they need right over there now—a young, well-educated lawyer named Hoover?"

When the Secretary asked, "You think he can do the job?", his assistant replied, "I know he can." Richey's words have certainly proved to be prophetic.

Three days after young Hoover's appointment, he and the Attorney General agreed on basic policies for the Bureau of Investigation:

First. The Bureau would be a fact-gathering organization, and its activities would be limited strictly to investigations of violations of Federal laws.

Second. Investigations would be made at and under the direction of the Attorney General.

Third. The Bureau's personnel would be reduced as far "as is consistent with the proper performance of its duties."

Fourth. The incompetents and the unreliaables would be discharged as quickly as possible.

Fifth. All "dollar-a-year" men, "honorary" agents, and others not regularly employed would be cut from the rolls.

Sixth. No new appointments would be made without the Attorney General's approval, with preference being given to men of good character and ability who had some legal training.

These instructions gave the Acting Director ample opportunity to carry out his reforms. In a note to Stone, sent 6 days after the latter had appointed him, Hoover said:

I have . . . instructed the heads of the respective Divisions of the Bureau that the activities of the Bureau are to be limited strictly to investigations of violations of the federal statutes under your direction.

During the almost half a century that has elapsed since then, the Federal Bu-

reau of Investigation has followed these instructions. Those who castigate the Bureau, its Director, and its agents for their activities ought to realize that the organization and its employees are only doing the jobs that have been assigned to them by statutes enacted into law by the Congress of the United States. There would be far more reason to complain if they failed to do their jobs.

As the investigative branch of the Department of Justice, the Bureau obtains evidence for use in civil litigation and prosecution of criminal violations of Federal law. It has primary responsibility for the internal security of the United States. It assists all law enforcement agencies in training, identification, and technical matters.

Critics of J. Edgar Hoover and his subordinates, both those who are sincere and well meaning and those who are motivated by questionable impulses, attack the Director and the agents for living up to their responsibilities. Let me briefly outline some of the responsibilities that we and our predecessors in the Congress have lodged in the Federal Bureau of Investigation.

The security and criminal investigations activity includes the Bureau's investigative responsibilities, coordination and maintenance of the data gathered, and maintenance of the Bureau's communications system. Data are disseminated to other Government agencies having an official interest in them. Last year the Bureau received 2,567,373 names for search through its files.

Mr. Speaker, at this point I would like to insert a tabulation showing how the FBI's workload increases substantially year after year:

*Workload volume—Criminal, security, and civil classifications*

Investigative matters received, by year:

1966	718, 850
1967	770, 654
1968	820, 830
1969	859, 666
1970	882, 254
1971 (revised estimate)	990, 000
1972 (estimate)	1, 115, 000

The Bureau's Identification Division is the national repository of identification data based on fingerprint records. Fingerprints are acquired, classified, preserved, and exchanged with other duly authorized law enforcement agencies. Last year the FBI received 7,220,816 sets of fingerprints for handling. As of July 1, 1970, the total number of sets of fingerprints on file was 197,149,252. While the primary purpose of maintaining this tremendous volume is to assist in apprehending criminals, it also serves to help clear the innocent. Fingerprint records are also of great value in noncriminal areas, such as the identification of victims of accidents and natural disasters.

A criminal and scientific laboratory maintained by the agency provides technical and scientific assistance to the Bureau and all duly constituted law enforcement agencies and other Federal agencies which desire to avail themselves of the service. Scientific examinations totaled 384,690 during 1970; although this is an all-time high, a new record will most likely be set this year.

Upon request the FBI will assist in providing various types of training to State and local law enforcement agencies. Many a police officer on the municipal, county, or State level is better qualified because of such training.

Naturally all these activities cost money and lots of it. Total obligations for the fiscal year that will begin in less than 2 months will be \$318,646,000.

While the budget requests for the other departments and agencies of the Government are cut, some of them drastically, the appropriation for the Federal Bureau of Investigation has never been cut—it has frequently been increased.

Fines and recoveries resulting from the Bureau's activities amount to a dollar and a half for every dollar expended. One cannot, of course, put a price on the peace of mind that the American people enjoy because of the knowledge that the Federal Bureau of Investigation is on the job 24 hours a day.

While we are on the subject of money, an interesting sidelight is the fact that Mr. Hoover receives a salary of \$42,500 per annum, the same as that of a Member of either this or the other body. Naturally we in the Congress are aware of the fact that a big part of his pay is withheld for taxes. It is common knowledge, in Washington at least, that he could command a much higher salary outside the Government. What is probably not generally known, however, is that J. Edgar Hoover can retire at full pay at any time he chooses. He is, in effect, donating his services to the Nation and its people.

Mr. Speaker, during my 14 years of service in this body, I have become aware of the great respect that my colleagues have for J. Edgar Hoover. I have, nonetheless, been pleasantly surprised by the overwhelming response to this special order.

Why does J. Edgar Hoover receive such nearly unanimous approval from the people's Representatives? Why does the Agency which he has headed for so many years inspire such overwhelming support from those who control the public pursestrings? Why are FBI agents regarded with such tremendous respect by their fellow citizens?

The best answers to these questions will be found in a personal and confidential letter to all special agents in charge which Hoover wrote in May 1925. In this letter he told them:

I want to bring to your personal attention certain conditions existing in the Bureau in the past and which I do not intend shall continue in the future. . . . I do know that some years past the forces of the Bureau of Investigation did not enjoy the best reputation. . . . I am strongly of the opinion that the only way whereby we can again gain public respect and support is through proper conduct on our part.

I do believe that when a man becomes a part of this Bureau he must so conduct himself, both officially and unofficially, as to eliminate the slightest possibility of criticism as to his conduct or actions.

This Bureau cannot afford to have a public scandal visited upon it in view of the all too numerous attacks made . . . during the past few years. I do not want this Bureau to be referred to in terms I have frequently

heard used against other governmental agencies.

What I am trying to do is to protect the force of the Bureau of Investigation from outside criticism and from bringing the Bureau of Investigation into disrepute because of isolated circumstances of misconduct upon the part of employees who are too strongly addicted to their own personal desires and tastes to properly keep in mind at all times and upon all occasions the honor and integrity of the service of which they are a part.

Many people today, as in the past, have expressed concern about the vast amount of data that have been accumulated by the FBI and the damage that would result if this information reached the wrong persons. Let me reassure these people by quoting what the Director wrote to all employees on February 27, 1925, after a rumor that ex-agents were being given access to Bureau information had come to his notice:

Rumors . . . have come to my attention, that former employees and officials of the Bureau may be able to obtain information of the Bureau's work and activities and may be shown special consideration in their dealings with the Bureau. Such a report, I trust, is without foundation, but I want to make certain that all employees of the Bureau understand fully that there is to be no special consideration shown to anyone whether or not he has been previously connected with the Bureau . . . and, further, that the files, records, and activities of this Bureau . . . are not to be discussed with or disclosed to anyone not officially connected with the Bureau or Department.

Mr. Speaker, I do not worry about the possibility that J. Edgar Hoover or his subordinates will make data in the FBI files available to the wrong people. I do worry, however, about what might and most likely will happen if FBI records are stolen.

Attorney General Stone, who had originally designated Hoover as Acting Director, gave further evidence of his confidence in his subordinate by appointing him Director on December 10, 1924. In a subsequent letter to Young B. Smith, dean of the Columbia University Law School, Stone said:

I took the responsibility of appointing Mr. Hoover as head of the Bureau of Investigation, although many people thought that Mr. Hoover was too young a man, and had been in too close contact with the Burns regime to be given the post. I thought I knew my man, and the event has proved that I was right. I found him responsive to the ideas I held, that efficient police work could be done by men who were not crooks and who did not resort to crooked methods. Mr. Hoover has steadily built up the Bureau.

On January 2, 1932, Stone, who had in the meantime become an Associate Justice of the Supreme Court of the United States, wrote Hoover as follows:

I often look back to the days when I first made your acquaintance in the Department of Justice, and it is always a comfort to me to see how completely you have confirmed my judgment when I decided to place you at the head of the Bureau of Investigation. The Government can now take pride in the Bureau instead of feeling obliged to apologize for it.

J. Edgar Hoover has served under eight Presidents of the United States, four from each political party: Calvin

Coolidge, Herbert C. Hoover, Franklin D. Roosevelt, Harry S. Truman, Dwight D. Eisenhower, John F. Kennedy, Lyndon B. Johnson, and Richard M. Nixon. These men have represented widely varying shades of political philosophy. Any one of them could have replaced Hoover for any reason, good or bad, or for no reason whatever, but all have shown their complete confidence in his qualifications, experience, and character by leaving his undisturbed.

It is interesting in this connection to note that on March 4, 1933, while riding with Franklin Delano Roosevelt from the inaugural ceremonies, Herbert Hoover pointed out to his successor that the FBI had been reorganized and operated on a nonpartisan basis and expressed his hope that it would continue under J. Edgar Hoover's management. The new President promised to look into the situation and see what he could do.

Four months later President Roosevelt decided that Hoover should remain in charge of the Federal Bureau of Investigation. His five successors as Chief Executive have followed his lead.

Both his enemies and well-meaning friendly critics have, through the years of the FBI's existence, been worried about the possibility that it might some day become a national police force. Perhaps some people, who are understandably concerned about the growth of crime and subversion that has occurred during recent years, would welcome the establishment of a national police force.

One of the most vigorous opponents of such a force has been none other than J. Edgar Hoover. As far back as 1936, in a letter to the Topeka Capital, he said:

The Federal Bureau of Investigation believes that the secret of crime eradication lies not in a national police force but in solidarity and the combined linking of all law enforcement agencies. It believes in a close-knit cooperation, each unit capable of handling its peculiar problems but capable also, when necessary, of mobilizing its efforts in a concerted drive against the criminal element of this country.

Hoover has maintained these views throughout his tenure as Director. While holding to his attitude of opposition to a national police force, he has encouraged the elevation of police work from a low-paid job requiring elementary skills to a dignified calling demanding professional training.

He once put his aims in these words:

I want to see our field of activity become a real career, a profession, to which can be attracted the decent, honorable, respectable young men of the country who can go into it as a career and look forward to making something out of their life's work, rather than as a dumping ground, as all too frequently it has been, for some ward politician to use in repaying his obligations to his political party.

The Director laid down these ground rules regarding cooperation between law enforcement agencies:

The FBI is willing and ready to cooperate with all law enforcement agencies. The only exceptions are when officers of the law are corrupt and controlled by venal politicians; when they can't keep a confidence—and be trusted; or when they are so incompetent

that to cooperate with them would defeat our purposes.

The Federal Bureau of Investigation has been just as active in the battle against subversives and traitors as it has in the never-ending war on criminals. Late in 1923, 6 years after the Communists had seized power in Russia, a subcommittee of the Senate's Committee on Foreign Relations asked the Department of State to present its position regarding the recognition by the United States of the Soviet Union. Charles Evans Hughes, the Secretary of State, requested J. Edgar Hoover, then the Bureau's Assistant Director, to prepare the brief for his use on Communist activities in the United States.

Hoover's brief, which was supported by original documents, traced the interlocking relationship and control of the Soviet Union over the Third International and Communist leaders in the United States in the preparation and advocacy of the use of force and violence to obtain Communist ends. Hoover sat with Hughes at the witness table. Their presentation was neither controverted nor denied by Communist leaders in the United States or abroad.

The subcommittee refrained from acting favorably on the Senate resolution to recognize the Soviet Union. It remained for Franklin Delano Roosevelt to recognize the Communist regime in 1933.

J. Edgar Hoover rendered a tremendous service to his country during World War II when he helped to keep the Communist secret police from setting up an office in the United States. Don Whitehead recited the facts in "The FBI Story":

In early 1944, FBI Director Hoover received confidential reports from the Pentagon and the State Department which alarmed him. The reports came from sources too reliable to be doubted and both had the same documented story: arrangements were being made for the Communists' secret police, the NKVD, to set up an office in Washington.

Without prior clearance from the White House, Secretary of State Hull, or the Joint Chiefs of Staff, the Office of Strategic Services had agreed with Russia's Commissar of Foreign Affairs Molotov for an exchange of missions which would permit OSS men to go to Moscow and NKVD men to come to Washington.

Presumably, each agency would act only in a liaison capacity in the interchange of intelligence. But Hoover knew that each country which had tried such cooperation with the Russians had found itself in trouble trying to curb the NKVD's efforts at espionage.

Hoover sent a special messenger to the White House with the following confidential letter dated February 10, 1944, to Harry L. Hopkins, the President's close friend and aide:

"Dear HARRY: I have just learned from a confidential but reliable source that a liaison agreement has been perfected between the Office of Strategic Services and the Soviet Secret Police (NKVD) whereby officers will be exchanged between these services. The Office of Strategic Services is going to assign men to Moscow and in turn the NKVD will set up an office in Washington, D.C. This agreement, I am advised . . . has gone so far that War Department officials now feel they cannot change the program.

"I wanted to bring this situation to your attention at once because I think it is a high-

ly dangerous and most undesirable procedure to establish in the United States a unit of the Russian Secret Police which has admittedly for its purpose the penetration into the official secrets of various government agencies. The history of the NKVD in Great Britain showed clearly that the fundamental purpose of its operations there was to surreptitiously obtain the official secrets of the British Government. I am informed that various other countries where the NKVD has operated have had a similar experience with it.

"I feel that it will be highly dangerous to our governmental operations to have an agency such as the NKVD officially authorized to operate in the United States where quite obviously it will be able to function without any appropriate restraint upon its activities. In view of the potential danger in this situation I wanted to bring it to your attention and I will advise you of any further information which I receive about the matter.

"Sincerely,

"J. EDGAR HOOVER."

Hoover sent a memorandum to Attorney General Biddle advising him of this development. He passed on to Biddle the same warning he had given Hopkins, adding:

"Secret agents of this agency in the United States operating surreptitiously have been engaged in attempting to obtain highly confidential information concerning War Department secrets. I think that the establishment of a recognized unit of the NKVD in the United States will be a serious threat to the internal security of the country."

The "War Department secrets" to which Hoover referred were the secrets of the atomic bomb, which were being guarded in the Army's Manhattan Engineer District.

The Exchange of intelligence missions was blocked by the White House and quietly forgotten by everyone concerned.

It remained for the Rosenbergs and others to steal our Nation's atomic secrets for the benefit of our enemies.

Included among the programs which Hoover initiated to strengthen the Bureau are: the founding of the Identification Division in July 1924; the creation of the FBI Laboratory in November 1932; the opening of the FBI National Academy on July 29, 1935; and the beginning of the National Crime Information Center in January 1967.

The bigtime gangsters of the prohibition era, the kidnapers, the murderers, the bankrobbers, the subversives and enemy agents of World War II, and the foreign and domestic Communists and anarchists of the cold war years have all met their match in J. Edgar Hoover and his force of loyal, courageous, and dedicated agents.

Earlier this afternoon I introduced a bill which provides that the future home of the Federal Bureau of Investigation, now under construction, shall, upon completion, be named the J. Edgar Hoover Building. I invite my colleagues to cosponsor this bill. We have paid tribute to such eminent former Speakers of the House of Representatives as Joseph Gurney Cannon, Nicholas Longworth, and Sam Rayburn by naming the three House office buildings after them, so we would merely be following precedent by naming the new FBI edifice after Mr. Hoover.

Mr. Speaker, I will be delighted to yield to my colleague from California (Mr. SCHMITZ).

Mr. SCHMITZ. I thank the gentleman for yielding.

Mr. Speaker, it is a real privilege to be able to join in this tribute to Mr. J. Edgar Hoover. It is difficult to think of any man who has given so many years of dedicated and outstanding service to our Nation as has Mr. Hoover.

Mr. Hoover has guided the Federal Bureau of Investigation since its inception in a course consonant with the security needs of the Nation. The Federal Bureau of Investigation has a well-deserved worldwide reputation for its efficiency and thoroughness in protecting our Nation from organizations and individuals who seek to destroy our free society.

Chief Justice Vinson made clear long ago the worth of an organization which has within its mandate the protection of our country from those who would attempt to overthrow the duly elected representative Government by force and violence when he stated:

Indeed this (preventing the overthrow of the government by force) is the ultimate value of any society, for if a society cannot protect its very structure from armed internal attack, it must follow that no subordinate value can be protected.

This principle holds true today.

The Federal Bureau of Investigation under the leadership of Mr. Hoover has performed this defensive service for us over the years. We have been able to maintain a free society because we have men like Mr. Hoover who are knowledgeable and dedicated enough to spend their entire lives interfering with the plans of those who would take away our freedoms.

Some people have either become confused as to who is protecting our freedoms and who is attempting to undermine them or they resent the effective job which the Federal Bureau of Investigation is doing. In either case their carping criticism of both the FBI and Mr. Hoover is both unwarranted and generally ridiculous.

It seems that some people even feel that they can get to be President by having a platform which includes dispensing with the services of Mr. Hoover. They will, of course, be rejected out of hand by the voters as rather silly politicians who have mistaken the editorial columns of the New York Times for the pulse of the American people.

We all owe a tremendous debt of gratitude to Mr. J. Edgar Hoover and I would like to thank him for the years of service he has already given to our Nation and wish him the best of health in the many years he has ahead of him as Director of the Federal Bureau of Investigation.

Mr. COLLIER. Mr. Speaker, I yield to the gentleman from Ohio (Mr. DEVINE).

Mr. DEVINE. Mr. Speaker, I thank my friend from Illinois for yielding, and commend him for initiating this tribute to Mr. Hoover.

Today, I am proud to say, marks 47 years in the career of one of America's foremost public servants.

In appraising the worth of a man or an organization, I always take a look at the record. In this particular instance, I can say without fear of contradiction

that the operations of the FBI under the guidance of J. Edgar Hoover are without peer in the field of public service. He took over the reins of a bureau which was mired in mediocrity and plagued by political patronage and elevated it to the pinnacle of success where today it is recognized as the world's foremost law enforcement agency.

Over the years, Mr. Hoover has slugged it out, toe to toe, with the deadly enemies who threaten the welfare and security of our country. During the 1930's, he directed the FBI's hard-hitting attack against the gangsters roaming throughout the country. At the outbreak of World War II, the FBI assumed the responsibility of protecting our Nation against espionage, sabotage, and subversion and became a top-flight intelligence agency. In later years, the godless forces of communism and their efforts to gain headway in our land have been exposed time and again by the FBI. Any threatening element to our fundamental freedoms is an enemy of the FBI.

Mr. Speaker, as one who served as one of Mr. Hoover's FBI agents for nearly 5 years, I can speak from firsthand knowledge and experience.

More recently, Mr. Hoover has brought before the public eye the evil workings of the New Left—in actuality, Marxist-Leninist revolutionaries dedicated to the violent destruction of our society. He has repeatedly warned our young people against the dangers of being influenced and led by these radical groups which openly preach revolution.

In the recent past, many of these groups, and other individuals with high political aspirations, have demanded the immediate removal of Mr. Hoover. Their fabricated charges and wild accusations have fallen flat and have proved to be baseless, doing far more damage to the accusers than to Mr. Hoover. Such tactics, however, are outrageous and a disservice to the country.

During this unreasonable period of harsh and unjust criticism, Mr. Hoover has kept his dignity, and remained staunch and determined in his beliefs. The FBI has continued to discharge its responsibilities with the same high degree of dispatch and thoroughness which has marked its success in the past. In a free society, no one is above the rule of law, and we may indeed be thankful for the eternal vigilance and determination of Mr. Hoover and his associates.

Director Hoover is a tower of strength and a strong force for progressive, efficient public service. He is a man endowed with relentless courage, vision, ability, and profound faith in humanity. He exemplifies the highest ideals and standards of a true American. His accomplishments and career have left an everlasting imprint on the people of the Nation whom he has so faithfully served for many years. With great personal sacrifice, he finds the time and energy to serve, to work, and to lead, shouldering countless responsibilities and burdens with unflinching compassion and grace.

It has been said that courage, loyalty, understanding, initiative, and vision are

the attributes of a great leader. Today, I salute Director Hoover as a distinguished exponent of all these qualities. It is my hope that we may have the continued benefits of his services, and I pray that God grant him strength and health to pursue his arduous duties.

Mr. COLLIER. Mr. Speaker, I yield to the gentleman from Missouri (Mr. HALL).

Mr. HALL. Mr. Speaker, I appreciate the distinguished gentleman yielding and even more his taking the floor on this very special day in the life of a truly great American.

Mr. Speaker, today marks a very special day in the life of a truly great American, the Honorable J. Edgar Hoover, eminent Director of the Federal Bureau of Investigation for the past 47 years.

I say special day, as I believe all Members of this great body and all concerned citizens of this great country should take note of his 47th anniversary—particularly in view of the wake of recent attacks on this dedicated patriot and the organization he has built—unquestionably the top law enforcement agency in the world.

In recent months, we have heard many transparent—yes, even malicious utterances about Mr. Hoover—but when called upon to back up their charges, these critics have failed to produce a single shred of solid evidence.

I am convinced that those—who have seen fit to criticize this truly legendary American, and an organization which has protected the rights and liberties of all citizens—regardless of political affiliation—would have been much wiser to have first examined the record. They would have found a man and an organization which last year reported fines, savings, and recoveries of over \$422 million, a return of \$1.60 for every dollar appropriated for FBI operations; an organization that last year alone obtained 468 convictions of parasites involved in organized crime with more than 1,200 other hoodlums, gamblers, and racketeers involved in organized crime awaiting prosecution as 1970 came to a close; an organization that apprehended more than 32,000 fugitives from justice, including some 2,700 being sought for State and local law enforcement agencies; an organization that afforded assistance in over 9,300 police training schools attended by nearly 300,000 local police officers; an organization that furnished information to State and local law enforcement agencies which enabled them to make more than 800 raids, arrest some 4,400 organized crime figures and seize more than one million dollars worth of currency, contraband and gambling paraphernalia; an organization that efficiently and well within the constitutional bounds of our Constitution, handled many major and delicate criminal investigations with the highest degree of proficiency and excellence in their field.

Yes, Mr. Speaker, I could go on and on citing examples of the greatness of the FBI—which greatness can, in no small way, be attributed to the greatness of its leader—examples which can be backed up by facts.

Today, I take great pride in joining the great bulk of law-abiding citizens in this great land of ours in commending and thanking J. Edgar Hoover and the dedicated men and women of the FBI for their many outstanding contributions to our great Nation. It is my sincere hope that he will continue at the stewardship of the Bureau for many years to come, and that successes, which have become the trademark of the FBI, will increase manifold in the future.

Mr. COLLIER. Mr. Speaker, since the gentleman from Illinois (Mr. GRAY) who is now in the chair presiding wanted to associate himself with the remarks made in the special order previously paying tribute to Mr. J. Edgar Hoover, I want the RECORD to so indicate because the bill which I mentioned will go before the gentleman's committee.

The SPEAKER pro tempore (Mr. GRAY). Without objection, the remarks of the gentleman from Illinois (Mr. GRAY) will appear immediately following the remarks of the gentleman from Illinois (Mr. COLLIER).

There was no objection.

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

Mr. COLLIER. I would be delighted to yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I want to join with my colleagues in commending the gentleman from Illinois for taking this time to pay a well-deserved tribute to J. Edgar Hoover. Few men have served the country longer, and none with greater distinction over such a span of years than Mr. Hoover. May he continue this service.

Mr. GERALD R. FORD. Mr. Speaker, I am pleased to join with my colleagues in honoring J. Edgar Hoover, a great American, as he begins his 48th year as Director of the Federal Bureau of Investigation.

Today we honor the tremendously capable man who at the age of 29 took over a scandal-ridden Government bureau and turned it into a criminal investigation agency renowned the world over. We all know J. Edgar Hoover as the individual who almost singlehandedly revolutionized and professionalized law enforcement in America.

There are those who attack J. Edgar Hoover for his zeal in guarding the internal security of America, his fervor in tracking down Communist subversion. They would have you believe that Mr. Hoover is the destroyer of individual rights, an anticivil libertarian. Yet the truth is that Mr. Hoover was one of the few Americans to vigorously oppose the rounding up and internment of a million Japanese-Americans during World War II. That should be sufficient to establish him as a man concerned about the individual rights of others.

I personally have no fears about electronic surveillance by the FBI. I believe Mr. Hoover when he says the FBI has never "tapped" or "bugged" anyone without the expressed authorization of the Attorney General.

America is lucky to have had the services of J. Edgar Hoover. Under J. Edgar

Hoover, the FBI has become an American version of Scotland Yard—and no greater compliment could be paid to its Director.

Mr. ARENDS. Mr. Speaker, 47 years ago today J. Edgar Hoover became Director of the Federal Bureau of Investigation. For myself, and in behalf of the people I am privileged to represent, I extend to him our hearty congratulations, our very best wishes and a "thank you" beyond measure.

I am glad for this opportunity to acknowledge to him our debt of gratitude and express our admiration of him and continued confidence in him. Under his guidance the FBI has become the most efficient and most respected law enforcement agency in the world. It has been the guardian of our national security and the protector of our free society founded on ordered liberty under law.

No one is more qualified to evaluate the quality of leadership furnished by J. Edgar Hoover, his devotion to country and dedication to public service, than those who served under him. I should like to read a letter which I received from a fellow Illinoisan who had served with the FBI for 23 years. His name is Harvey G. Foster, and he now resides in Park Ridge, Ill.

He wrote me as follows:

PARK RIDGE, ILL.,  
April 16, 1971.

HON. LESLIE C. ARENDS,  
House of Representatives,  
Washington, D.C.

DEAR CONGRESSMAN ARENDS: I have become increasingly concerned with the spate of comments from columnists, Congressmen and others asking for J. Edgar Hoover's removal or retirement from the F.B.I. I spent 23 years in the F.B.I., the last 15 years in charge of various offices around the country. I chose to retire and am very happy with a very challenging second career.

I cite my career in the F.B.I. only because I want to comment, I hope authoritatively, about Mr. Hoover and the F.B.I.

I found Mr. Hoover the most dedicated public official I ever met. He lives for the F.B.I. and for the United States—these are his constant unflagging interests. I found him a superb administrator, a tough disciplinarian and something seldom mentioned, even quicker to recognize and reward outstanding service on the part of the F.B.I. employees.

He bent over backwards to assure that the F.B.I. investigations were impartial and objective and that everyone's personal and constitutional rights were to be considered inviolate. I think he personally is very responsible for leading law enforcement to an early recognition of the necessity for this. He is an able and an exceptional man who has chosen to devote all his energies to a governmental agency and who has made it an agency looked up to and respected by the public and by law enforcement around the world.

I see him criticized as being a publicity seeker for himself and his agency. Certainly he has sought to keep the F.B.I. before the American public, but this is because he was long ago astute enough to recognize that the F.B.I. would rise or fall as an investigative body depending on the confidence the public had in it.

A Law Enforcement agency is dependent on the public for the information it needs to pursue an investigation. If it were un-

known or in discredit, its investigations would quickly reflect this.

I read that he should retire because of his age. I think this should be interpreted in the light of the man. I have seen no lessening of his mental powers and I personally feel that if there were he would be the first to retire. I am interested in efficiency in government as well as economy in government. Mr. Hoover could have retired at full pay some years ago, so actually we are getting his services for nothing. I can't imagine a greater bargain.

I read that he and his organization are suspected of tapping the telephones of some Congressmen. I know from experience that this is absolutely impossible. The F.B.I. scrupulously follows the U.S. Department of Justice regulations on this and there were none made without the express authority, not of Mr. Hoover, but of the Department of Justice for whom the F.B.I. is an investigative arm.

I read that he is not adjusting to the times. How can this be said when both he and his agency have steadily and most successfully adjusted with the times since 1924?

I read that he should have been grooming a successor. Who says he hasn't? But his successor, when that time comes, will be appointed by the President, the Attorney General, and by Congress. Does any one think they would necessarily select a person who had been publicly groomed as a successor? I doubt it.

In summation, I feel that I can attest that Mr. Hoover is an able executive, and administrator with few peers in Government, and I would like to suggest that he is one of the greatest bargains in Government. I would hope that he would be permitted to continue to serve his country with his obvious dedication until such time as he steps down—and that he be supported in this endeavor partially as a reward for long and dedicated service, but more importantly, because in this day of permissiveness that in him we have a dedicated person of integrity in a most responsible position of trust, where permissiveness would be disastrous.

Most sincerely,

H. G. FOSTER.

Mr. SMITH of California. Mr. Speaker, 47 years ago today, a young Justice Department attorney was called to the Office of the then Attorney General Harlan Fiske Stone. Stone spoke abruptly, saying: "Young man, I want you to be the Acting Director of the Bureau of Investigation."

This man was John Edgar Hoover, and he has directed the FBI ever since. But young Hoover's answer to Stone was qualified. He said he would accept the job under certain conditions—that the Bureau must be divorced from politics and not be a catch-all for political hacks; that appointments be based on merit and promotions based on ability; and that the Bureau would be responsible only to the Attorney General of the United States. Stone agreed.

So 29-year-old J. Edgar Hoover took over a floundering, ineffectual, politically controlled organization and built it into the most respected, most effective, most efficient investigative agency in the world.

Writing to the dean of Columbia Law School a few months after appointing Mr. Hoover, Stone said:

I took the responsibility of appointing Mr. Hoover as head of the Bureau of Investigation, although many people thought he was

too young . . . I thought I knew my man, and the event has proved that I was right. I find him responsive to the ideas I held, that efficient police work could be done by men who were not crooks and who did not resort to crooked methods. Mr. Hoover has steadily built up the Bureau.

I do not cite this incident as a lesson in history, but rather as a reminder of the premise under which the FBI has operated the past 47 years under Director Hoover's leadership. Only a dedicated, self-sacrificing, unselfish man could have accomplished this tremendous feat which has given our Nation a feeling of great security for 47 years.

Every agent receives the same training. All must be able to handle every activity over which the Bureau has jurisdiction. Mr. Hoover demands that each agent have a thorough knowledge of the law, be efficient, honest, courageous, courteous, abide by the rules and regulations, and at all times be completely loyal to the Bureau. Every agent knows this from the day that he is sworn in. And almost without exception, every agent performs in accordance therewith. Occasionally one does not, and upon leaving the Bureau, makes critical statements of the Director. In my opinion, such critical statements are solely self-serving in an effort to ease his conscience for his mistake.

One of the reasons for the success of the Bureau is that all agents are held accountable for their mistake. They all know that. But by the same token, Mr. Hoover is as fair and human in his attitude toward each agent as any person could possibly be. Let me cite a few examples.

After completing training school, each agent is assigned to a field office. Usually it is in an area different from his home. This is to help the agent understand that the thinking of people varies in different parts of the country. On this occasion the agent's first assignment was Nashville, Tenn. He was married for 1½ years before becoming a special agent. The assignment to the first office is usually for about 5 months.

Before the assignment, his wife had become pregnant for the first time. She was born and raised in California. She had never been away from her mother. As the months passed, she became nervous and upset over being away from home, and wondering where she might be when her first child was to be born.

Mr. Hoover follows a policy of personally opening and reading every letter when the envelope is marked "Personal and Confidential." The agent wrote such a letter to the Director, explaining the circumstances, and requesting a transfer to California until after the child was born. The following day transfer orders were received sending the agent to Atlanta, Ga. The letters had crossed in the mail. Within 48 hours, the transfer orders to Atlanta were rescinded and the agent was transferred to San Francisco, instead. This was a salvation so far as the mother and the marriage were concerned.

On another occasion, an agent and his wife's second son was born with his third and fourth fingers on each hand

"webbed." There were two bones, but the skin went around both fingers. After having the child examined by 10 of the best plastic surgeons in Los Angeles, one was selected. It turned out that he was the greatest.

The able surgeon stated that it could take as long as 3 years and several operations. The agent wrote a "Personal and Confidential" letter to the Director, explaining the circumstances, and requesting that he be permitted to remain in Los Angeles until the operations were completed. Mr. Hoover permitted him to so remain.

Back in those days, each agent had to qualify 12 times a year in firearms training. Later it was changed to nine times a year because of the difficulties during the snowy winter months in some States to have suitable range facilities. An agent, who had been efficient for years, for some reason or another, developed difficulty in qualifying. Technically he should have been asked to resign because he could not then do everything required of an agent. But rather than do this, Mr. Hoover directed that he not be required to carry a firearm in the future, and that he not be assigned to any cases where a firearm might be necessary. The agent continued to perform efficiently for many more years and has now retired.

Yes, Mr. Hoover is fair and human in his attitude toward each agent. I know whereof I speak, because in the first two instances cited above, I was the agent involved.

I am proud of the Bureau. I am proud of Director Hoover. And I am proud of its record and accomplishments. It is not necessary for me to enumerate these accomplishments—and I could not in this short time that I speak today. The FBI's record speaks for itself. Mr. Hoover's leadership, determination, and devotion to duty speak for themselves.

There are a few of my colleagues who would not agree. There are some who have made grave charges against Director Hoover and the FBI, casting aspersions on the integrity and reputation of this organization and its thousands of employees. They have been refuted—by the President, by the Attorney General, and by the Director himself.

This is not the first time in 47 years that Mr. Hoover and the FBI have been subjected to criticism. And, fortunately for our country, serious-thinking people who hear allegations of "Gestapo," "secret police," and "national police force" hurled at the FBI are not fooled by these epithets.

The recent wave of critical articles, degrading caricatures, and caustic comments about Director Hoover and the FBI are a disgrace to this country. Criminals and subversives at home and abroad most certainly take comfort with each new criticism. What more could enemies of our government ask than to have the FBI—for years America's most revered law enforcement body—belittled in the eyes of the American public?

I believe that when the winds of time have cleared away the fog surrounding these criticisms; when all the facts are in and all the evidence heard; the FBI and its Director will be given a clean

slate and the stigma of recent months removed from this great organization.

As for me, I will keep my faith in the FBI and leave unfounded speculation and rumors to the fuzzy-headed leftist radicals and neoneihilists—and a few egotistical Congressmen and Senators who think the FBI has nothing better to do than eavesdrop on their telephone conversations.

I am privileged to meet and talk with Mr. Hoover on occasions. To those few in and outside of Congress who would like to force him to retire because of age, may I state in all sincerity that he is as mentally alert, and physically well qualified, as any Member in this House of Representatives. In a recent letter to the UPI he stated:

I have no thought of leaving my present position and intend to remain as Director of the FBI as long as I can be of service to the country and my health permits.

He will do just that. When the time comes that he is not, he will, of his own free will, act accordingly.

I regret that someday Mr. Hoover will decide to retire. He has always believed in promoting Agents in the Bureau. There are many who will be able to carry on, but not with the respect and ability that Mr. Hoover possesses. If some politician or bureaucrat is appointed to replace him, the Bureau could well return to the chaotic condition that it was in when Mr. Hoover took over. If so, it will be a catastrophe so far as the future of America is concerned. When Mr. Hoover does retire, I hope that the President will see to it that he is accorded the fullest honors that any American can receive for his long, loyal service to his country.

I salute you, Mr. Hoover, for your many years of devoted public service, and sincerely hope that you will be able to continue for several more years. In fact, outside of my father, you are the finest man that I have ever known.

Mr. PIRNIE. I welcome this opportunity to pay tribute to a man who has served our country with great distinction and dedication, J. Edgar Hoover. This is his 47th year as Director of the Federal Bureau of Investigation—a term of service so distinguished that this recognition is truly merited. His unrelenting persistency and able guidance have made the FBI the efficient security force that it is today. He has served under eight Presidents and 16 Attorneys General since 1924 when, at the age of 29, he became the first Director of the Division of Investigations within the Department of Justice. His pursuit of excellence, characterized in the operation of the Bureau, together with his undivided loyalty, have achieved national recognition. During these troubled times, all Americans can well be thankful that we have been fortunate enough to have this man in a position so vital to our national security. J. Edgar Hoover is a great American and a fine public servant.

Mr. HILLIS. Mr. Speaker, I am honored today to join my colleagues in paying tribute to a great American—J. Edgar Hoover, Director of the Federal Bureau of Investigation.

Our Nation today is facing troubled

times, but this is not the first time that we have had grave problems.

The racketeers in the 1930's, the fifth column operated by the Nazi Party in the 1940's, Communist infiltration in our Government in the 1950's spelled trouble for our Nation.

One man, J. Edgar Hoover, was given the responsibility of protecting us from these troubled times.

And he did his job.

The name G-man was feared by all who were outside the law. Criminals were careful not to commit a "Federal Crime" because that meant the FBI would be called in.

J. Edgar Hoover has long been considered our top law enforcement officer. Today I want to commend him.

I join other Members of the House of Representatives in taking my hat off to this fine official and am saying that he has not only done his job well in the past but am confident that he will in the future.

Our Nation is a free nation.

We have freedoms that many others in other lands do not enjoy.

But we cannot be sure that we would still be living in a free country if it were not for J. Edgar Hoover.

Mr. WAGGONER. Mr. Speaker, it is a privilege to participate in this congressional tribute to a man who so lavishly deserves it, the Honorable J. Edgar Hoover.

There is an old adage about a man being known by the company he keeps, and the older I get the wiser these old sayings seem to get. They are wise, I suppose, because they would not have become old adages unless they had stood the test of time and had proved to be correct. In this context, I would like to preface my remarks with a wondering in my mind as to how those of today's radicals here in this country must feel when they look about themselves and see the company they are keeping when they grow livid with rage at the mention of the FBI and its renowned head. A Communist must feel the same way about the FBI, for it has been his nemesis over the decades. A criminal must have few kind words for the FBI, for it has fought him on a nationwide scale unparalleled by any other organization in any other nation in the world.

A smuggler of dope, a trafficker in prostitution, a blackmailer, a member of the Mafia, an anarchist—all must hate the FBI and J. Edgar Hoover, for they keep his activities at the low level they are.

I do not suggest, of course, that everyone who criticizes the FBI or Mr. Hoover is either a Communist, a dope smuggler, a member of the Mafia, or any other category of criminal. My suggestion is that when one finds oneself on the side of this element of humanity, when one parrots their party line and reacts with the same vehemence they do, it is time to search one's soul and find out why this association exists. There is another old adage that I believe in very strongly, and it is that when you lie down with the dogs you get up with fleas.

But this, as I said, is a preface and a personal observation that is meaning-

ful, perhaps, to me alone and I do not press upon you, my fellow Members, this same philosophy. Each man has his own reasons for the course he takes, however foolish or however sagacious it might be.

In my 10 years of observation of the Federal Government and its departments and agencies, I think I have concluded as anyone would conclude after even a cursory examination of it, that there are some departments and agencies which are efficient, dedicated to their assigned work and of which we Federal servants can be proud. There is also a percentage, and it is a small one, of the Government's subdivisions run by fools, riddled with inefficiency, and a disgrace to any political subdivision. When hundreds of thousands of men and women are employed on any assignment, a certain number of charlatans, mountebanks, incompetents, and leeches will make their way into the system. Hopefully, they are eliminated with the passage of time.

There are some agencies with three-letter names which annually disgorge hundreds of millions of dollars down rat-holes that are bottomless. They are wasteful, scandal-ridden, unproductive, and controlled in every echelon by those who make their sorry living on human misery. For such agencies and for such people I have nothing but contempt.

But, I defy you to find a word of criticism about one of these agencies in the national press from one year end to the next. You will not find it because they deal, in the main, with minorities and few have the courage to criticize, investigate, or prosecute anyone black or white who is connected with a program which is supposed to benefit any minority, for fear of being called a racist.

Yet, these same bleeding hearts, these same liberals, leftists, radicals or whatever you want to call them, scale the walls in their attacks on one of the very few agencies of the Federal Government which has never been subjectively accused of any incompetence, of any corruption or any misdoing, the FBI.

The FBI is not the only agency of this calibre in the Federal service; but it is one of the few. What agency is there that can boast of not only a national but an international reputation as a very model of incorruptibility. Few, if any, other than the FBI.

Yet, the FBI and its head are the targets of the most scathing, prejudiced, unsupported accusations that have ever been directed against any agency of the Federal Government. I wonder why. Some of the critics are merely dupes, but they should ask themselves why they are saying the same thing the Communist Party is saying. They should ask themselves why they are on the side of the Mafia. They should wonder how they got in bed with the dope smuggler, the anarchist, the pimp and the bawd. Surely, if they feel they simply have to criticize some Government agency, there are some more deserving of it than the FBI.

I have no idea that Mr. Hoover is a saint. I have met the gentleman, have talked with him and have observed him

for all my adult life and I have the impression that he puts his pants on in the morning one leg at a time just like I do, and he admits it. I am sure he has made mistakes and I am sure his judgment is not infallible.

I am equally sure that he is undeserving the kind of venom being spewed upon him by the asps who are attacking him today. I am also sure of something else, and that is that the attack being parlayed against him as nothing whatsoever to do with his ability. The attack is against what he and the FBI represent: the protection and preservation of law, justice, and order in the Nation. If Mr. Hoover were to resign tomorrow, the attacks would not cease; they would simply change in their emphasis. Because those who want to get rid of J. Edgar Hoover want to get rid of what he epitomizes.

If there is any presidential candidate or any political party foolish enough to make Mr. Hoover an issue in the forthcoming presidential campaign, they are in for a rude awakening. They will find that the only people who support J. Edgar Hoover and the FBI are the people of the United States.

I hope my words reach the ears of this great man and that he understands as personally as I do that there is no desire on the part of the people for him to resign; there is no subjective criticism of the way he has run his agency. There is nothing but honor and respect and admiration for what he and the FBI have done in the face of hostile courts, deluded followers of subversives, the dupes of radicalism and the foolishness that manifests itself when political sensationalism lures the thoughtless on.

I sincerely trust that he will not consider for a moment tendering his resignation under this harassment from the left because it is the surest sign that could possibly be manifested that he is doing his job and doing it superbly.

As I said at the beginning, a man is known by the company he keeps. I can think of no man with whom I could walk with greater pride than J. Edgar Hoover and I will keep his company as long as he will stay on the job.

Mr. CLANCY. Mr. Speaker, on May 10, 1971, we mark a most memorable event, the celebration of the 47th anniversary of J. Edgar Hoover's directorship of the FBI.

This remarkable man has built a remarkable organization, firmly founded on the rockbed of positive accomplishment, not suspended in midair like so many of the spurious and petty criticisms recently directed his way.

Appointed in 1924 by Harlan Fiske Stone to clean up and revitalize an inept and ineffective organization wallowing in public contempt, J. Edgar Hoover did his job fantastically well, so well that his lasting place in our history as one of America's most selfless and successful public servants is forever established.

After cleaning house thoroughly and establishing employee character and ability criteria of the highest order, he zealously undertook an all-out war with the forces of crime and subversion, faithfully demanding in all investigations strict adherence by all of his Bureau's

employees to America's cherished constitutional guarantees.

His pioneer inauguration of such milestone successes as the FBI Laboratory and the FBI National Academy, both designed to soundly elevate the professional standards of local law enforcement, attest to his foresight and wisdom.

His noteworthy dedication to truth and justice, which has sometimes irritated those with a lesser devotion to these principles, has characterized the FBI under his dynamic leadership and supplied the spirit behind the Bureau's living motto, "Fidelity, Bravery and Integrity."

In proudly saluting this great American today I would sincerely ask my distinguished colleagues to recall what J. Edgar Hoover and the FBI have meant to our beloved Nation for these past 47 years and to contemplate the basic guideline established in 1924 when this courageous man took on an overwhelming challenge—that the Bureau would be strictly divorced from politics. Let us resolve to maintain this happy estrangement and thus continue the highly successful formula which has distinguished the FBI as a thorough, objective, impartial and nonpolitical investigative agency, diligently serving all citizens.

Mr. BURLESON of Texas. Mr. Speaker, I rise to join in tribute to Mr. J. Edgar Hoover on the occasion of his 47th anniversary of service as Director of the Federal Bureau of Investigation.

Mr. Hoover is the FBI. Under his resolute direction the FBI has kept the security of this Country and all Americans owe a debt to the long and dedicated service he has rendered.

In 1917 J. Edgar Hoover was a 22-year-old lawyer who became Assistant Attorney General. Seven years later the Attorney General at that time, Harlan Fiske Stone, appointed Mr. Hoover as Director of the Bureau of Investigation. He was directed to reconstruct the Bureau "According to the highest ethical and executive standards and remove all actions from partisan politics." He was instructed to remove from the Bureau any man as to whose character there was any ground for suspicion. Mr. Hoover withdrew the Bureau from all extra-legal activities and made it an efficient organization for the investigation of criminal offenses against the United States.

Mr. J. Edgar Hoover has had the highest confidence of eight Presidents.

It was a personal privilege for me to serve as an FBI agent under Mr. Hoover and I salute him on the quality of service he has rendered for these 47 years.

Mr. MYERS. Mr. Speaker, it is my pleasure to join with my colleagues of this body in reminding that today marks the 47th anniversary of distinguished service by the Director of the Federal Bureau of Investigation, the Honorable J. Edgar Hoover. Today, perhaps more than at any other time in our Nation's history, we are thankful for the contributions that this man has made. In his personal strength of character; indefatigable, indomitable spirit; and unswerving allegiance to the principles of justice we have witnessed an unparalleled record of service to our country.

Since the day that he took over the office of Director, he has built and maintained the FBI as the most outstanding law enforcement agency in the world. His dedication and vision saw the creation of a Government institution that is unequaled in concepts of duty, honor, and service. The FBI is truly the shadow of the man. Through his foresight the Bureau from the outset of his leadership was divorced from political control or influence. Ability, performance, and merit are the only stepping stones to advancement in the FBI. The highest positions are filled with individuals who have risen through the ranks. There is a career service of dedicated employees who are imbued with a feeling of pride in the performance of their duty.

"Fidelity, Bravery, and Integrity" is the motto of the Federal Bureau of Investigation and how steadfastly these principles have been maintained is indeed a moving tribute to J. Edgar Hoover. No other individual or institution in our Nation's history can match the zeal, devotion, and unexcelled pursuit of perfection that so characterizes the FBI and its legendary director. The late President Kennedy may well have had J. Edgar Hoover's example in mind when he challenged the American people to think not of what their country can do for them, but rather what they could do for their country.

His contributions to law enforcement are beyond estimation in value. He is responsible for the concept of professionalism in police work. The FBI national academy which annually trains selected police officers from the United States and foreign countries is but one example of his genius. Mr. Hoover realized that a professional level of police work could only be achieved through a nationwide corps of highly trained officers. The national academy was established to provide the most up-to-date training available. Those who attended the Academy would in turn pass on the benefit of their experience to the other members of their various departments. The fact that many of these graduates of the national academy are in the highest positions of their departments serves to highlight the success of this endeavor. Professionalism, training, cooperation, and dedication to duty coupled with knowledge, courage, and integrity characterizes the spirit of the national academy and its graduates.

Today when the spirit of America is so dangerously challenged by many who seek to destroy our most hallowed institutions, we are certainly not surprised to find Mr. Hoover as a target. Those who seek his removal would likewise prefer the FBI to be responsive to their whims and views of the way things ought to be. They know in him they have a person beyond their influence and one who holds no sympathy for their desecration of our noble concept of representative government. Mr. Hoover by his personal courage and recognition of duty is the antithesis of what those who only wish to destroy can show as a standard. The American public is indeed grateful for the service of this great man. The overwhelming majority of our citizens recognize and deeply appreciate the sac-

rific and tribulation that he has withstood to maintain his stand against the forces of crime and subversion. His conduct has set standards of public service which are practically impossible to emulate.

It is in the Nation's best interest to look forward to his continued direction of the FBI, and it is my personal wish, as well as, that of millions of proud Americans, that we may enjoy the benefit of his influence for many years to come.

Mr. CHAMBERLAIN. Mr. Speaker, in the course of our nearly 200 years as a Nation, the United States has been blessed with many leaders steadfast in the defense of the principles on which the country was founded. For the past 47 years, such a man, J. Edgar Hoover, has headed one of the most sensitive agencies of our Government, the Federal Bureau of Investigation.

Mr. Hoover's career as the Nation's No. 1 G-man has been no accident, but rather a most impressive record of achievement by a man of impeccable character. Since taking over the Bureau on May 10, 1924, Mr. Hoover has gradually built his agency into the most effective, honest, and tough crimefighting force in modern times.

In light of this brilliant record it is most ironic that in recent years the FBI, and Mr. Hoover in particular, have come under increasing criticism. FBI offices have been plundered of their confidential files, which have then been distributed in an attempt to prove that the FBI is carrying on police-state activities. Some critics of the Bureau have decried the attendance of FBI agents at public meetings. Yet these same people who criticize FBI surveillance techniques today were some of the loudest critics of the FBI after President Kennedy's assassination in 1963.

And now recently, unable to come up with a better reason, critics of the hard hitting and incorrigible Mr. Hoover have begun pointing out that the Director is getting too old to adequately handle his responsibilities. And while I might agree in principle to a mandatory retirement age for public officials, I am wondering why Mr. Hoover alone faces such a challenge. Strangely, there are at this very time Supreme Court Justices, Senators, and Members of the House of Representatives who exceed Mr. Hoover in age; yet no one has demanded their resignation.

In every sense of the word, J. Edgar Hoover has been an eminent protector of the American way of life and our system of free government. His continued tenure in office should not be dependent upon the rancorous clamor of an ungrateful minority element. And certainly his retirement should not be occasion for rejoicing and relief, but a solemn thanks from a Nation well served.

Mr. MAYNE. Mr. Speaker, I am pleased to join with my colleagues in paying tribute to a dedicated civil servant, J. Edgar Hoover, upon this 47th anniversary of his service as Director of the Federal Bureau of Investigation.

Probably no man since Sir Robert Peel, who reorganized the English police in the early 1800's, has contributed so much

to the improvement of law enforcement as has Mr. Hoover. His dedicated hard work and genius has developed the fledgling Government Agency, over which he was given command in the 1920's, into the highly respected, complex, and modern law enforcement and investigative arm in which we can all justly take pride.

Under his genius and leadership, the Bureau has constantly kept abreast of the changing scene, meeting the various challenges from subversive and criminal elements alike. Long before the Miranda decision, Director Hoover required special agents of the FBI to fully advise suspects of their rights, including the right against self-incrimination. The Bureau has pioneered in the full use of science and technology in the war against crime, and has shared its know-how with State and local law enforcement agencies and those of many foreign countries. With vision and foresight, the Director has crusaded for improvement of all law enforcement techniques. The FBI's National Police Academy has trained thousands of fine law enforcement officers on State and local levels, long before the present law enforcement assistance programs were enacted.

Despite difficult times and pressures from every side, J. Edgar Hoover's stern adherence to the highest ethics and principles has continued to insure the integrity of the Bureau. His demands upon special agents and other Bureau personnel are great, but no greater than the demands he makes upon himself. Under his leadership, the words "Fidelity, Bravery, Integrity" have become more than just a motto. They are the qualities which the Nation expects and knows it will receive from Mr. Hoover and every officer and employee of the Federal Bureau of Investigation.

America owes a tremendous debt of gratitude to J. Edgar Hoover. All Americans can be grateful for the example he provides to all hard-working, dedicated, and loyal public servants everywhere. I am proud to have had the honor and privilege of serving under his leadership as a special agent of the FBI before my service in the Navy in World War II. I urge all my colleagues to join in recognizing the achievements of this great man on this 47th anniversary of his directorship.

Mr. WYDLER. Mr. Speaker, I fully support the Federal Bureau of Investigation and its Director, J. Edgar Hoover. I make this statement because an unusual campaign with political overtones has been started to discredit the best agency in the Federal Government and to force its director to resign.

The FBI is the best run, most effective, least political and most respected of all law enforcement agencies, not only in the United States but in the world. Most of the credit for that belongs to J. Edgar Hoover—its longtime director. It is molded in his image, one of dedication to country and high standards of performance.

Suddenly, there is a small, loud and orchestrated cry for his removal. It is centered in the Democratic Party and particularly in its "liberal wing."

Recently some Congressmen have stated they "feared" their telephone calls were being listened to. No one knows why they feared this. On the basis of this guesswork they asked for an investigation of the FBI. To date no evidence has been presented that any phone was tapped, much less that the FBI was involved.

Apparently it is now enough to fear something to investigate the fear. That would be a ridiculous basis for any investigation. It is really a mere device to "get" the FBI.

The thrust against the FBI is centered in the protest groups fighting our country's policy in Vietnam. Stealing of thousands of FBI documents and making them public has done something the agency avoids—giving publicity to investigation. For example, I have been the subject of FBI investigation many times in my life as they checked into my background. Such investigations are in the national interest and I welcome them.

Cries for a total investigation of the FBI based on the "fears" of some is self-serving nonsense. Even more nonsensical is the cry that J. Edgar Hoover, age 76, is too old and that he and his agency should be investigated by the Judiciary committee, whose chairman, EMANUEL CELLER, is age 83.

Those who commit crimes must be investigated and prosecuted. They cannot be exempt because they hold public office nor because they claim a kind of immunity since their crimes are part of political dissent.

I urge every American to back the FBI. The great agency deserves such support on the merits of its service to our Nation.

Mr. ICHORD. Mr. Speaker, I join with many of my colleagues today in paying tribute to Mr. J. Edgar Hoover on the 47th anniversary of his dedicated service as Director of the Federal Bureau of Investigation.

The job of being Director of the FBI is probably one of the most trying and most difficult in our society. In handling this exceedingly difficult task, in performing the countless jobs that society directs him to do, in carrying out the tremendous responsibilities that are imposed upon him, Mr. Hoover has acted at all times as a highly efficient and professional law enforcement official. His character, his life, and his dedicated service has helped to maintain the great ideals and traditions of the FBI and to elevate this organization as the most faithful and dedicated law enforcement organization in the world.

In a free society the law is supreme and the FBI and law enforcement agencies are living symbols of the freedom shared by all. The FBI, under Mr. Hoover's leadership, have long enjoyed respect as an efficient law enforcement agency. Mr. Hoover sees to it that FBI agents receive excellent training and that they do their job in a thorough, competent, and highly professional manner. Mr. Hoover's record speaks for itself. He has much to be proud of. His good reputation is the result of public confidence—a confidence that grows only after years of sustained accuracy, objectivity and sound ethics. Mr. Hoover's lifetime of de-

votion to the safety and security of this Nation has been an inspiration to all responsible citizens.

I do not mean to imply that we must look at Mr. Hoover with sanctimonious reverence and deem him too sacred to be criticized. Not at all. It is through constructive criticism that we all do a better job in any particular assignment. While a few in this body have recently questioned the aggressiveness of Mr. Hoover in the FBI's constant battle with the evil forces of crime and subversion, I have never heard any Member question Mr. Hoover's sincerity or his dedication to duty.

Yes, Mr. Speaker, we are indeed fortunate to have a man of Mr. Hoover's stature at the helm of the FBI, and on this the 47th anniversary of his service as Director of the FBI, I extend to him my sincere congratulations for the outstanding job he has done over the many years. There is really very little that I can add to the words that have been spoken and written in praise of Mr. Hoover. He is one of the great men of the century and his name will forever be inscribed on the rolls of great Americans.

Mr. MONTGOMERY. Mr. Speaker, I commend my esteemed colleague, Congressman COLLIER, of Illinois, for requesting this special order today and providing the Members of the House an opportunity to pay tribute to a truly great American, J. Edgar Hoover.

When I think of law and order, I immediately think of J. Edgar Hoover because his name has been synonymous with America's fight against crime for almost 50 years. Since May 10, 1924, Mr. Hoover has been head of the Federal Bureau of Investigation. Under his leadership and devotion to duty, the FBI has become preeminent among crime fighting agencies in the world. I know of no other man or woman who has been more zealous and meticulous in upholding the Constitution of the United States and protecting those rights guaranteed to all Americans under our Constitution.

Even though Mr. Hoover has always credited former Chief Justice Harlan F. Stone as the father of the FBI, I personally believe Mr. Hoover is deserving of this title. To tell the story of the FBI is to recite history of men and women seeking to make America more secure. It is a story of a long line of citizens who form a solid front against crime. Leading this long line for the last 47 years has been J. Edgar Hoover.

Because the outstanding career of J. Edgar Hoover and the history of the Federal Bureau of Investigation are so interwoven, it is impossible to discuss one without discussing the other.

Four of the innovations introduced by Mr. Hoover which have made the FBI history's greatest investigative agency are the fingerprint identification unit in 1924, the crime laboratory in 1932, the FBI National Academy in 1935 and the National Crime Information Center in 1967. Each of these has contributed greatly to America being able to bring the lawless to the bar of justice and to clear the good name of the innocent.

Many people tend to forget that the FBI's crime detection facilities, such as

the laboratory, are used almost as often to prove the innocence of suspects as it is to obtain an air tight case against the guilty.

There has been much criticism lately of Mr. Hoover and the FBI by a vociferous minority. I feel this criticism is unfounded and is the result of hopeful presidential candidates grasping for false issues in hopes of winning a handful of votes.

They falsely accuse Mr. Hoover of being a dictator and running a national police force. Nothing could be further from the truth. The FBI is a factfinding organization investigating violations of Federal laws and its authority is strictly limited to matters within its jurisdiction. I might add that we in the Congress have provided the FBI the jurisdiction within which it operates.

Another fact: Fifty-two percent of the special agents have 10 years or more of service. And yet another fact: The Gallup poll in mid-1965 asked a cross-section of Americans: "If you had a son who decided to become an FBI agent, would you be pleased or displeased?" The poll reported that 77 percent of the persons questioned said they would be pleased. I have a very strong feeling 100 percent of the American people would have registered pleasure if it were not for the fact they were concerned for the well-being of their sons because of the daily dangers an FBI agent faces.

Can we actually be led to believe the FBI is a national police force in any shape, form, or fashion when over three-fourths of the American people consider it a promising and worthwhile career for their sons? Can we be led to believe Mr. Hoover is a dictator in any shape, form or fashion when over half of his special agents of their own free will have worked under him for 10 years or more?

I say definitely not. The people of America will not allow themselves to be intimidated into believing the babbling of the leftist element of our Nation. And I most fervently hope Mr. Hoover will not be intimidated into retiring.

Mr. Speaker, thus far I have dealt mainly with Hoover the FBI Director. But there is also Hoover the man—a man of great compassion and understanding who has always taken a personal interest in his fellow FBI agents and their families. Mr. Hoover is a very warm individual in spite of the impression you may receive from the Eastern press. He has a great concern for people. He does a lot of things for people that nobody hears about, because that is part of his makeup, the way he is. If someone in the Bureau becomes sick or is in need, Mr. Hoover personally takes steps to see that he or she is taken care of.

I realize the time of my colleague is limited. Therefore I will bring my remarks to a close, although I would much prefer to continue because there is so much more I have to say in praise of and tribute to J. Edgar Hoover.

Mr. Speaker, I know of no more fitting tribute to pay Mr. Hoover than to say he is truly an American's American and may he serve for another 47 years.

Mr. FISHER. Mr. Speaker, it is most appropriate that public acclamation be

accorded J. Edgar Hoover on the occasion of his 47th anniversary of distinguished service as Director of the Federal Bureau of Investigation.

It is unfortunate that this occasion should have been preceded by a rash of irresponsible criticisms of the FBI and its Director—however puny and irrelevant the charges have been.

In fact, most of those critics appear to be apologetic about what they say. I heard one prominent faultfinder in a network television appearance lodge his protest in words to this effect: "Mr. Hoover is a great American. His official record is unblemished. He has been a truly great leader, and both he and the FBI have contributed immeasurably to the cause of law and order in the country. The entire Nation is indebted to him. But—we should be rid of him. He should resign immediately."

This objector inferred that he thought the Director should retire because of his age. Yet, there is no claim that Mr. Hoover is not in excellent health. If that critic is so concerned about the age of public officials, why does he confine his concern to only one official—J. Edgar Hoover? Why, for example, does he not call for the retirement of several Members of the House and Senate who are older than Mr. Hoover? And what about several members of the Supreme Court who are older than Mr. Hoover?

In other words, it is obvious that the age issue as applied to the Chief of FBI is a phony issue because it is not related to any claim of ill health or incapacity to perform.

Two or three others want Mr. Hoover to quit because they claimed he was responsible for the tapping of telephones used by Members of Congress. This charge was flatly denied by the Department of Justice, and the accusers totally failed to produce any proof whatever to substantiate their allegations. Indeed their "proof" reminds one of the man who said he caught a 50-pound fish. When questioned about the truth of his claim he took the questioner down to the river and showed him the water where he caught it.

Another critic, with political overtones, became disturbed because the FBI had applied surveillance over the activities of such notorious revolutionaries as Rennie Davis, at public gatherings. Still others blew their tops because the FBI uncovered evidence of guilt on the part of the Berrigan brothers and their confederates.

Aside from politicians who seem to think it is stylish to criticize Mr. Hoover, most of the protests leveled at him are traceable to those whose toes have been stepped upon, or are in danger of being stepped upon.

In recent years, when the crime rate has skyrocketed, riots erupted, crime and subversion on certain college campuses have become commonplace; when revolutionary movements have gained momentum, and the New Left has become more brazen and active—it is understandable that Mr. Hoover and his agency would become increasingly unpopular among those elements in our society.

Mr. Speaker, it is generally recognized by responsible people that the Federal Bureau of Investigation is the most efficient law-enforcement agency in the world. That agency has gained and earned the confidence and support—and the gratitude—of the great masses of Americans throughout the time Mr. Hoover has directed its affairs. When we speak of that record we are, in effect, speaking of Mr. Hoover. The latter has for nearly half a century been a part and parcel of everything the FBI stands for and all it has accomplished. He has provided that inspired leadership and direction so essential to the success of this particular mission.

It is no accident and no coincidence that the man we honor today is admired, respected, and revered by every patriotic organization in the country; by every law-enforcement organization; and by practically every one of the tens of thousands who have served in that agency since its beginning.

It happens that a good many years ago I served for 10 years as a prosecutor. That threw me in contact with a good many FBI agents. I can say I never met one of those agents who was not an honorable man, of strong character and integrity, and religiously devoted to duty. And I never met one who did not respect and honor his leader—J. Edgar Hoover.

I shall not pursue this subject further. In retrospect I shudder to think what might have happened to this country and its internal security had there been no FBI and a J. Edgar Hoover to direct it.

The Nation can ill afford to dispense with his services at this time. It would be next to impossible to find a suitable replacement. Let us hope he stays on the job.

Mr. ANDREWS of Alabama. Mr. Speaker, this Nation has had few public servants who have worked with such dedication and contributed so much to its betterment as John Edgar Hoover.

The Federal Bureau of Investigation, which he has served as Director since 1924, has been a model of efficiency and its deeds and contributions are legend.

J. Edgar Hoover's leadership of the Bureau is also legend. He reorganized the FBI shortly after taking the directorship and did two things that are never done in agencies of the Federal Government anymore, to their own detriment: he got rid of the lazy and the incompetent, and he took the Bureau out of politics.

When he removed the FBI from the political arena, he undoubtedly stepped on some high-level toes, and while those toes may be on different feet now, they are still smarting.

Some of those who are participating in the current attacks on Hoover and the FBI simply cannot stand the fact that they have no political influence or control over the man and the organization. They feel that they cannot get to him, and because they feel they cannot get to him to do some favorite arm-twisting, they stand back and make outrageously false accusations and join the demagogues on the stump around the country to denounce what they cannot intimidate.

They are wrong, of course, every one of

them. J. Edgar Hoover is not a sacred cow. He does not operate outside of the Government. He must justify his budget requests annually before the House Appropriations Committee.

He is answerable to the President—and Mr. Speaker, he sits at the head of the FBI right now because eight Presidents were pleased with the job that he was doing and had the good sense to keep him on the job.

Some were Republican Presidents and some, Democratic, but party politics was not the issue when it came to the world's greatest criminal investigative organization. J. Edgar Hoover enjoyed bipartisan support during the years of Coolidge, Hoover, Roosevelt, Truman, Eisenhower, Kennedy, and Johnson, and he enjoys it today—in Congress and in the White House.

His detractors are few in number. Their motives are highly suspect. It would probably be kind to conclude that these motives are born merely of political expediency and petty jealousy. Unquestionably much opposition to Director Hoover is more sinister in nature, now, as it probably always has been.

Since we are entering another age of permissiveness, in which subversive organizations inevitably grow and expand their activities, it follows that Hoover's hard-line approach toward these people would make him enemies, and some of these same enemies are in the front ranks of the current attacks on the Director.

Subversives, overlords of organized crime, and criminals at all levels of society have good reason to dislike the FBI and Director Hoover. The Bureau has an outstanding record, unmatched by an investigative agency anywhere, of tracking down these people.

The beneficiaries of the tremendous and largely thankless job that the agents and other personnel of the FBI perform, are you and me and all of the people in this country.

The law is better observed, the peace is better maintained, and society is better protected because of the assistance given State and local law enforcement agencies by the FBI.

Those Members of Congress who are participating in this current unwarranted attack on the Bureau and in this campaign of character assassination against J. Edgar Hoover know better. They know the job that he has done and is doing. They know, but for their own reasons, they do not care.

But, I should remind those who are acting in what I consider a wholly irresponsible manner that the people in this country know, and they care. They will not swallow the ridiculous charges leveled at Hoover and the Bureau by the rabble in the street and their spokesmen in the halls of Congress.

J. Edgar Hoover may be 76 years old, but he is still attacking the problems of this Nation and the problems of the Bureau that he heads efficiently, tirelessly, competently, and with the same fierce dedication as when he started to build the Bureau.

If J. Edgar Hoover wants to retire, that is up to him. It would be a tragic loss to the Nation, in my opinion, and

I would hope that he would not make that decision anytime soon.

I know that he will not be intimidated into retirement by the groundless accusations of his critics. They speak for themselves, and nobody else.

Today is the 47th anniversary date of J. Hoover's service as Director of the Federal Bureau of Investigation. He will enjoy many more. The mere existence of that great organization today is surely tribute enough to its leader. To that, we in the House of Representatives add our own.

Congratulations, Mr. Director.

Mr. GROVER. Mr. Speaker, this great body has joined together on innumerable occasions throughout its history for the singular purpose of honoring exceptional men and women who have immeasurably contributed to the growth and strength of our proud Nation. It is in keeping with this fine tradition and most appropriate that we pause at this time to honor a man who warrants our highest praise and who so profoundly deserves the eminent status as one of America's greatest patriots and champions of justice.

The man to whom we pay tribute today upon serving for 47 years as the Director of the Federal Bureau of Investigation is one who has dedicated nearly all of his adult life to the noble cause of protecting the security of our country. His relentless efforts on behalf of all Americans have been applied solely to the preservation of those basic ideals which comprise the essence of a free democracy. We need only to examine the incomparable record of achievement compiled by J. Edgar Hoover during his long tenure to find undisputed evidence of his steadfast commitment to justice and the sanctity of our form of government. It is a record which reflects an earnest and inexorable effort to eradicate those criminal and subversive elements which strive to impair freedom in America. In addition, it is a record which explains the enviable status of the FBI as the most elite law enforcement organization in the United States and the world.

Our primary purpose here today, is to express our gratitude and tribute to a great American. But as we praise the honorable qualities and deeds of J. Edgar Hoover, I believe it is fitting to allude to those who have so appallingly espoused vacuous and inflammatory rhetoric in recent weeks to cast a shadow of doubt on the integrity with which the FBI fulfills its role in the enforcement of Federal law. It is deplorable that such irresponsibility has been openly expressed, but it is particularly despicable that those who self-righteously hurled these attacks manifest an explicable reluctance to produce evidence to support their incredulous statements. In view of these unfounded accusations, it is even more appropriate that we direct the attention of all Americans to the unimpeachable record of the FBI which substantiates the greatness of the organization and its Director.

Our system of government could not endure without positive and effective law enforcement. This indispensable facet of our Government organization demands a

high degree of competence and expertise if our laws are to have force and meaning. For 47 years, J. Edgar Hoover has exceeded our expectations for the performance of this important duty. It is a privilege to join today to speak of his excellence and I hope our country will continue to benefit from his superb leadership.

Mr. HUNT. Mr. Speaker, I am proud to be in the company of those whose recognition of Mr. J. Edgar Hoover on his 47th anniversary date as Director of the FBI is a tribute to this giant of a man whose contributions to law enforcement and the internal security of this Nation are unequaled.

The continuity of service which Mr. Hoover has brought to his office during the recent years of turmoil, civil disobedience, and a rapid growth of subversive activities, is something for which we as Americans should be thankful.

Is it not more than coincidental that his critics have attempted to bring discredit upon him and the agency of the FBI itself at the very time when protest in the streets approaches the dreams of some that our democratic institutions can and will be brought to their knees? Without equivocation, I can earnestly say that I take comfort in entrusting the security of my country to a man of this stature and integrity as opposed to any one of his critics, some of whom even have aspirations of taking the reigns of the Nation. Others have already sold their country out and merely add their voices to the criticism as cover for their own destructive ambitions.

I frankly do not believe that Mr. Hoover as a man or as the Director of the FBI is the primary object of this staged criticism, but rather it is the agency of which he has become the symbol, the FBI. Illustrative of this approach are the remarks of the majority leader who, on April 22, asserted:

The events now coming to the surface from many quarters clearly reveal that we have permitted to come into being a power and force within the Government for which no one is accountable and of which no one is knowledgeable.

This is a power which threatens and places in jeopardy those rights and those liberties essential to the survival of our system.

I would agree with the majority leader's observations per se, but surely the object of his fear—the FBI—is grossly misplaced. I would only ask that his remarks be considered in the context of the demonstrations in Washington over the past several months, including the U.S. bombings carried out with purpose and discrimination across the Nation over the past several months, including the U.S. Capitol Building itself. The "power" of which the majority leader spoke as the threatening menace to our rights and liberties is not the feigned monolithic hand of the FBI, but is more accurately the portrayal of the anarchistic and subversive elements organized throughout our society that seek to paralyze our institutions and trample the very individual liberties—of those who disagree—which they loudly proclaim afford protection to their obstreperous and frequently violent conduct.

To be sure, the American people are not fearful of the FBI or its activities and, I dare say, in the wake of the massive civil disobedience in Washington during the past few weeks, many are certainly justified in wondering if the leaders of such volatile militancy are among those who Mr. Hoover's critics would place beyond reproach or surveillance. I say thank God for Mr. Hoover and those of his character whose loyalty to country, devotion to God, and dedication to duty ought to be, and are in my mind, marks of distinguished respect rather than targets for the subtle degradation of the institution for which he stands.

Mr. BARING. Mr. Speaker, I stand today in tribute to J. Edgar Hoover, our long-time Director of the Federal Bureau of Investigation.

I appreciate this opportunity to honor a man who has dedicated himself to the career of heading the important investigative and crime fighting arm of the U.S. Government.

I have, in fact, introduced legislation which would insure that what J. Edgar Hoover established within the FBI would be retained when the Director chooses to retire from Government public service.

I introduced a bill on April 29, 1971, which I enclose now for the benefit of my colleagues and the general public:

H.R. 7918

A bill to provide that hereafter the Director of the Federal Bureau of Investigation in the Department of Justice shall be appointed by the President, by and with the advice and consent of the Senate, from among career officers or employees of such Bureau

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Director of the Federal Bureau of Investigation in the Department of Justice shall be appointed by the President, by and with the advice and consent of the Senate, from among those individuals who have served for not less than ten years as a fulltime officer or employee of the Federal Bureau of Investigation in the Department of Justice.

SEC. 2. The first section of this Act shall apply only with respect to appointments made to fill vacancies in the office of Director of the Federal Bureau of Investigation in the Department of Justice occurring on and after the date on enactment of this Act.

I feel that this bill will insure that the reins of the Federal Bureau of Investigation will remain in the hands of a career man of the FBI who came up through the ranks of the FBI under the scrutiny of the current FBI Director, J. Edgar Hoover.

I feel that when the day arrives that Mr. Hoover, whom we honor today, decides to retire from the FBI, the process by which his successor will be chosen must be laid down now by law.

I am sure, Mr. Speaker, that Mr. Hoover would agree in that the selection of his future successor must remain outside the realm of political consideration and my bill would insure that the crime fighting agency would not become a political football.

Furthermore, I feel that Mr. Hoover would approve that only the highly trained FBI personnel who have been under his direction should be considered for the directorship of the fine agency.

I want to emphasize that as the bill states, and I will paraphrase, only those FBI career personnel who have been with the Bureau for at least 10 years will be eligible to qualify and then be subject to possible appointment by the President of the United States with the advice and consent of the Congress.

I finally want to state that in my estimation, J. Edgar Hoover has done a grand job in fighting crime and subversion in America and that this Nation owes much gratitude to this man.

What has gone on before under Mr. Hoover's direction must continue. For that reason I feel the processes of the FBI, established by Mr. Hoover in seeking out and removing bad elements of society from America's daily life, must be protected and I further feel my bill naming Mr. Hoover's successor, when he retires from the ranks of the FBI, will insure just that.

Mr. BROOMFIELD. Mr. Speaker, I welcome this opportunity to pay tribute to J. Edgar Hoover, a man whom history will record as one of America's most highly respected and most dedicated citizens.

For 47 years he has headed, perhaps, the most effective agency related to law enforcement in the world. During that nearly half-century the FBI has been operated without the slightest hint of corruption or malperformance. It is significant that even his most rabid critics today can find no trace of scandal in that vast agency. The effectiveness of the FBI in its formative years and during World War II is legend. It made a major contribution to the survival of our democratic form of government and to the cause of individual liberty.

No less important, is the inspiration and guidance Director Hoover and his agency have provided to law-enforcement agencies at all levels of government throughout the country. Over the years the FBI has pioneered the use of scientific methods of criminology and has become the hallmark of professionalism in law enforcement. He has encouraged, supported, and inspired State and local law-enforcement officers. They admire and respect him.

For those who contend that the FBI threatens our civil liberties, I would let history reply. During his 47 years as head of the FBI's vast investigative apparatus, our civil liberties have flourished. If anything, Director Hoover has been scrupulously careful that the vast potential power of his position remains divorced from domestic politics.

This absolute integrity and devotion to duty has enabled him to maintain the respect and confidence of Presidents and Congresses regardless of partisan leadership for nearly 50 years.

Mr. Hoover, in my view, is a dedicated patriot and law-enforcement pioneer. Every American should weigh the charges of his present-day critics against the weight of history and performance.

Mr. PELLY. Mr. Speaker, I appreciate the time given me by the gentleman from Illinois (Mr. COLLIER) to speak about and honor a great American, FBI Director J. Edgar Hoover.

In the 47 years since he was appointed to that high position, he has formed the most efficient, most respected and the highest quality investigative body in the world. But, beyond this, he has kept our country aware of its enemies, both from within and without.

J. Edgar Hoover has weathered some high-pressured, emotional storms regarding his service, but he maintains the respect and trust of the American people.

Mr. Hoover's record is outlined by his outstanding achievements in the fight against crime and subversion, and in this respect no other person is held in as high esteem.

Mr. Speaker, I add my voice of commendation and praise today to those honoring the 47 years of service to his country by FBI Director J. Edgar Hoover.

Mr. KUYKENDALL. Mr. Speaker, I am proud to join with the gentleman from Illinois (Mr. COLLIER) in paying tribute to the Director of the Federal Bureau of Investigation for 47 years of dedicated service to America and its people.

Under his leadership the Federal Bureau of Investigation grew from a politically motivated and impotent and insignificant department to a model of one of the world's most outstanding law enforcement agencies. The safety of millions of Americans has been secured by the consistent efforts of the FBI to contain crime and to route out subversion and attacks from foreign agents in times of war and peace.

We would be an ungrateful Nation indeed and this body would be especially negligent if we did not take note of the 47 years of service by Mr. Hoover and say to him with deepest sincerity, "Thank You Sir For a Job Especially Well Done."

Mr. MINSHALL. Mr. Speaker, it is a privilege to join in this tribute to a great American.

J. Edgar Hoover's stature as a man of unimpeachable integrity, of complete, selfless devotion to our nation, and of scrupulous nonpartisanship, places him far beyond the feeble arrows shot by a handful of politically motivated detractors.

Long after their names are erased from memory, that of J. Edgar Hoover will rank among those of the most dedicated, able and patriotic men our country has produced.

Mr. STEIGER of Arizona. Mr. Speaker, as a young man J. Edgar Hoover took office as head of the Bureau of Investigation, then a relatively small body, barely 16 years old. It is his signal achievement to have transformed that organization into one of the most effective investigative agencies in history, an organization whose name has become a by-word in American life for security, integrity, and duty. The Federal Bureau of Investigation reflects in its structure and operations the character and purpose of its Director, and we are the continuing beneficiaries.

Crime plagues all nations. The forces of organized lawlessness in America, however, have had to deal with tireless and effective opposition. The honesty, loyalty, and ability essential to such op-

position have been established and maintained under the leadership of Mr. Hoover, whose public life is marked by selfless dedication and fearless candor.

In these trying and difficult times there has been a wave of criticism directed at Mr. Hoover and the Federal Bureau of Investigation. Now is an appropriate time for those among us who respect and admire his work to speak out.

I am proud to extend to Mr. Hoover the assurance of support and good-will on behalf of Americans who are grateful to him for his dedication to duty.

Mr. HOSMER. Mr. Speaker, little in recent years has distressed me as much as the wholly unwarranted and abusive personal attacks on the Director of the FBI, some from within this very Chamber.

I personally abhor this vilification of a great American patriot who has served his country so ably for so many decades. But, Mr. Hoover has a tough hide and I am confident that he personally gives these attacks the little attention they deserve.

However, what particularly disturbs me is the belief that this vendetta against Mr. Hoover is not so much aimed at forcing his resignation—on account of age or for any other reason—as it is a calculated attempt to destroy the public's trust and confidence in the FBI.

This is the real threat and tragedy. I strongly suspect that if Mr. Hoover were to step down as Director, those who are so virulent in their attacks would be shocked and dismayed. In fact, they may be actually forestalling the time when Mr. Hoover might voluntarily retire.

A direct frontal assault on the FBI as an agency would be essentially futile because of the high esteem in which it is held by the vast majority of Americans. As a result, criticism of the Director becomes a convenient and workable alternative.

Those who would tear down America began by chipping away at the public confidence in the military, attempting to portray it not as defender of our freedom but as a threat to democracy.

They continued with a campaign to destroy faith in our local police forces. Now, to complete the circle, they are attacking the FBI.

J. Edgar Hoover is not a saint and the thousands of dedicated agents are not without their own human shortcomings. But charges of "Gestapo tactics" and "police state" are pure and utter hogwash. Mr. Hoover has built the FBI into the finest law enforcement agency in the world, and I challenge anyone to dispute that fact.

With respect to surveillance by the FBI of Members of Congress, from my own personal standpoint I would welcome it. With the crime rate what it is, it would be very comforting to have a well-trained, intelligent, and experienced FBI agent tagging along behind.

So let us recognize these attacks on J. Edgar Hoover for what they are—part of a vicious campaign to destroy the effectiveness of the FBI and all law enforcement in America.

I am confident that Mr. Hoover will not let this happen.

Mr. MATHIAS of California. Mr. Speaker, the unwarranted attacks on the integrity of J. Edgar Hoover and on the FBI have unjustly discredited the outstanding record of one of America's most dedicated public servants.

The record of Mr. Hoover and the FBI has been one of public service, achievement, and protection. His devotion to the preservation of freedom and justice, during the past 47 years, deserves the commendation of all Americans.

He has guided and shaped the FBI into one of the most efficient and respected law enforcement agencies in the world. Efficiency, professionalism, and objectivity are the trademarks of this man and the agency he heads.

At a time when our country is plagued by crime, increased drug traffic, anti-American movements, and turbulence, men of the caliber and courage of J. Edgar Hoover are needed to help preserve order and peace.

Because of Mr. Hoover's advanced age, there is good reason for him to retire. But in my opinion, this is the only reason he should step down.

I am happy for this opportunity to pay tribute to J. Edgar Hoover on this the 47th anniversary date of his service as Director of the FBI. I am sure the majority of the people respect this man, as I do, not only for his services to the country, but also for his honesty and ability.

Mr. BOB WILSON. Mr. Speaker, it is with great pleasure that I join my colleagues today to pay tribute to Mr. FBI. It is seldom that any nation is privileged to have available the services of a man totally dedicated to his work—a man with judgment, character, and unswerving honor. This Nation has had the services of such a man—J. Edgar Hoover—who today starts his 48th year as head of the Federal Bureau of Investigation.

Under his leadership, the FBI has become a hard-hitting, effective, and fair law enforcement arm of our Department of Justice. In 1970, the FBI obtained 13,000 convictions and was successful in 96 percent of the cases it brought to trial—certainly one solid indication of the thoroughness with which Mr. Hoover's agents work. Another is the esteem in which the American people hold the FBI and its director. A recent Harris Poll, for instance, shows that by a vote of 81 to 13 percent, Americans agree that the FBI has done a "first-rate" job of protecting the security of this country.

I doubt that many Americans really realize the tremendous job J. Edgar Hoover has done or are aware of the strength of character of this man whom we have come to know as the chief symbol of law and order and justice in this country. It has been my privilege to know him well from his annual visits to San Diego—and I can say in all honesty that America's security could not have been in better hands than his. For nearly five decades, he has guided this law enforcement agency, molded into an efficient investigative unit, and created a reputation of integrity and incorruptibility.

I deplore the senseless attacks being made on this outstanding public servant by heedless headline hunters. This Na-

tion owes Mr. Hoover a big debt of gratitude for success in what has to be one of the toughest jobs in the world. Our national security is stronger because of the decisive leadership Mr. Hoover has given the FBI and his unflinching loyalty to our system of government and to enforcing the Nation's laws.

Mr. WINN. Mr. Speaker, there are times in the lives of men and institutions when it is necessary to stop, look, and evaluate and ask, "Where have we been?" and "Where are we going?"

Today is one of those days in the life of the FBI and its esteemed Director, Mr. J. Edgar Hoover. For today is Mr. Hoover's 47th anniversary as Director of this world famed law enforcement agency.

Actually, the FBI has been tested and retested, evaluated and reevaluated many times in the past. And in the words of the physician the result has always been: This agency is sound and good.

To the American people, Mr. Hoover and the men and women of the FBI are "sound and good," they are playing their role in protecting our freedoms. To citizens from Maine to Florida, from California to Vermont, from New York to Oregon, the FBI remains that agency of Government which merits their trust and confidence on the basis of continuous high-level performance.

What of the past?

Mr. Hoover's years of service are an open book. We know that he was appointed as Director in 1924. He led the Nation's fight against the hoodlums of the 1930's and the Axis spies of World War II. In the postwar period, he geared the FBI to fight against the Communist Party and its camp followers and the hoodlums who robbed banks, kidnaped, and committed crimes of all varieties.

To do this he had to keep the agency up to date—in training, in equipment, in application of the latest techniques of crime detection. This the FBI Director did.

Another point which is so often overlooked. Mr. Hoover has assembled one of the most enthusiastic and dedicated group of employees which can be imagined. A living legend is the morale of the FBI, the "we" spirit which Mr. Hoover encourages. This "we" spirit says simply that no one special agent, no one administrative official, no one clerk or stenographer, no one fingerprint classifier can solve a case by himself. No, a case is brought to solution through a team effort, of all pitching in and doing their share.

It we had time to discuss some of the FBI's cases more in detail we could show how teamwork was the key which brought excellent results.

The verdict on the FBI's work in the past? The answer is "sound and good."

What of the future?

We are hearing today criticism from a vocal minority that the FBI is "obsolete," that it is "out of date," that it is a "national police."

I, for one, want the FBI to remain as a premier law enforcement agency, unencumbered by politics and cabals of cronyism. My respect for the FBI is based on the simple fact that I am confident that it is making honest investigations

and serving the best interests of the country.

Is the FBI a national police? How silly can you get? Where is the evidence? In a country where personal freedom almost runs riotous when demonstrators attempt to force the Government to close, when any opinion can be expressed and any type of movie shown, how is the FBI a national police?

I think the charge in itself falls flat.

What is the prognosis of the FBI for the future? In my opinion, and in the opinion of millions of hard-working, honest, sincere Americans, it is "sound and good."

For that reason I want today to extend my congratulations to Mr. Hoover for a job well done.

Mr. WYLIE. Mr. Speaker, I take this opportunity on the occasion of the 47th anniversary of J. Edgar Hoover's service as Director of the Federal Bureau of Investigation to insert a copy of a letter which I wrote to President Nixon:

APRIL 15, 1971.

HON. RICHARD M. NIXON,  
President of the United States,  
The White House,  
Washington, D.C.

DEAR MR. PRESIDENT: May I take this opportunity to express my support for Federal Bureau of Investigation Director J. Edgar Hoover.

Mr. Hoover has served our country with the utmost devotion and distinction from the very inception of the Federal Bureau of Investigation. He has made a major contribution to the survival of our democratic form of government and to the very cause of individual liberty. The Director has carried out the mandate of the law for over 40 years and has, indeed, protected the internal security of our nation.

In my opinion, J. Edgar Hoover's record of dedication in upholding the Constitution should be envied and I commend the Director for a job "well done."

Warmest personal regards,

Very truly yours,

CHALMERS P. WYLIE,  
Member of Congress.

Mr. WARE. Mr. Speaker, observing the 47th anniversary of J. Edgar Hoover as Director of the Federal Bureau of Investigation, I insert in the RECORD a column by David Lawrence which I believe is most appropriate on this occasion:

INTERNAL SECURITY OF THE UNITED STATES  
DEPENDS UPON THE FBI

(By David Lawrence)

The American people have never known the intimate story about the operations of the Federal Bureau of Investigation because public disclosure would impair the usefulness of an important governmental organization in dealing with problems of surveillance involving subversion and crime.

To supervise a group of nearly 19,000 persons who must dedicate themselves to secrecy is not an easy task. J. Edgar Hoover, who has been Director of the FBI for several decades—under both Republican and Democratic Administrations—has given the agency a leadership which has enabled it to participate in investigations throughout the land, especially those related to persons suspected of violating federal laws or crossing State lines to escape punishment.

The FBI does not act alone. It works in cooperation with State and local enforcement agencies and often supplies the critical information which leads to the solution of many a crime and to arrests and prosecution by the proper authorities.

The FBI has been very helpful to the police departments of the nation's cities. It gets no publicity for doing so, and doesn't seek any. But in numerous cases, it has been the FBI which furnished the tip that led to the capture of a much-sought-after criminal. State law-enforcement agencies also benefit from the work of the FBI. In fact, there is a reciprocal arrangement among all these groups in order to help each other.

The policy laid down by Director Hoover is one of concentration on the gathering of facts, leaving it to others to act thereon. The decision to prosecute, for instance, is not made by the FBI. The data it assembles are turned over to the Department of Justice, which then can seek a grand jury indictment. The FBI doesn't make these requests or furnish attorneys for the court proceedings which may follow.

Many organizations which are emotionally aroused over current issues are inclined to blame the FBI if some of the "extremists" are indicted, arrested and brought to trial. The truth is that the Department of Justice makes the decision as to whether they should even be charged.

But there has been apparent for some time a belief among radical groups that their foremost enemy is the FBI, and they have tried in various ways to discredit the organization.

Recently some members of Congress have been assailing Mr. Hoover for allegedly ordering their telephones to be tapped. Although both he and the Department of Justice have emphatically denied any such thing, the story has been spread and agitators have picked it up as a means of starting another crusade to drive the present Director out. The purpose, of course, is to disorganize the agency and weaken it.

Actually, Mr. Hoover at the age of 76 is one of the most active men serving in public office. He has developed the FBI, with assistants and associates having specific responsibilities, so as to make it possible for the agency to work harmoniously and effectively with close supervision from the top, including suggestions on important cases. As men who have served in the FBI have gone into business or other professional pursuits, they have usually said to their friends on leaving that the organization is as efficiently directed today as it has been over the years.

The radicals would like nothing better than to tear down the FBI. The removal of J. Edgar Hoover would be a victory for them. But there are no indications that the Nixon Administration will fall for such tactics and surrender to the groups antagonistic to the FBI.

The one thing that the FBI has always sought to avoid was any act which could involve its agents in controversies with members of Congress or government officials unless, of course, in connection with some criminal case. But the maintenance of wire tapping of the telephones of members of Congress, as recently claimed by critics of the FBI, is something that anyone who is familiar with FBI operations would know instantly was never authorized by J. Edgar Hoover and probably never occurred.

The FBI has successfully kept out of politics. It has refrained from interference in any way with campaigns of members of Congress or participation, favorable or unfavorable, in presidential contests.

The FBI operation has been expanding over the years, but the Bureau has stuck to one rule—that it would not make public its findings except with the authorization of the Attorney General of the United States, who is the boss of the agency itself.

The FBI can be relied upon to carry on inside the United States extensive investigations of subversion, espionage and any conspiracy against the Government. For the FBI is the principal safeguard of the internal security of our country.

Mr. SPRINGER. Mr. Speaker, the President was not exaggerating when he recently referred to the Federal Bureau of Investigation as "probably the best police force in the world" and the reason that it is can be given in one name: J. Edgar Hoover.

"A policeman's lot is not a happy one," goes an old Gilbert and Sullivan song, and J. Edgar Hoover always has had his detractors, but few men in the public life of this great Nation have been held in such high esteem over so long a period.

Only last week, at a time when a campaign of vilification against him was peaking, a special Gallup poll found that Americans still have a tremendous admiration for J. Edgar Hoover. Asked to rate the job he has done as head of the FBI, 70 percent of those polled by Gallup rated his performance either "excellent" or "good." They also gave high marks to the FBI itself. Eighty percent of those interviews indicated either a "highly favorable"—49 percent—or "moderately favorable" opinion of the FBI while only 4 percent expressed an "unfavorable" view.

That is a truly remarkable showing when it is recalled that when J. Edgar Hoover became director of the FBI 47 years ago today, it was a small and hardly reputable organization. Calvin Coolidge was President and the United States was still predominantly rural. Now, almost a half century later, J. Edgar Hoover has remained at the helm of the FBI through the administrations of six Presidents and the present occupant of the White House has left no doubt that the Director rates high with him.

I congratulate Director Hoover on a superb performance in one of the most sensitive spots in the Government and hope that we can benefit from his service for many years to come.

Mr. MIZELL. Mr. Speaker, this week marks a milestone in this Nation's constant pursuit of law and order and justice. On May 10, J. Edgar Hoover and a grateful nation observe his 47th anniversary as Director of the Federal Bureau of Investigation.

It is difficult, if not impossible, to talk about the FBI without mentioning Mr. Hoover, and the reverse is true as well.

For almost half a century, both the man and the organization have served their country faithfully and well, and without the slightest hint of scandal, impropriety, or political involvement.

Recent attacks made on the Bureau and the Director have sought to mar that image, but those rash charges have proven to be unfounded. I believe the people of the Fifth Congressional District of North Carolina feel, as I do, that Mr. Hoover and the FBI deserve nothing but praise for their past accomplishments and activities.

The Nation owes a great debt to them both. Since Mr. Hoover took over as Director in 1924, the FBI has become world-renowned as the best law enforcement agency ever established.

Its service has spanned the gangster era of the 1930's, the Nazi subversion of the 1940's, the Communist espionage that continues to this day, the drastic

increase in crime brought on by national permissiveness, extremist activity of all kinds, city rioting and street violence, and organized crime.

The FBI's meritorious service began with Mr. Hoover's appointment 47 years ago, but the Director himself is quick to add that it is hardly a one-man operation.

Mr. Hoover has said:

To tell the story of the FBI, is to recite the history of men and women seeking to make America more secure. It is the story of a long line of citizens who form a solid front against crime.

Those men and women today make up the best-educated, best-trained, most effective force in the law enforcement field.

The FBI has come to be generally recognized as "the elite corps of law enforcement in this country," and the reputation is well-deserved.

Fewer than 8,500 special agents investigate 800,000 criminal cases a year, and their thorough and careful investigative work has resulted in an astonishing percentage of convictions. In 1968, for example, 97.3 percent of their arrests resulted in conviction.

The success of their efforts has been praised by hundreds of the Nation's leaders in the past half-century.

In 1964, the House of Representatives passed a unanimous resolution praising both Mr. Hoover and the FBI for their outstanding service to America.

I believe the words of that resolution ring as true today as they did 6 years ago, and I believe they bear repeating, as a fitting tribute on this special day.

The resolution read in part:

Throughout his tenure in office, J. Edgar Hoover has consistently displayed strong moral determination and great personal foresight in recognizing the threat and meeting the challenge of deadly enemies of American freedom.

Under his brilliant leadership, the Federal Bureau of Investigation has waged a fearless and unrelenting battle against America's criminal and subversive underworlds while at the same time fully observing and protecting the rights and privileges guaranteed by the Constitution and the laws of the United States.

J. Edgar Hoover and his Federal Bureau of Investigation associates have brought new standards of efficiency, integrity and impartiality to the law enforcement profession and have truly earned the admiration and respect of all right-thinking citizens.

These words of high praise are well-deserved. Today we are still a law-abiding Nation, despite the rashes of lawlessness with which the FBI has had to deal.

Today we are still a free society, despite the threats that have been posed by Nazi and Communist and revolutionary subversion.

It is no coincidence, and certainly no paradox, that the greatest law enforcement agency in the world should be found in the freest society in the world.

I believe the two are closely related, that each is to a large degree dependent on the other, and I am grateful that they are both realities today.

Mr. YOUNG of Florida. Mr. Speaker, today we pay tribute to a great American, J. Edgar Hoover, on his 47th anniversary as Director of the Federal Bureau of Investigation. As we honor the man

we also honor the organization—and rightly so, for in the eyes of most Americans, J. Edgar Hoover is the FBI.

Under his leadership, the FBI has become the most effective law enforcement agency in the world, working tirelessly to protect America's internal security.

For millions of patriotic, law-abiding Americans, J. Edgar Hoover is one of the Nation's most dedicated and highly respected public officials; for lawbreakers, leaders of the criminal underworld, for the Communists, and other enemies of America, Mr. Hoover is the enemy. And that, perhaps, says more about J. Edgar Hoover than we can here today.

Mr. Hoover's abilities, courage and selfless dedication to the preservation of our Nation serve as an inspiration to all Americans. A tribute to his service is both timely and long overdue.

Mr. Hoover has achieved a remarkable record during his 47 years as America's top lawman.

Mr. SLACK. Mr. Speaker, I am pleased to be numbered among those who have united to extend to FBI Director J. Edgar Hoover congratulations on the 47th anniversary of his service in office.

During the past 10 years I have been a member of the Appropriations Subcommittee for the Departments of State, Commerce, Justice, and the Judiciary under Chairman JOHN ROONEY, and each year Mr. Hoover and his able staff have appeared to testify in support of the Bureau's budget request.

Down through those years I have come to admire the practical and businesslike manner in which the Bureau is operated. Each year the record reflects knowledgeable and convincing testimony providing more than adequate justification for all funds requested. It is an impressive tribute to the quality of thoroughness for which the Bureau is world famous.

The people of the United States are well served by the world's premier professional domestic police organization, and yet have no cause to fear the evils that can arise when a single national police power crisscrosses the land.

This is a singular tribute to the policies and convictions of the Director, as he has often expressed them. We congratulate him today as we must congratulate ourselves on our good fortune in his continuing service.

Mr. GOLDWATER. Mr. Speaker, today marks the anniversary of an event which will pass unnoticed by many Americans, but which has been of singular significance for the safety and well-being of the American people.

I am referring, of course, to the 47th anniversary of J. Edgar Hoover's assumption of office as head of the Federal Bureau of Investigation.

During his 47 years of tenure, he has guided the FBI to the forefront of all law-enforcement agencies, so that it is a model for swift and impartial apprehension of criminals. The FBI, under Mr. Hoover's leadership, has kept pace with the changing crises of society, and today faces and deals with such diverse problems as organized crime and internal terrorism.

In the face of current and unwarranted attacks on Mr. Hoover, we should

remember that no one has been able to make any sort of case against his outstanding performance as Director. Age is being made the sole basis for criticism, and if we were to extend this concept to all of our Government, many of our most able leaders would have to step down. Mr. Hoover encompasses a half century of valuable crimefighting experience, and we should recognize and reward this value, not denigrate it.

I think, moreover, that we should also pay tribute to Mr. Hoover for his high restraint in office. Given its massive expertise and the backing of the Federal Government, the FBI could readily have become a national police force. Instead, Mr. Hoover has clearly and carefully delineated the FBI's responsibilities on the Federal level, and set procedures for backing up and strengthening local police forces in the performance of their own functions. In an era of burgeoning big government, this is a truly impressive feat.

In conclusion, let me say that I think we owe Mr. Hoover a large debt of honor, and in this time of civil disrespect and strife, it is especially important that we are vocal in acknowledging that debt.

Mr. FASCELL. Mr. Speaker, 47 years ago today, a young man took over the scandal-ridden Division of Investigation in the Justice Department with a mandate from the then-Attorney General, Harlan Fiske Stone, to clean house. The young man, of course, was J. Edgar Hoover, and not only did he clean house, he built an investigatory agency which has effectively protected the security of this Nation during a difficult half century.

"To tell the story of the FBI is to recite the history of men and women seeking to make America more secure," the Director wrote in 1946. "It is the story of a long line of citizens who form a solid front against crime."

Most would agree that the story of the FBI is primarily the story of one man: J. Edgar Hoover. Born near Capitol Hill in 1895, the Director received a law and masters degree from George Washington University before joining the Justice Department in 1917. Even before becoming head of the Bureau of Investigation, J. Edgar Hoover had already become experienced in combating subversive activities through his early work against Communist and Ku Klux Klan organizations.

Over the years, the FBI has successfully met and overcome threats to the internal security of this Nation such as kidnaping, gangsterism, Nazi and Communist espionage and subversion, extremism from the right and left, and organized crime. As Tom Wicker wrote recently:

J. Edgar Hoover's life has been the FBI that he created; his pride is to have kept it and himself independent and powerful: his genius is that he has known exactly how to do it.

I feel particularly privileged to have come in contact with the Director in my capacity from 1963 to 1971 as chairman of the House Government Operations Subcommittee on Legal and Monetary Affairs, which has oversight jurisdiction

over the Federal investigatory agencies. Through this experience I came to appreciate the exceptionally efficient and professional investigative work done by the FBI in criminal cases. I agree with former Attorney General Nicholas Katzenbach that at this work the FBI is "the best and most decent agency in the whole world."

In fact, Mr. Hoover has built a world renowned law enforcement agency. In an era when the need for law and order with justice is greater than ever before, we should be proud of an effective and strong FBI, especially in light of the unblemished record of agents under Mr. Hoover's 47 years of leadership. Not one has ever been convicted of any form of corruption.

Irresponsible criticism of governmental institutions, from whatever source on the ideological spectrum, is not constructive, whether it is against the FBI or the Supreme Court. Human institutions are subject to human error, but it is the overall record of accomplishment which is important.

It is that record which we salute on this 47th anniversary of J. Edgar Hoover's service. In reflecting on that service it has been suggested that we consider what another man, without Mr. Hoover's integrity and strength of character might have done in the same position.

It is likely that such a consideration makes the selection of a successor to Mr. Hoover all the more difficult. President Johnson reportedly once expressed the hope that he would not have to be the one to choose a new Director. I, for one, would not covet the job. To administer an agency is difficult enough. To fill the shoes of a man who almost singlehandedly built the FBI into the effective law enforcement agency it is, would be a herculean task.

The young man who entered the Justice Department over 50 years ago when it was known as the "Department of Easy Virtue," had no examples to follow when he assumed the directorship of the Division of Investigation in the wake of the Teapot Dome scandal. He had only the moral force of his own character and personality to guide him, and that has served him and a grateful nation long and well.

Mr. ZWACH. Mr. Speaker, there is one man in all this Nation who for almost half a century has been the epitome of rugged uncorruptibility, standing far above suspicion or criticism.

He came on the American scene at a time people have forgotten, a time many have never known, the era of the bootleg gangster, bank robber, and kidnaper.

Almost singlehandedly he organized his bureau and directed his men in such a manner as to all, but eliminate these triple scourges.

As he was uncorruptible, so was he also nonpolitical. He was appointed by President Calvin Coolidge in 1924. He has been reappointed by every President since.

Today, J. Edgar Hoover, Director of the Federal Bureau of Investigation, is under attack. That attack must bring joy to the heart of every totalitarian

espionage director because Hoover was their arch foe.

It must be said that the critics of the Director of the Federal Bureau of Investigation are far in the minority.

As an example of the feeling in our Minnesota Sixth Congressional District, I insert in the RECORD two editorials, one by a Republican, one by a Democrat. They are typical of the support expressed for the Director by our Minnesota newspapers:

WE MUST DESTROY J. EDGAR HOOVER  
(By Alan McIntosh)

Well . . . well . . . well . . . guess who has joined the anvil chorus hammering away at FBI Director J. Edgar Hoover?  
None other than Alvin Karpis, "Old Creepy."

The last time we saw this gangster (although we didn't know him at the time) was Sept. 17, 1930, when he carried one end of a checkered red and white tablecloth. He waved a machine gun at us . . . and reason he should, because there was a million dollars worth of boodle in that tablecloth . . . the biggest bank robbery looting in the world history.

Karpis, who was in on the Bremer and Hamm kidnappings in St. Paul, has spent most of his years since those Dillinger-Capone days in federal prison.

Now he comes forward to join the "smear Hoover brigade" to claim that Hoover didn't tell it like it was when he related to reporters how Karpis was arrested. Karpis makes Hoover look like a cringing coward . . . hanging back until Karpis had been shackled after his arrest.

Right now, it is fashionable to try to destroy Hoover's image as a champion of law and order.

Funny, isn't it? Here is the FBI which has never had a breath of scandal since Hoover became director. All of a sudden, efforts are being made by the leftist-liberals to portray the organization as something as sinister as Hitler's S.S. troops.

These detractors would have you believe that Hoover is a doddering old, conceited, suspicious man, living in the past.

We can say "thank the Lord for Hoover." He was ahead of everybody in recognizing the menace of Hitler. We remember how, long before war came to the U.S., the FBI had under surveillance a good share of the secret Nazi forces in the U.S. Saboteurs were thwarted.

It isn't fashionable to say so, but Hoover was alert and ahead of everybody in recognizing the inroads being made in Black areas by Communists—twenty-five years ago.

If certain liberals had their way the forces of law and order should be blindfolded and handcuffed . . . and top item on their agenda is the destruction of the image of the FBI director.

To give any credence to a notorious killer-bank robber's attack on Hoover is typical of how desperate some people have become.

We just don't buy it. Sure—we'll go along with the Biblical admonition of "love your enemies" but we want to know who those enemies are before we start turning our cheeks.

WHY BE AFRAID OF THE WIRE TAP  
(By Curtis Warnke)

This newspaper has difficulty understanding why House Democratic Leader Hale Boggs of Louisiana and Sen. Edmund S. Muskie of Maine are making such a big issue of possible wire-taps made by the F.B.I. on members of Congress. After all, should members of Congress be immune from such legitimate activity? Do they have something to hide?

National security wiretaps and bugs have been used by every president and attorney general since it was first authorized by President Franklin D. Roosevelt in 1940. The practice has been widely accepted as a part of our maintaining our national security, and we think the F.B.I. and its director J. Edgar Hoover has done a good job on this.

We agree with Attorney General John N. Mitchell when he says: ". . . that the government's right to defend itself against violent attack must prevail over some individuals' right to privacy." Mitchell was replying to the Boggs and Muskie charges claiming heavy-handed investigations into the affairs of dissenters are posing a threat to individual freedom. Mitchell argued, and we agree with him, that the 4th Amendment's prohibition against unreasonable searches must be balanced against "the right of the public to protect itself."

The telephone company and the F.B.I. deny that they have tapped the telephones of any members of the House or Senate, and we tend to agree that they likely are telling the truth. Yet, we wonder if once in awhile some general political surveillance might not be in order. Certainly subversive elements could infiltrate the Congress just like they have infiltrated every other walk of life—and really why should a congressman be so afraid of some wire-tapping?

If the F.B.I. wants to place a wire-tap on the phone here at the News office, they are welcome to do so. They are likewise welcome to tap our personal phone—we have nothing—absolutely nothing to hide from them—and we think that's the way it should be!

Instead of so many people running around the country being critical of the F.B.I. and its director J. Edgar Hoover, it's about time somebody defended them for doing a good job. This newspaper would like to do just that, and say further—thank you, J. Edgar, we're behind you all the way!

Mr. SCHERLE. Mr. Speaker, the initials "FBI" are famous the world over as the abbreviated title of the Federal Bureau of Investigation. To those who know the history of the Bureau, however, the familiar letters also signify the three primary qualities which have made this agency a model of Government operation: Fidelity, bravery, integrity.

The traditions which have grown up within this organization are largely the creation of one man, J. Edgar Hoover. He made the FBI what it is today, the best law enforcement agency in the Nation, and perhaps the world.

The FBI's achievements are a matter of record. Last year more than 96 percent of those brought to trial as a result of FBI investigations were convicted, 83 percent of them on guilty pleas. Moreover, the Bureau is one of the very few Federal agencies which consistently operates in the black. It garners \$1.60 in fines, savings and recoveries for every dollar appropriated by Congress for its use. The FBI also provides invaluable support services for other law enforcement agencies throughout the country. Its contributions to the security of the United States are countless.

Today, as we celebrate the 47th anniversary of Hoover's service as Director, however, this stalwart veteran of almost half a century of fighting crime is under attack from many quarters. His enemies for a number of specious reasons want him to resign. But his allies and staunch supporters vastly outnumber his detractors. We know the value of his contribu-

tions and we want him to remain as Director so long as the Nation needs him and he is willing to serve.

Following is an editorial from today's New York Daily News which sums up very well the nature of the opposition to the FBI:

#### HANGING JURY

A committee that includes some former Justice Department luminaries has announced with appropriate ruffles and flourishes that it plans a "clear, dispassionate review" of the Federal Bureau of Investigation's role in American life. Oh, yeah?

This fearless and favorless panel includes former Attorney General Ramsey Clark, who has been gunning for FBI Director J. Edgar Hoover for months. If he needs help on this hatchet job, ex-associates Burke Marshall and Roger Wilkins apparently will happily supply it.

The committee handout—which, incidentally, pronounced the FBI guilty of "political intimidation" without hearing a single witness—was hardly dry before Marshall and Wilkins took turns saying the bureau was "horrible" and on an "unmanageable course."

Remarks like that would get any unlearned-in-the-law prospective juror barred from sitting in a \$2 shoplifting case. And these guys are going to "try" the FBI?

Mr. ROBINSON of Virginia. Mr. Speaker, while it is most appropriate that we take time today to honor Mr. J. Edgar Hoover, it is for many of us, I am sure, a classic situation of being lost for words by which to do justice to one of the most remarkable records in American public life.

In marking his 47th anniversary as Director of the Federal Bureau of Investigation, Mr. Hoover has outdistanced long since such other claimants as there might be to durability in major Federal office in the executive branch. Presidents have come and gone, and Attorneys General. Mr. Hoover has served them conscientiously, irrespective of political party, and, above that, he has served his country with fidelity and vigor.

As with any energetic figure in the field of law enforcement, he has made enemies who have striven to discredit him. These efforts have not diverted him from his sedulous devotion to duty, or caused him to modify the high standards of professionalism which he set for the FBI, and which he has maintained and heightened through the years in a training and career-development program carried forward under his continuous personal surveillance.

What often is disregarded by those who have undertaken to undermine Mr. Hoover's great reservoir of public confidence is his own clear and uncompromising view of the function of his agency in a free society.

Repeatedly, he has spoken out against the idea of a national police force. He has made plain that the FBI is no such thing. He has never sought to head up a domineering Federal police establishment. He knows and abhors as much as any man the excesses of the national secret police systems of totalitarian States.

J. Edgar Hoover knows and respects the limits of the FBI mission—detection of internal threats to the national security, the investigation of interstate crime and other offenses against Federal laws

and the apprehension of those who transgress these Federal laws.

Of high importance to the average citizen, whether he lives in a major city or small community, is the availability to his own local police department of the technical expertise of the FBI, which stands ready to cooperate with, and not to supersede, local law enforcement agencies.

It is a privilege, Mr. Speaker, to join today in saluting Mr. J. Edgar Hoover, and in expressing a nation's thanks to one of the most truly dedicated public servants.

Mr. ESCH. Mr. Speaker, today, May 10, marks the 47th anniversary of Mr. J. Edgar Hoover as Director of the Federal Bureau of Investigation. I doubt that any one will ever surpass this record.

Mr. Hoover has achieved the respect and admiration of the American people for the dedication and perseverance which has marked his leadership throughout the years. Perhaps the secret of his success is the fact that he accepted a challenge and dedicated his life to it. He has not sought fame or greater power, although efforts have been made to thrust each upon him.

Mr. Hoover has made enemies; no man in his position could avoid doing so. Yet he has been aware of the great trust he holds in leading a major Federal law enforcement agency. It was Mr. Hoover himself who stated:

I hope the day never arrives when the FBI or any other Federal agency has powers and authority approaching those of a national police force.

This phrase is perhaps the hallmark of Mr. Hoover's administration. He consistently rides the tide of controversy. He must use the authority and force at his command to carry out the Federal law. Yet he must use the greatest of discretion in avoiding encroachment upon personal rights and privileges. He constantly walks the narrow line between State, local, and Federal authority and he, like most law enforcement officials, constantly suffers the rath of those he pursues.

Our Nation will long be thankful for the integrity and respect he has brought to the Federal Bureau of Investigation.

Mr. GOODLING. Mr. Speaker, all of us have heard the shrill cries of denunciation that have been hurled at J. Edgar Hoover, the Director of the Federal Bureau of Investigation.

As these charges are being leveled at this man of vast competence and character, I am reminded of the words of Longfellow when he said:

We judge ourselves by what we feel capable of doing, while others judge us by what we have already done.

It is quite apparent what J. Edgar Hoover has done; that is, to put into operation one of the most effective investigatory bodies that has ever functioned toward the end of protecting our national interest.

It is interesting to observe that in the course of this storm of accusation, Mr. Hoover has remained aloof from its blasts, keeping his composure and maintaining his stature as the head of that outstanding institution known as the

FBI. This would serve to suggest something of the character of the man and the futility of his accusers.

No man is, of course, perfect, because imperfection is in the nature of mortals. However, when J. Edgar Hoover is evaluated according to the contribution he has made to his Nation through his public service, it must be declared that beyond the shadow of a reasonable doubt, he has done a superlative job.

It is in the American tradition to extend appreciation to someone who has performed a yeoman job in public service, but there are always some whose vision is blurred to such service. As Elbert Hubbard once said:

There is something that is much more scarce, something finer far, something rarer than ability. It is the ability to recognize ability.

Mr. BROWN of Michigan. Mr. Speaker, I am pleased to participate in this tribute to J. Edgar Hoover, our very able, respected, and dedicated Director of the Federal Bureau of Investigation, on this the 47th anniversary date of his commencement of service in such capacity.

No other man has ever deserved or received such thanks from a Nation for his service in a similar position; nor has any other man dedicated so much of his life to his Nation and yet been so protective of the rights of the individual while committed to his duty of assuring the domestic security of his Nation.

Mr. Hoover is truly an unusual man. He caused to exist in the "Bureau"—as all of us who have at one time been associated with it almost familiarly refer to it—a loyalty among its associates, to the institution, and to himself, unequalled in any department of Government with which I have ever had any acquaintance.

Although Mr. Hoover has received most attention for the substance of what the Bureau has done over the years and for the way in which his leadership of the Bureau has walked the tightrope of society vis-a-vis the individual in this Nation where the law has been the very foundation upon which all else is built, I wish to emphasize another side of Mr. Hoover which is deserving of great praise and commendation, but one which is rarely noticed.

Mr. Hoover is an administrator extraordinary. Year after year after year, the efficiency, productivity, and effectiveness of his leadership have been manifested by his reports to the Congress and the almost unchallenged review of his appropriations requests by our committees.

Having had an opportunity to view firsthand his administration at varying levels of decisionmaking in the Bureau, I became greatly impressed with his management ability and the way in which this proficiency was reflected up and down the administrative line, from assistant directors to unit chiefs.

He was able to instill in all employees a real sense of purpose and a dedication to the doing of a job in the most expeditious and efficient way without sacrific-

ing his constant goal of achieving perfection in substantive output.

Mr. Hoover has served this Nation and all people well and without regard for self. He is entitled to the thanks and blessings of all as he continues his service and upon his retirement, whenever he chooses to leave this life-long dedication.

But let there be no mistake, when he decides to turn the reins of leadership over to another, a substitute may be found but never a replacement.

Mr. WILLIAMS. Mr. Speaker, Mr. J. Edgar Hoover has served the Department of Justice for 54 years. Throughout the last 47 of those 54 years, he has served as Director of the Department's Federal Bureau of Investigation.

I am confident that no one is more aware than Mr. Hoover that one who serves so long in such a key public position becomes viewed, in the public mind, as virtually synonymous with the institution itself.

I am also confident, however, that no one is more aware than Mr. Hoover that, in our constitutionally defined Republic, our institutions are viewed as permanent while those who serve them remain viewed as mortal and, therefore, replaceable in the normal, proper order of things.

My confidence of these facts has its basis in the root fact that Mr. Hoover's entire 54 years of outstanding service have been in the dedicated area of defending our Republic and keeping its institutions secure.

It is understandable that, from its inception, the Federal Bureau of Investigation has earned the animosity of gangsters, common criminals, our external enemies, and those who serve those enemies' efforts to destroy us from within.

Down through the years, the Federal Bureau of Investigation and its Director have been routine targets of criticism and charges from these same criminal and alien-directed sources. Recently, however, the Bureau and its Director have become targets of wild and unproved charges from partisan political sources. This is unfortunate and shocking; for, throughout the more than five decades of the Bureau's existence and of Mr. Hoover's direction, both have served under both Democratic and Republican Presidents and Attorneys General.

After Mr. Hoover has retired, and a new Director has assumed command, there is every reason to accept that charges and criticism will continue to flow from the criminal and subversive elements.

What will be interesting to note will be whether those partisan politicians who, of late, have chosen to direct their fire against Mr. Hoover and the FBI will do the same.

Whatever history may write in this regard, I wish to record, here, my tribute to Mr. Hoover for his 54 years of faithful service to this country and to wish him well in the days to come.

Mr. SHOUP. Mr. Speaker, the Roman poet, Virgil, wrote:

"The noblest motive is the public good."

These words might well serve as the key to the life of J. Edgar Hoover. From the beginning of his career in public service, the public good has been his guiding motive and single-minded concern. In times of war and in times of peace, he has provided an example to inspire all Americans with love of country and of God.

Ideals of citizenship, honor, and duty have been paramount in his administration of the Federal Bureau of Investigation, an agency which he has made his own insofar as it has come to embody the ideals and values by which he has lived. As a people we may breathe more securely in the knowledge of the FBI's vigilant operations under Mr. Hoover's distinguished leadership.

The war against crime in all its many forms and the war against subversion in all its forms have been a vital part of the FBI's continuing struggle, requiring patience, energy, and courage. The members of the FBI have earned the respect of a grateful America. During decades in which free governments throughout the world succumbed to tyranny and disruption, the United States remained strong, protected within by those who loved her, Mr. Hoover foremost among them. Coming to his great office some 47 years ago, Mr. Hoover has lived to see the FBI—and the legend and reality of his own person—an enduring part of the national consciousness, honored by all for the integrity of its dealings.

"True courage," wrote Lord Shaftesbury, "is cool and calm." So has it been with Mr. Hoover, who has never sought the accolade of the crowd. He has risen above small-minded sniping and criticism in the past and today. I am happy to pay this tribute to him, to commend his extraordinary career of service to the Nation, and to congratulate him in this anniversary year.

Mr. WYATT. Mr. Speaker, almost 30 years ago, as a young man just graduated from law school, I received a wire from J. Edgar Hoover, advising me that my application for service as a special agent of the Federal Bureau of Investigation had been accepted, and instructing me to proceed to Washington, D.C., for training. I served only a year before entering the service in World War II. However, during my period of training, and my subsequent months as a special agent, I had considerable contact with Mr. Hoover, and of course, with the system of training agents, and using agents in investigative work.

I was, and ever since have been, enormously impressed with the efficiency of the organization Mr. Hoover has built. There is no doubt that he designed the system, and that he has been very carefully supervising the operation of the Bureau during his long tenure as Director. He has been most zealous to protect the Bureau from political and all other outside interference, so that the efficiency and effectiveness of the Bureau would remain very high.

That you can have an organization within the vast Federal bureaucracy of the size of the FBI which is at once so effective and efficient is a living tribute

and monument to the great ability and to the personality of J. Edgar Hoover.

The recent efforts made to discredit both Mr. Hoover personally and the FBI as an institution have been despicable. I, for one, do not feel that just because I am a Member of Congress, gives me any immunity above and beyond that which is enjoyed by every other citizen in this land. The enormous contribution to America that Mr. Hoover has made will be recorded in history long after the petty harping of his critics is forgotten.

Nearly every year since my election to Congress, I have called on the Director personally to extend my best wishes to him, and to discuss some of the current problems of interest to the Bureau. I have found him extremely alert, sensitive, very well informed on details, and certainly competently on top of his most demanding job.

It is a pleasure to join in wishing him well on this anniversary occasion.

Mr. CASEY of Texas. Mr. Speaker, on behalf of the people of the 22d District I am privileged to represent, I consider it an honor and a pleasure to join with my colleagues in expressing congratulations and best wishes to J. Edgar Hoover on the occasion of his 47th anniversary as Director of the Federal Bureau of Investigation.

Under his able and dedicated guidance, we have built the finest law enforcement agency in the world. And under his guidance, and that of his agency, thousands of local law enforcement officers have received advanced training to better equip themselves in the constant battle against the underworld.

Mr. Speaker, I do not believe that either Mr. Hoover, or the agency he heads, needs to be defended by me. The people I represent know that he is an able administrator, a man of unquestioned principle and patriotism, and a dedicated and implacable foe of the forces which would destroy us, either from within our country, or from abroad. He has, in my opinion, ably met the heavy responsibility placed upon him by the President of the United States, and in so doing, has compiled a record unequalled in the annals of law enforcement. He, and the agency he heads, have had and will continue to receive my wholehearted support in the excellent job they are doing in protecting our country against its enemies.

On this great day, Mr. Speaker, I consider it a pleasure and a privilege to express again my sincere congratulations to Mr. Hoover on his 47th anniversary as Director of the FBI.

Mr. ARCHER. Mr. Speaker, I am proud to join my colleagues today in paying tribute to a great American who has selflessly devoted his life to public service. There are few men like J. Edgar Hoover, who has spent so many years and so much energy in serving his country.

For more than four decades, Mr. Hoover and the Federal Bureau of Investigation have been the epitome of incorruptibility and dedication in the fight against crime. When he was named Director of the Bureau in 1924, his first step was to clean out corrupt and inept

officials, and begin building a strong, highly trained, single-minded agency. Under his guidance, the FBI has become one of the best investigative agencies in the world. Its techniques are the guidelines for police forces across the Nation.

During the 47 years he has been a cornerstone of the Bureau, Mr. Hoover has remained completely above politics—he has never entered the fray about issues or candidates. Unfortunately, that cannot be said about some of his contemporary critics. During the past few weeks we have seen a kind of political grandstanding and emotionalism that is rare even in this city. The FBI, and particularly Mr. Hoover, have become targets of vicious criticism—allegedly for using strong-arm "Gestapo" tactics, for spying on Congressmen, and more. The Bureau has been condemned as the "secret police" of America.

Yet it all has been based on exaggeration and innuendo. Despite glorious promises of proof positive about some hasty charges, no one has produced any evidence that the FBI is guilty of any grave transgressions.

Mr. Speaker, I suggest that we end this headline hunting and take a dispassionate look at the Federal Bureau of Investigation, lest the irresponsible scare tactics of its critics overshadow the tremendous contributions it has made to the safety and security of our Nation. It will be a tragedy if the invaluable work of the Bureau is degraded and hampered by these charges.

It will be even more tragic if 47 years of tireless dedication and outstanding service is besmirched by reckless accusations and personal attacks. J. Edgar Hoover is indeed an American phenomenon, and we should be deeply indebted to him.

The attacks on Mr. Hoover have accompanied demands that he resign as Director. Retirement, of course, is an inevitability for all of us, regardless of capability. I have advocated mandatory retirement at 70 for Congressmen, Federal judges, and other public officials. When Mr. Hoover retires, it will unfortunately be the end of an era. I believe it should come as a highly deserved reward for a job well done, and not as a result of 11th-hour criticism.

Mrs. REID of Illinois. Mr. Speaker, I am pleased to have this opportunity to join my colleague, the gentleman from Illinois (Mr. COLLIER), and others, in commending and congratulating one of the great Americans—J. Edgar Hoover—on this 47th anniversary date of his service as Director of the Federal Bureau of Investigation.

Appointed FBI Director on May 10, 1924, by the then Attorney General, Harlan F. Stone, Mr. Hoover has worked from that day on to create a skillfully organized law enforcement agency which approaches its job in a meticulous and highly scientific manner. His work in behalf of our national security, his unceasing battle against crime all over the country, his work in reference to juvenile delinquency, his great interest in the young people of our country, and his dedication to intelligent police research

all have made for him a place in history unequalled by any similar official in our history.

Like all public figures, J. Edgar Hoover is subject to intensive scrutiny and criticism, but the fact of the matter is that his personal integrity is without blemish, and the FBI continues to be one of the outstanding law enforcement organizations in the world. For almost 5 decades J. Edgar Hoover has exemplified the epitome of Americanism in its true sense of equality, in its true sense of efficiency in Government, and in its true sense of nonpartisan political example.

Again, I extend my congratulations on this anniversary and wish for him many more years of good health and service to our country.

Mr. ANDERSON of Illinois. Mr. Speaker, I am pleased to join in this special order of my friend and colleague from Illinois (Mr. COLLIER) to pay tribute to J. Edgar Hoover on the occasion of his 47th anniversary as Director of the Federal Bureau of Investigation. Mr. Hoover has compiled an outstanding record of achievement for the FBI during his long tenure as Director, building the fledgling investigative unit into the most modern and efficient crime-fighting organization in the world. His record of progress and achievement is a reflection of his tireless service, his selfless dedication, and his peerless patriotism. Even if he were to retire today, no one could come close to matching his long record of service.

One of the most fitting and authoritative tributes I have ever read on J. Edgar Hoover was contained in a letter I received last month from a former FBI agent, Mr. Harvey G. Foster of Park Ridge, Ill. If there is no objection, Mr. Speaker, I would like to include the full text of that letter at this point in the RECORD.

PARK RIDGE, ILL., April 15, 1971.

HON. JOHN B. ANDERSON,  
House of Representatives, House Office Building,  
Washington, D.C.

DEAR CONGRESSMAN ANDERSON: I have become increasingly concerned with the spate of comments from columnists, Congressmen and others asking for J. Edgar Hoover's removal or retirement from the F.B.I. I spent 23 years in the F.B.I., the last 15 years in charge of various offices around the country. I chose to retire and am very happy with a very challenging second career.

I cite my career in the F.B.I. only because I want to comment, I hope authoritatively, about Mr. Hoover and the F.B.I.

I found Mr. Hoover the most dedicated public official I ever met. He lives for the F.B.I. and for the United States—these are his constant unflagging interests. I found him a superb administrator, a tough disciplinarian and something seldom mentioned, even quicker to recognize and reward outstanding service on the part of the F.B.I. employees.

He bent over backwards to assure that objective and that everyone's personal and constitutional rights were to be considered inviolate. I think he personally is very responsible for leading law enforcement to an early recognition of the necessity for this. He is an able and an exceptional man who has chosen to devote all his energies to a governmental agency and who has made it an agency looked up to and respected by the public and by law enforcement around the world.

I see him criticized as being a publicity

seeker for himself and his agency. Certainly he has sought to keep the F.B.I. before the American public, but this is because he was long ago astute enough to recognize that the F.B.I. would rise or fall as an investigative body depending on the confidence the public had in it.

A Law Enforcement agency is dependent on the public for the information it needs to pursue an investigation. If it were unknown or in discredit, its investigations would quickly reflect this.

I read that he should retire because of his age. I think this should be interpreted in the light of the man. I have seen no lessening of his mental powers and I personally feel that if there were he would be the first to retire. I am interested in efficiency in government as well as economy in government. Mr. Hoover could have retired at full pay some years ago, so actually we are getting his services for nothing. I can't imagine a greater bargain.

I read that he and his organization are suspected of tapping the telephones of some Congressmen. I know from experience that this is absolutely impossible. The F.B.I. scrupulously follows the U.S. Department of Justice regulations on this and there were none made without the express authority, not of Mr. Hoover, but of the Department of Justice for whom the F.B.I. is an investigative arm.

I read that he is not adjusting to the times. How can this be said when both he and his agency have steadily and most successfully adjusted with the times since 1924?

I read that he should have been grooming a successor. Who says he hasn't? But his successor, when that time comes, will be appointed by the President, the Attorney General, and by Congress. Does any one think they would necessarily select a person who had been publicly groomed as a successor? I doubt it.

In summation, I feel that I can attest that Mr. Hoover is an able executive, and administrator with few peers in Government, and I would like to suggest that he is one of the greatest bargains in Government. I would hope that he would be permitted to continue to serve his country with his obvious dedication until such time as he steps down—and that he be supported in this endeavor partially as a reward for long and dedicated service, but more importantly, because in this day of permissiveness that in him we have a dedicated person of integrity in a most responsible position of trust, where permissiveness would be disastrous.

Most sincerely,

HARVEY G. FOSTER.

Mr. HOGAN. Mr. Speaker, it gives me great pleasure to join my colleagues in paying tribute to J. Edgar Hoover who today celebrates 47 years of public service. On May 10, 1924, Mr. Hoover was named Director of the FBI and in all the years since that day he has given the country dedicated leadership and service.

Having served with the FBI myself for 10 years, I am extremely pleased that my colleagues have taken time from their busy schedules to honor this great American and his accomplishments in the FBI.

In the past several months, Mr. Hoover's detractors have received much publicity and the FBI and its employees have been subjected to much criticism. I think I have made known my feelings about this unwarranted criticism. President Nixon, in a recent interview with the Nation's newspaper editors, summed up the situation when he said:

I believe it would be most unfortunate to allow a man who has given over 50 years of dedicated service to this country to go out

under a cloud, maligned unfairly by many criticisms. I don't mean that some criticism of him, of me, of anybody, is not justified. But he is taking a bad rap on a lot of things and he doesn't deserve it. . . . Mr. Hoover, like any man who is a strong man, an able man, who has led this Bureau for so many years, has made many enemies. But we can also be thankful that in the FBI he has developed an organization which is recognized throughout the world as the best law enforcement agency in the world.

This, Mr. Speaker, is the point that I think needs to be made today. Mr. Hoover has made the FBI the outstanding law enforcement agency that it is. Prior to his assumption of the Directorship, the Bureau was wracked by corruption and scandal and hardly embodied the high qualities which are ascribed to it today.

Mr. Hoover believes forthrightly in the supremacy of the law. He is a man of integrity, honesty, and fairmindedness. All through his career he has been urging the American people to respect the law, emphasizing that the law is the archway through which men and women achieve justice and security. Take away that archway and government crumbles into anarchy and chaos.

When he took over the helm of the FBI in 1924, Mr. Hoover instilled these ideals in the employees of the Bureau. And today, anyone who visits the FBI or deals with agents throughout the country will acknowledge the accomplishments and high standards of this government agency.

Under Mr. Hoover's leadership, the FBI has become a highly professional law enforcement agency which has been a model for police agencies all over the world. Mr. Hoover realized that in order to be an organization which Americans respect and trust, the FBI must have highly qualified and competent employees to serve as its representatives. Consequently, he has imposed his own high standards on FBI employees and today most Americans cooperate promptly and fully with FBI agents because they do have confidence in the integrity of the agency.

Last year, FBI agents managed to collect enough evidence to lead to the conviction of 468 persons involved in organized crime. They also collected enough information which, when passed along to local law enforcement agencies, led to over 800 raids and the arrest of some 4,400 organized crime figures.

These achievements would not be possible were it not for the dedication and discipline of the FBI's Director. His leadership should be praised, not maligned, as indeed it has been by his superiors and by other persons of stature and reknown in our Government. Both the President of the United States and the Attorney General have indicated their complete confidence in the way Mr. Hoover is carrying out his responsibilities. No man could ask for a higher recommendation.

I am proud to join my colleagues in this tribute to a great American.

Mr. BOW. Mr. Speaker, a close association with J. Edgar Hoover has been one of the most rewarding experiences I have had during more than 20 years in Washington.

During most of this time I have served

on the appropriations subcommittee having jurisdiction over the funds of the Justice Department including the Federal Bureau of Investigation. This has led to a closer association with the Director than would be enjoyed by many other Members of the House, and it is an association I value highly.

Mr. Hoover is always clear, concise, and completely frank in his testimony to our subcommittee, and careful to keep us informed throughout the year about significant events and changes in his problems, programs, and responsibilities. His annual presentation is a complete and highly informative report on the internal security and domestic tranquillity of our Nation.

Mr. Speaker, all Americans are indebted to the Federal Bureau of Investigation for its vigilance and its vigorous enforcement of Federal law. The FBI is the world's finest law enforcement agency. Its agents are recruited from among the best men this country produces. The list of those who have gone on from the Bureau into other areas of national life includes some of our most distinguished citizens, and in this category I wish to include those former agents who now serve in the Congress.

All of this is a tribute to Mr. Hoover, whose diligent labor and untiring efforts have built the FBI as we know it. I am proud to extend congratulations to my good friend on this anniversary.

Mr. EDWARDS of Alabama. Mr. Speaker, today marks the career anniversary of perhaps the single most influential figure in the annals of law enforcement this Nation has ever known.

Forty-seven years ago, John Edgar Hoover set out with the FBI to right the seemingly insurmountable wrongs borne from decades of lawlessness and violence. His task was challenging beyond belief. And yet, his honesty and perseverance amidst all odds prevailed. Not once, in peace or war, has this great American shirked his responsibility or disavowed his committed goal in life.

Even with this flawless record, however, there are those among us who are actively seeking his removal. And for what reason? Has he been found guilty of any misdeed? Of what are his critics accusing him? Apparently, they sense he may be losing his reasoning ability to cope with the crime which is daily rearing its ugly head across this Nation. But, these same critics who have so much to say about Mr. Hoover's 76-year-old age are the most ardent supporters of liberal Supreme Court justices, one of whom is 81.

Fortunately, Mr. Hoover, like so many other great American champions of freedom and moral decency, has risen above such a callous display of ingratitude. Truly, Mr. Hoover is a venerable giant among great men.

Mr. Speaker, in further attesting to my respect of and admiration for the outstanding job Mr. Hoover has accomplished as Director of the FBI, I am submitting a copy of a certified endorsement of his accomplishments drawn up by the Alabama State House of Representatives.

The endorsement follows:

STATE OF ALABAMA HOUSE OF REPRESENTATIVES,  
H.J.R. 48

Whereas, Mr. J. Edgar Hoover has recently come under unwarranted attack; and

Whereas, Mr. Hoover symbolizes blunt honesty and old virtues in an age of changing values and easy morals; and

Whereas, Mr. Hoover has given the nation superior service while making the F.B.I. a model of honest and efficient law enforcement; and

Whereas, he has been the foremost example of good over evil for America's youth and grownups; and

Whereas, on one thing his admirers and critics can agree: The F.B.I., with its thousands of agents, millions of fingerprints and volumes of information is graven in the image of a single man, John Edgar Hoover; now therefore

Be it resolved by the Legislature of Alabama, both Houses thereof concurring, That this body goes on record as supporting this fine American and does pass this resolution as a vote of confidence in Mr. John Edgar Hoover.

Mr. FLOWERS. Mr. Speaker, for 47 years J. Edgar Hoover has stood for law and order in this country. His name has become virtually synonymous with modern and efficient crime fighting methods. Individual security throughout America has increased immeasurably under his vigorous leadership of the Federal Bureau of Investigation. The Nation as a whole has maintained its tradition of liberty through perilous times due to the efforts of Mr. Hoover and others like him.

The forces of organized crime, as well as individual transgressors of the law, have come to fear and respect Mr. Hoover. Especially in this time of rising crime in the Nation, it is good to know that a man of Mr. Hoover's ability and experience is on the job.

His leadership and dedication over many years of service are well known to all of us. He has truly given of himself to this Nation as have few men in our history, and all law-abiding citizens are the beneficiaries.

Mr. Speaker, he has received countless distinctions from a grateful nation, and it is fitting that we pause here in the House to add our congratulations and best wishes to this outstanding American on the occasion of his 47th anniversary as Director of the FBI.

Representative Ben Cherner and Speaker Sage Lyons, two distinguished members of the Alabama Legislature, recently presented a resolution to that body which was passed on April 27, 1971, and which sets out the legislature's admiration for Mr. Hoover. I am pleased to offer it for inclusion in the RECORD at this time, and commend it to the attention of my colleagues:

STATE OF ALABAMA HOUSE OF  
REPRESENTATIVES

Whereas, Mr. J. Edgar Hoover has recently come under unwarranted attack; and

Whereas, Mr. Hoover symbolizes blunt honesty and old virtues in an age of changing values and easy morals; and

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Be it resolved by the legislature of Alabama, both Houses thereof concurring, That this body goes on record as supporting this fine American and does pass this resolution as a vote of confidence in Mr. John Edgar Hoover.

Mr. RHODES. Mr. Speaker, it is a privilege to join many of my colleagues to pay tribute to J. Edgar Hoover on this, the 47th anniversary of his service as Director of the FBI.

Mr. Hoover has done much good for police work in this country. Under his direction, the FBI has set standards for professionalism and proper conduct in police work. This example has done a good deal to make law enforcement a respectable career.

Mr. Hoover came into the FBI in 1924. From that time on the record speaks for itself, and speaks profoundly well. It is a record of achievement, public service and protection.

He has been neither partisan nor partial in his use of the enormous power of this national investigative agency. His policies have helped the FBI establish a reputation for honesty, credibility, and devotion to the law which is unequalled anywhere in the world.

The Nation owes Mr. Hoover a sincere thank you. I thank him and pay tribute to his many years of dedicated service. He is, in every sense, a great American.

Mr. HUTCHINSON. Mr. Speaker, in 1917, a 22-year-old lawyer by the name of J. Edgar Hoover became an Assistant Attorney General of the U.S. Justice Department. Seven years later, he was appointed to the Justice Department's Bureau of Investigation with the instructions that the agency was to be operated according to the highest ethical and executive standards and removed from partisan politics.

Mr. Hoover undertook this responsibility with dedicated effort to create the world's finest law enforcement agency. Confidence in his record has been expressed by the eight Presidents under whom he has served as Director of the Federal Bureau of Investigation. President Dwight Eisenhower awarded Mr. Hoover the National Security Medal in 1955 for "brilliant leadership in a position of great responsibility" and for "the highest ideals of Federal Law Enforcement."

When Mr. Hoover joined the Justice Department in 1917, there was no well organized FBI to protect the law abiding citizens of this Nation. During the course of his career he has often come under attack by the criminal, the left, the right, and has been subjected to political pressure. However, he continues to give this Nation the same dedicated service that was used in the formation of the FBI.

At the age of 76, having given this country more than half a century of distinguished service, Mr. Hoover deserves the respect of every law-abiding citizen. He has, and he continues to earn, my respect. He continues to adhere to the

guidelines set down to him in 1924 to operate the FBI according to the highest ethical and executive standards and to avoid partisan politics. Mr. Hoover has faithfully carried out his duty as Director of the FBI.

Mr. JONES of Alabama. Mr. Speaker, I salute the Director of the Federal Bureau of Investigation, J. Edgar Hoover, on his unusual record of 47 years of dedicated service to the cause of law enforcement in this Nation.

His tenure is even more admirable when you consider that he has been the instrumental force in keeping the FBI above suspicion of corruption throughout nearly five decades.

Because he has set the highest standards for himself and his coworkers, the FBI is considered the most elite law enforcement agency in the country.

He has earned the respect of law enforcement personnel everywhere because of the close work and cooperation of the agency whenever the high professional skills of the FBI are sought. At the same time, Mr. Hoover has carefully avoided extension of the Federal agency into enforcement problems where there was no Federal authority for action.

The FBI has won acclaim for its thoroughness and efficiency; yet, through the years, Mr. Hoover has wisely resisted suggestions that his agency be converted into a national police force.

It is a pleasure to extend my felicitations and best wishes to Mr. Hoover on the 47th anniversary of his tenure as director of the FBI.

Mr. MICHEL. Mr. Speaker, it is with great pleasure that I join my colleagues in the House today to express our appreciation for a grand American—J. Edgar Hoover.

The phrase "dedicated public servant" has been bandied about considerably, but there is no other description that fits Hoover. He has served our Government for 54 years, 47 of them as head of the Federal Bureau of Investigation.

During that time he has earned the respect and admiration of our people. He has performed a tough job in a manner that has garnered credit for the Bureau. Mr. Hoover has served under eight Presidents and 16 Attorneys General.

The Bureau has grown in stature in the nearly five decades Mr. Hoover has been at the helm. It has been a crack law enforcement agency, not just at the federal level, but also through the foresight of Mr. Hoover in establishing training programs for local police and the sharing of information and crime-fighting techniques. He has established a fingerprint bank of nearly 200 million sets, which has proven invaluable in identification of individuals, and has in itself solved many cases by producing irrefutable evidence of a criminal's whereabouts at the time of a crime.

We are fond of saying that certain things can happen "only in America." The tenure of Mr. Hoover at the head of the FBI has been truly such an example. In many Nations such an enforcement bureau would eventually have grown into a Gestapo-like organization, or become involved in internal politics. Mr. Hoover has hewed to the line with-

out fear or favor. He has demanded the highest caliber of men and the most stringent training and work regulations. As a consequence, the FBI and incorruptibility have become synonymous in the United States.

Perhaps the most telling of how good a job the FBI has done is that it strikes terror into the hearts of hoodlums—large and small. No one on the other side of the law wants to have the "Feds" after him, for their arrest record is high, and their conviction rates phenomenal. Due again to the strict standards of gathering evidence Mr. Hoover has instilled in the Bureau. Last year the FBI obtained 13,000 convictions, and ran up a batting average of 96 percent convictions to arrests—and this against some of the most skillful criminal lawyers in the country.

The rest of the Federal Government might well envy the FBI's fiscal operations. During 1970 the Bureau took in, in fines and recoveries, \$422 million—or about \$1.60 for every dollar we in Congress appropriated for their operations.

The FBI does not stand still. It has been in the forefront of developing and utilizing the latest in crimefighting equipment—and in sharing that knowledge with law enforcement officials across the land. Currently under construction is a modern FBI building which will bring together its operations now scattered in several buildings in the city. It is due to completion late in 1973, and will provide the Bureau with the room it needs, and coordination of all its many functions.

It is regrettable that certain Members of this body have chosen to attack Mr. Hoover while in search of cheap headlines. As has been the case in the past, their attacks have been groundless—particularly the intemperate attack and accusation of use of telephone taps. No Member of this body is immune from investigation, nor should he be, when the evidence points to involvement in criminal activities. There have been few instances of this happening, but there have been some. I believe that the shabby tactics being employed by those who are attempting to witch hunt for flaws in Mr. Hoover's administration of the FBI are unworthy and uncalled for. They reek of the same frenzied sensationalism that took place in the early 1940's when the FBI first began its functions as guardians of our internal security. The tragedies at Dallas, Los Angeles, and Memphis during the 1960's are proof positive that we do have problems with subversive elements in our society, and we do need an agency with the full resources of our Government behind it to root out this cancerous ideology and protect our citizens from anarchy and revolutionist tactics.

It is said that lightning strikes only the tallest trees. Mr. Hoover has weathered many a storm created by politicking and propaganda circulated by those who envy or fear the efficiency and the effectiveness of the FBI.

"Mr. G-Man" has done a marvelous job in one of the Nation's hot seats in Government, and I feel that a vast ma-

majority of the American people share with us today a deep feeling of gratitude that we have been able to have a man such as J. Edgar Hoover as head of the FBI.

Mr. LANDGREBE. Mr. Speaker, this morning, one of the most respected news commentators in America, Paul Harvey, mentioned that today marks the 47th anniversary of J. Edgar Hoover's tenure as Director of the Federal Bureau of Investigation.

As near as memory serves me, Mr. Harvey had this to say of Mr. Hoover's 47 years of distinguished service to America:

Of course, the jackals are yapping at his heels, just as jackals have always yapped at the heels of lions. But Mr. Hoover will survive their attacks, just as he has survived other attacks in other years.

I subscribe wholeheartedly to these remarks. Can it be that the leftist elements in America are crying out for Mr. Hoover's blood because he has been ineffective in his fight against crime and subversion? I don't believe it for 1 minute.

The reason, in my opinion, can be found in the fact that Mr. Hoover has been extremely effective and successful in his efforts to protect America from those who would destroy it. He has stepped on the toes of the subversive, the criminal, and the weak-kneed politicians who either see no threat in Communist subversion or who are feeding at the trough of crime.

We have heard it said that Mr. Hoover is a threat to freedom. I would ask "Whose freedom?" I would rather protect the law-abiding citizen's right to freedom from fear and coercion than the freedom of the criminal to peddle narcotics, murder for hire, or terrorize our cities with the petty rackets which have become big business for the syndicate.

I submit that the cries that Mr. Hoover is attempting to stifle political dissent are so much hogwash. If this were true, we would be right to be concerned. But have we heard any proof whatever of these ridiculous charges?

I am sure I join the majority of my colleagues and the overwhelming majority of Americans in extending heartiest congratulations and gratitude to Mr. Hoover on this, the 47th anniversary of the day he became director of the FBI and made it the finest investigative agency in the world. I also believe that most Americans wish him continued success.

Mr. DERWINSKI. Mr. Speaker, I consider it a privilege to participate this afternoon in this special order paying tribute to Federal Bureau of Investigation Director J. Edgar Hoover on this the 47th anniversary of his service in that position.

Normally on an occasion such as this we would be eulogizing his long and meritorious service, pointing out his tremendous professionalism, his imagination, his technical exactness and effectiveness that have become a trademark of the FBI.

Unfortunately, we are going through a period when the radical left, abetted by many misguided allies in carrying on a

determined assault against Mr. Hoover and the FBI. Many of the allies of the radical left happen to be presidential hopefuls of the Democratic Party who, if they were not obsessed with visions of power, would not be participating in the campaign to smear Mr. Hoover. Obviously, visions of grandeur confuse what otherwise would be the good judgment of supposedly knowledgeable officials.

But on my part, Mr. Speaker, I wish to emphasize my personal respect for Director Hoover and the FBI. I also want to emphasize, on behalf of my constituents, appreciation for the long years of dedicated, unselfish service and devotion to the highest principles of public service which have motivated Mr. Hoover.

Above all, Mr. Speaker, I pay tribute to Mr. Hoover's respect for our American institutions and the need to protect them, which has motivated him throughout his long career.

Mr. KEATING. Mr. Speaker, today, I am honored to participate in this special order to commemorate the 47th anniversary date of J. Edgar Hoover's able leadership as Director of the Federal Bureau of Investigation.

I had the opportunity this past week to visit with Mr. Hoover at the FBI Headquarters and discuss some past and current events with him. It was a delightful visit.

I found Mr. Hoover in vigorous health and appearing to be much younger than his years.

I wish to join my friends and countrymen in congratulating him on these many years of excellent and dedicated service to his country, and to wish him continued good health and success in the future.

Mr. BUCHANAN. Mr. Speaker, I rise to join my colleagues in recognizing the outstanding service of Federal Bureau of Investigation Director J. Edgar Hoover.

Today, 47 years after becoming its Director, J. Edgar Hoover is a symbol of everything the bureau represents. Under his direction it has become the most highly respected and effective agency of its kind in the world.

Mr. Hoover himself is of unimpeachable character and his influence is reflected in the high caliber of the Bureau and the personnel in it who enforce our Federal laws. For more than 50 years, this dedicated public servant has put duty to his country first and has rendered magnificent service to the American people in so doing.

Recent attacks on Mr. Hoover from some sources here in Washington to the contrary notwithstanding, Mr. Hoover enjoys the great respect of Americans everywhere. Every letter I have received from my constituents concerning him has expressed admiration and appreciation for his service.

These attempts to malign Mr. Hoover have resulted, instead, in the confirmation of his honesty, integrity, and sincerity. The directorship of one of the world's largest investigative and law enforcement agencies is a demanding one, but for 47 years, Mr. Hoover has fully met these demands.

In my State of Alabama, the State legislature recently adopted a resolution expressing a vote of confidence for Mr. Hoover. This resolution follows:

#### RESOLUTION

Whereas, Mr. J. Edgar Hoover has recently come under unwarranted attack; and

Whereas, Mr. Hoover symbolizes blunt honesty and old virtues in an age of changing values and easy morals; and

Whereas, Mr. Hoover has given the nation superior service while making the F.B.I. a model of honest and efficient law enforcement; and

Whereas, he has been the foremost example of good over evil for America's youth and grownups; and

Whereas, on one thing his admirers and critics can agree: The F.B.I., with its thousands of agents, millions of fingerprints and volumes of information is graven in the image of a single man, John Edgar Hoover; now therefore

Be it resolved by the legislature of Alabama, both Houses thereof concurring, That this body goes on record as supporting this fine American and does pass this resolution as a vote of confidence in Mr. John Edgar Hoover. Be it further

Resolved, That a copy of this resolution be sent by the Clerk of the House to Mr. Hoover, and that copies be sent to the members of the Alabama Congressional Delegation in order that they might place it in the Congressional Record and circularize it among fellow congressmen.

I commend Mr. Hoover for his service to the cause of law enforcement in the United States which has played such a vital role in the preservation of this Republic.

Mr. WHALLEY. Mr. Speaker, it is a great privilege to join my voice to those of my fellow Americans from across the land today who are speaking out in behalf of a great American and a dedicated leader: J. Edgar Hoover.

For nearly 47 years as Director of the Federal Bureau of Investigation, Mr. Hoover has embodied those qualities of vigilance, enterprise, and prudence essential to the effective leadership of that organization. A man of granite integrity, he has become legendary in his own remarkable lifetime.

J. Edgar Hoover has been steadfast in his defense of the ideals of his Nation and his God. The FBI, as we know it today, is to a large degree the creation of this man, reflecting his concern for honesty, efficiency, and ability in public—as well as private—life.

Basic to J. Edgar Hoover's dedication to these ideals is his philosophic view of history, as expressed in his own words:

Throughout history, man has been confronted with a never-ending struggle against tyranny. However, history has shown that free societies have invariably proved more resilient, creative, and enduring than those under a totalitarian yoke.

His deep and passionate faith in freedom has been a sustaining presence and power in his career. It is reflected in the FBI itself.

There are many ways to judge and evaluate a man's career. One very interesting and revealing way is to note and observe his enemies. The enemies Mr. Hoover has made among the criminal and subversive elements constitute his greatest tribute.

Centuries ago a great teacher declared that, "To whom much is given, of him much shall be required." By that exacting standard, J. Edgar Hoover has more than met the obligations of his office.

History will show Mr. Hoover to be among the great patriots of this or any time, and I am proud and pleased to salute him in this anniversary year.

Mr. McCQUIRE. Mr. Speaker, someone once defined a liberal mind as one capable of believing almost anything. In a free society, that is their right. The trouble is that in today's world, the thoughts which spring from the liberal mind are often treated as if they came from above. And so, a lot of people have been fooled into thinking that the liberal is also infallible. Thus, economists make political decisions and politicians pass themselves off as economists. Earlier in the year, one committee took testimony from a man who claimed the SST would increase the incidence of cancer. Since the liberal mind wanted to believe that so badly, the press gave the allegations wide coverage, despite the fact this same man had once attributed the New York power failure to unidentified flying objects.

Now, the liberal mind is apprehensive about the FBI. There is an agent under every bed, our phones are tapped and all of us are under constant surveillance. This is, of course, the work of J. Edgar Hoover, who now has a complete record of what the McClures' eat for dinner each evening as well as how angry I get when the pork chops are burned. If freedom is to survive, J. Edgar must go.

Even the thought of having to defend Mr. Hoover against such foolishness is embarrassing. Nevertheless, I am grateful to my friend from Illinois (Mr. COLLIER) for the opportunity to talk about this great American. I would like to express, with as much sincerity as I can muster, my endless admiration for J. Edgar Hoover and my hope that he still has many more years of dedicated service as Director of the Federal Bureau of Investigation ahead of him.

Recent attacks on his integrity and his ability cast more of a shadow on those making the charges than they do on the man himself. If other branches of the Federal Government were as efficient and as free of corruption as the FBI, it would certainly make our work a great deal easier around here. So, Mr. Hoover's sudden emergence as a villain worse than any of those on the agency's Ten Most Wanted list must lie elsewhere.

What single characteristic binds all of those now itching for the Hoover scalp? They are, one and all, tried and true liberals. No one suggests for a moment that they do not have a right to their points of view. But when the product of such thinking emerges as violence in the streets of our cities and disruption on the Nation's campuses, that constitutes a greater menace to free thought than anything even Congress could devise. And the FBI would be derelict in its duty were it to ignore the violence. You would think this thought would have occurred to our liberal friends, concerned as they are with freedom in all of its many manifestations. Instead, they pull the radicals

to their bosom, cloak them with such phrases as "The New Left" and give them an aura of respectability they would not otherwise have had.

There were no cries of alarm when the FBI was taking on the big crime syndicates, or the Ku Klux Klan or the American Nazi Party, or even the Communist Party, come to think of it. Until recently, no one would have seriously thought of the FBI as antiright or antileft or antiananything else. It had built its reputation through seven administrations representing both political parties as the one force determined to protect the integrity of the U.S. Government. Those who now challenge the agency and its Director cannot help but raise questions in the minds of the rest of us about their own motives. Destroy those things which symbolize a nation's integrity and you pretty much destroy the nation itself.

Perhaps we are overly concerned about these attacks. Even Mr. Hoover's critics are unable to agree on the man. For some, he is too old to function; for others, he functions all too well. But to the vast majority of Americans, J. Edgar Hoover has risen above petty political partisanship throughout his career. They view him in much the same manner as they did Dwight D. Eisenhower. And like Ike, Mr. Hoover's accomplishments will be remembered long past the time when his detractors are forgotten.

Mr. CARTER. Mr. Speaker, for 47 years, Americans have spoken of J. Edgar Hoover and the Federal Bureau of Investigation in a single breath and as a single entity. And rightly so, for the FBI has indeed been shaped and fashioned by its Director into the product recognized today as preeminent throughout the world in the field of law enforcement.

The Federal Bureau of Investigation's motto, derived from its initials, reveals the nature of the organization—what it should be and what it actually is for most Americans: Fidelity, bravery, and integrity. Those words distill the very essence of the FBI's attitude and its approach to a myriad of responsibilities involving the most delicate problems of this Nation and often involving physically dangerous situations.

Although the FBI's special agent force is larger than when Mr. Hoover took over in 1924, it is smaller than some city police forces. Over the years Hoover has insisted on keeping the FBI—the organization as well as its personnel—above suspicion and free from outside influences. He will not tolerate any deviation from the standards laid down and exemplified in the motto. I believe that the absence of scandal that has characterized the agency is a measure of his success in imbuing his force with the spirit symbolized by that motto.

Applicants for the special agent force are carefully screened to insure that they meet the high educational and character standards required by the Federal Bureau of Investigation. In addition, the new agents are put through 14 weeks of training. Throughout Mr. Hoover's nearly 50 years as Director of the FBI, none of these agents has ever been charged with a crime.

Under Mr. Hoover's directorship, the FBI's record of success has been an outstanding one. Since the list of the top 10 most wanted criminals began in 1950, 291 persons on it have been captured. In fiscal year 1970, convictions were obtained against 96 percent of the persons brought to trial during the year. Of the 13,245 convictions that year, 83 percent were on guilty pleas; the rest followed trials before judge or jury. These percentages are typical of other years. During calendar year 1970, 468 persons involved in organized crime were convicted, and over 32,000 fugitives were located.

One of the latest advances in law enforcement for use against criminals is a computer network known as the National Crime Information Center. The NCIC established in 1967, provides a computerized index of information concerning wanted criminals and stolen property of nationwide interest. Vital information can be obtained in a matter of seconds. The system serves law agencies in nearly all States. During 1970, close to 20 million inquiries were made of the computer.

I am convinced this Nation's confidence in the FBI is properly placed and that the Bureau and Mr. Hoover have lived up to the tremendous trust placed in them. Over the years, Mr. Hoover has set a course that reveals his vast patriotism as well as his unswerving belief in the supremacy of the rule of laws.

His standards, as set forth in the FBI's motto are high but easily defined. It is a privilege to honor J. Edgar Hoover here today. He has built a proud organization deserving of this recognition and indeed worthy of its motto: fidelity, bravery, and integrity.

Mr. DULSKI. Mr. Speaker, I am delighted to have this opportunity to join with my colleagues in paying tribute to J. Edgar Hoover on the 47th anniversary of his appointment as Director of the Federal Bureau of Investigation.

His service to his country is well known, and I believe my own feelings are best expressed by a letter which I sent to Mr. Hoover just a month ago. Following is the text of my letter:

APRIL 8, 1971.

Director J. EDGAR HOOVER,  
Federal Bureau of Investigation  
Washington, D.C.

DEAR MR. HOOVER: I am quite disturbed and concerned over the flood of recent criticism which has been leveled against you and the Federal Bureau of Investigation.

The contacts I have had with the representatives of the F.B.I. and your office over a period of many years, as well as my personal observations of the activities of your organization, have led me to have the greatest respect for the Bureau and your leadership.

Few Americans can equal the impressive record of public service you have established. It is my strong feeling that no individual could enjoy the continued trust and confidence of so many Presidents and the American people if he did not properly conduct himself and the affairs of his office.

You have my support and best wishes for the future.

With kindest regards, I remain  
Sincerely yours,

T. J. DULSKI.

Mr. Speaker, I also include with my remarks a very appropriate editorial by

David Lawrence in the U.S. News & World Report issue of April 19.

INTERNAL SECURITY OF U.S. DEPENDS UPON  
THE F.B.I.

(By David Lawrence)

The American people have never known the intimate story about the operations of the Federal Bureau of Investigation because public disclosure would impair the usefulness of an important governmental organization in dealing with problems of surveillance involving subversion and crime.

To supervise a group of nearly 19,000 persons who must dedicate themselves to secrecy is not an easy task. J. Edgar Hoover, who has been Director of the FBI for several decades—under both Republic and Democratic Administrations—has given the agency a leadership which has enabled it to participate in investigations throughout the land, especially those related to persons suspected of violating federal laws or crossing State lines to escape punishment.

The FBI does not act alone. It works in cooperation with State and local enforcement agencies and often supplies the critical information which leads to the solution of many a crime and to arrests and prosecution by the proper authorities.

The FBI has been very helpful to the police departments of the nation's cities. It gets no publicity for doing so, and doesn't seek any. But in numerous cases, it has been the FBI which furnished the tip that led to the capture of a much-sought-after criminal. State law-enforcement agencies also benefit from the work of the FBI. In fact, there is a reciprocal arrangement among all these groups in order to help each other.

The policy laid down by Director Hoover is one of concentration on the gathering of facts, leaving it to others to act thereon. The decision to prosecute, for instance, is not made by the FBI. The data it assembles are turned over to the Department of Justice, which then can seek a grand jury indictment. The FBI doesn't make these requests or furnish attorneys for the court proceedings which may follow.

Many organizations which are emotionally aroused over current issues are inclined to blame the FBI if some of the "extremists" are indicted, arrested and brought to trial. The truth is that the Department of Justice makes the decision as to whether they should even be charged.

But there has been apparent for some time a belief among radical groups that their foremost enemy is the FBI, and they have tried in various ways to discredit the organization.

Recently some members of Congress have been assailing Mr. Hoover for allegedly ordering their telephones to be tapped. Although both he and the Department of Justice have emphatically denied any such thing, the story has been spread and agitators have picked it up as a means of starting another crusade to drive the present Director out. The purpose of course, is to disorganize the agency and weaken it.

Actually, Mr. Hoover at the age of 76 is one of the most active men serving in public office. He has developed the FBI, with assistants and associates having specific responsibilities, so as to make it possible for the agency to work harmoniously and effectively with close supervision from the top, including suggestions on important cases. As men who have served in the FBI have gone into business or other professional pursuits, they have usually said to their friends on leaving that the organization is as efficiently directed today as it has been over the years.

The radicals would like nothing better than to tear down the FBI. The removal of J. Edgar Hoover would be a victory for them. But there are no indications that the Nixon Administration will fall for such tactics and surrender to the groups antagonistic to the FBI.

The one thing that the FBI has always sought to avoid was any act which could involve its agents in controversies with members of Congress or government officials unless, of course, in connection with some criminal case. But the maintenance of wire tapping of the telephones of members of Congress, as recently claimed by critics of the FBI, is something that anyone who is familiar with FBI operations would know instantly was never authorized by J. Edgar Hoover and probably never occurred.

The FBI has successfully kept out of politics. It has refrained from interference in any way with campaigns of members of Congress or participation, favorable or unfavorable, in presidential contests.

The FBI operation has been expanding over the years, but the Bureau has stuck to one rule—that it would not make public its findings except with the authorization of the Attorney General of the United States, who is the boss of the agency itself.

The FBI can be relied upon to carry on inside the United States extensive investigations of subversion, espionage and any conspiracy against the Government. For the FBI is the principal safeguard of the internal security of our country.

Mr. RUTH. Mr. Speaker, I am pleased to have this opportunity to speak about a man who has had more to do with professionalism in law enforcement than anyone in this Nation.

Director J. Edgar Hoover is completing his 47th year as director of the Federal Bureau of investigation. His leadership has been nothing less than progressive, and all of us owe him something for that.

In recent months, there have been personal attacks on the Director. Some of the criticisms have been very sharp, tending to be political bric-a-bracs or fishing expeditions for presidential aspirants. These criticisms are unfair to a man who has given this Nation almost a half-century of outstanding, dedicated, professional service.

I think that it is important during the criticisms over Mr. Hoover's service that this Nation keep sight of the tremendous professionalism he has brought to law enforcement, both on the national level and in our communities. Mr. Hoover's agents, his records research and crime laboratory are not just the best in the world, but they are an invaluable source of information and guidance for our police throughout the country.

In addition to that, Mr. Hoover continues to be among the best and most effective administrator in our Government.

Mr. Hoover's kind of law enforcement is what I want. It certainly is the kind of law enforcement this Nation needs during a time of political bombings, radical demonstrations, and left-wing attempts to stop the operations of our Government.

Mr. Hoover is a distinguished public servant. He is not the leader of any secret police force in this Nation. His operations are supervised by the Attorney General, and the Congress controls the operating funds for the FBI.

I am one who feels that we must act in Mr. Hoover's interest, and in respect of his years of service, whether this pleases his critics or not.

Mr. QUILLLEN. Mr. Speaker, it is indeed a pleasure and a privilege to join my colleagues here today in honoring the

dean of law enforcement, Mr. J. Edgar Hoover.

Today marks his 47th anniversary as Director of the Federal Bureau of Investigation. During these years, Mr. Hoover has transformed an infant agency into the most potent and respected force for law and order in American history.

It is the Nation's top security force and to quote former Attorney General Nicholas Katzenbach, it has become "the best and most decent agency in the whole world."

Mr. Hoover has always been a man of great power, and he has used that power in constructive measures for the good of all Americans.

He has been admired by young and old alike for decades. He is the symbol of basic American values of decency, fair play, and respect for the law.

The Nation has come to depend on the FBI due to the outstanding job it has done in protecting the peace and preserving the security of our country.

I noted with interest that a recent poll conducted by the Gallup organization showed enormously favorable ratings for Mr. Hoover and the FBI. This clearly indicates the esteem in which both are held by the American public.

Mr. Speaker, I congratulate Mr. Hoover on the fine job he is doing, and I commend him for his dedication to uphold the Constitution of the United States.

Mr. HAMMERSCHMIDT. Mr. Speaker, I rise in salute to J. Edgar Hoover on the occasion of his 47th anniversary of service as Director of the Federal Bureau of Investigation.

Under his leadership, we have witnessed the building of a highly effective investigative arm of the Department of Justice. The FBI carries the burden of the fight against internal security threats, organized crime, civil rights disruptions, drug traffic, aircraft hijacking, interstate car thefts—to name but a portion of its responsibilities. The Bureau conducts training schools and assists thousands of law enforcement officers annually on new techniques and methods of investigation. It acts as a storehouse of information as well as a cooperative source of guidance and instruction for our police throughout the country.

Recently we have been experiencing a wave of criticism directed toward the practices of the FBI and questioning the integrity of its Director. Critics have charged that Mr. Hoover is "out of touch" with the contemporary needs of law enforcement in a free society, and that under his "dictatorship" the FBI may become America's "Gestapo."

The fact is that the policies and the personal philosophy of Mr. Hoover are diametrically opposed to the concept of a national police force.

Most historians date the birth of the modern FBI as May 10, 1924, when Hoover was appointed its new Director by Harlan Fiske Stone, then Attorney General. Hoover had advised Stone that he would accept the appointment on these terms:

The Bureau must be divorced from politics and not be a catch-all for political hacks. Appointments must be based on merit . . . promotions on proved ability. The

Bureau will be responsible only to the Attorney General (and the President).

This forms the basic philosophical foundation of what is today the world's finest law enforcement agency.

With the establishment of the FBI National Academy in 1935, this same philosophy was to be extended to the local law enforcement agencies as graduates of the Academy returned to their home territories. These graduates in turn worked with the FBI in full cooperation for the singular purpose of effective law enforcement. In Hoover's words:

(This) is the American way of avoiding any resemblance of national control or of a national police system.

Mr. Hoover, through the years, has performed national service of great benefit by alerting the people to the huge costs of crime—and to the dangers of international conspiratorial activities. He has done this with his annual visits to the Congress, through reports to the Attorney General and the President, and through such notable contributions to literature as his book on totalitarianism, "Masters of Deceit."

In all statements and actions, Mr. Hoover is steadfast in his conviction that the FBI should never be permitted to become an independent agency, operating without the checks and controls under which it now operates.

J. Edgar Hoover's public life spans the last half century. The fruit of experience has aided him to exercise consistently responsible judgment in handling in many challenges which confront the FBI. When assessing the turmoil of sporadic violence, or the cries for social and political revolution, or the desecration of American symbols, or the denigration of American institutions, Mr. Hoover is able to call on vast experience. No little wisdom is evident when he says:

The truly revolutionary force of history is not material power but the spirit of religion. The world today needs a true revolution of the fruitful spirit, not the futile sword. Hypocrisy, dishonesty, hatred, all these must be destroyed and man must truly rule by love, charity, and mercy. (*Masters of Deceit*)

J. Edgar Hoover's record of achievement shows us the true greatness of his leadership.

People from all walks of life hold Mr. Hoover in the highest esteem. His personal contribution to criminology, national security, and individual rights is acclaimed throughout the land. Few men have the vision, integrity, and unselfish devotion which mark his illustrious career. His dedication to the preservation of law, order, freedom, and justice place him among the outstanding leaders who have made this Nation great.

Mr. DICKINSON. Mr. Speaker, in 1908, President Theodore Roosevelt advocated the establishment of a special corps of investigators in the Federal Government. This special group was formed within the Justice Department and officially called the Bureau of Investigation. Teddy Roosevelt would be very proud of today's Federal Bureau of Investigation which his order began. The FBI's achievements in law enforcement have been many. The reputation for honesty, efficiency, and coverage which this

organization possesses today can be attributed, in large part, to the efforts of one man, its Director, J. Edgar Hoover.

Mr. Hoover has often quoted Theodore Roosevelt's credo that:

Much has been given us, and much will rightfully be expected from us. We have duties to others and duties to ourselves; and we can shirk neither.

Mr. Hoover has never shirked the difficult. He has always exemplified the code of duty, honor, and country. His dedication to the American people and the Government of the United States has been unexcelled.

When Mr. Hoover became Director of the FBI, he accepted a formidable challenge. The Bureau was virtually hamstrung with incompetency and dishonesty. Mr. Hoover's first request of Attorney General, and later Chief Justice, Harlan Fiske Stone, was to be allowed the authority to rid the Bureau's ranks of incompetents and patronage hangers-on. Mr. Hoover requested the authority to remove his Bureau from political interference, and he insisted on making appointments and promotions on the basis of merit and ability. Immediately upon taking over the Bureau, Mr. Hoover began his housecleaning tasks. At the same time, he began a recruitment program that staffed the FBI with highly qualified young men.

Mr. Hoover, true to his own standards of excellence, was not satisfied with simply recruiting well educated young men of unblemished character. He also instituted a rigorous instructional program which included physical training by tough Marine drill sergeants and classroom lectures by professors and FBI personnel. As a result, Mr. Hoover's agents were the best trained law enforcement officials in the country and, in all likelihood, the world.

Mr. Hoover also saw to it that his agents had an excellent backup force. He early realized the benefit of using scientific techniques in fighting crime. As soon as he took over the Bureau, he established an identification unit which assisted agents and police authorities all over America in acting more swiftly on the basis of accurate information. A few years later, the Bureau's Crime Laboratory was launched as another powerful weapon in the war on the lawless. To extend the FBI's own training program to other police officials throughout the land, Mr. Hoover founded the Bureau's National Academy for Training.

Mr. Speaker, these innovations have vastly upgraded law enforcement throughout our Nation. They have also meant that previously unsolvable crimes could be successfully investigated, sometimes with nothing more of a clue than a strand of hair or a few pieces of burned, twisted metal. Undoubtedly, the efficiency of the FBI has proved a deterrent to the commission of many serious crimes.

The efficiency and integrity of the FBI has had another effect. Before the Bureau became famous, the status of the policeman for many years had been somewhat low, to say the least. Large segments in our society considered a law-enforcement officer an armed ignoramus. Sometimes this opinion was justified.

Certainly there had been enough scandal to tinge the reputation of even the most honest of local law-enforcement officials. Even the Bureau, prior to Mr. Hoover's tenure as Director, was tainted. But the incorruptibility of Mr. Hoover's agents and their reputation for always getting their man, began to put a different light on the status of police in general. In the course of changing the image of the FBI, Mr. Hoover succeeded in enhancing the status of all policemen. By making the FBI a factfinding agency as well, Mr. Hoover extended to local officials a better-edged weapon for combating crime in their own areas.

The fight against crime, of course, was only one of the assigned tasks of the FBI. An equally important assignment has been in the area of counterintelligence. During World War II, the FBI, along with Army and Navy intelligence units, became responsible for guarding against espionage, sabotage, and subversion. Unlike the Bureau's bungling in the First World War, the FBI was ready this time. Nazi spy rings were broken up even before the United States entered the war. Again, unlike the Bureau of World War I, the FBI carried out its task with meticulous regard for civil rights. There were no mass raids and no vigilantes. Mr. Hoover, his critics should be reminded, was one of the few high Government officials to oppose the wartime internment of Japanese-Americans in the western United States.

To Mr. Hoover, this act transgressed the American traditions of justice and freedom.

Freedom—

As Mr. Hoover sees it—

is the one value which underlies and is an inherent part of all other values. Only under freedom do other values acquire real meaning. Only under freedom can other values grow. Without freedom, all other values lost their luster; some, in fact, lose all meaning.

J. Edgar Hoover has long and diligently guarded the freedoms of the American people. His efforts have been manifold. By insisting that the rights of even the most hardened criminal be respected, he has ensured the rights of other citizens. By publicly proclaiming Communists inroads, he has alerted millions of Americans to the dangers of such encroachments on their system of government and their liberties. Many of Mr. Hoover's critics have claimed that the Communist-conspiracy theory is simply a figment of his imagination. We have watched in the past three decades the monstrous figment of the imagination rear its ugly head and engulf entire nations. Are we to believe that American shores are somehow magically inviolate? Somehow, I cannot believe most Americans are able to accept such an hypothesis.

In more recent months, the criticism of Mr. Hoover has taken a new tack. Now the critics denounce Mr. Hoover and the FBI for wiretapping and the surveillance of responsible citizens. More timid individuals simply call for his removal on the basis of his age. None of the critics, however, seem to have

really looked at the facts. Mr. Hoover, despite his age, has been considered indispensable as Director of the FBI by two Presidents, Senators, Members of the House of Representatives, and Supreme Court Justices are not mandatorily dismissed at a certain age. As far as wiretapping is concerned, the FBI is required to obtain a court order before engaging in any such activity. Yet, we hear no criticism of the courts for their involvement in wiretapping.

Surveillance, of course, is another matter. This type of information gathering is one of the prime functions of the FBI, as it is of any law enforcement agency. FBI agents have been criticized for attending public meetings so that they can spy on the proceedings. I wonder if the critics who make such dire accusations have ever had the word "public" defined for them. Somehow I rather doubt that they have consulted Webster's dictionary recently.

As far as some of the more radical groups are concerned, those which have as their avowed purpose the overthrow of the American Government, the FBI would be derelict in its duty if it did not gather as much information as possible about them. Most of these radical groups have made inroads into many of the Nation's college campuses. The FBI has been denounced for spying on college students. The FBI has admitted that it gathers information on college campuses. This, perhaps, is not a very nice thing to do, but then the spectacle of bombed campus buildings is not very pretty either. If one considers the violence that has been perpetrated on or near college campuses in recent years, one must agree that the FBI has acted with a restraint which has been unequalled anywhere else in the world.

But what goes on elsewhere in the world is not the criteria by which we should measure our own law enforcement officials. The record which Mr. Hoover and the FBI have established in the past 47 years speaks for itself. It is a good record and one which responsible, law-abiding Americans can view in pride. In the next several years, our Nation will face severe challenges. It is the hope of many that we will continue to have the leadership of that loyal and dedicated public servant of his country, J. Edgar Hoover.

In addition to my remarks, Mr. Speaker, I would at this time like to include in the RECORD two timely editorials from local daily newspapers as well as two news columns that are directed to Mr. Hoover's record of service to this country:

[From the Washington Daily News,  
Apr. 24, 1971]

**Boggs' "PROOF POSITIVE"**

Early in the month (April 5) the Democratic Leader in the House of Representatives, Hale Boggs, promised "proof positive" that the telephones of members of Congress had been tapped by the FBI.

Seventeen days later Rep. Boggs delivered an hour-long speech in the House belaboring FBI Director J. Edgar Hoover, alleging the FBI "uses the tactics of the Soviet Union and Hitler's Gestapo," and drawing a fearsome picture of "a vine of tyranny which is

ensnaring that Constitution and the Bill of Rights which we are each sworn to defend and uphold."

He claimed several congressmen "had reason to believe" their phones had been tapped (by someone) and asserted some members of Congress were "so imprisoned by the climate of fear" they wouldn't use their phones. It was a flamboyant speech. Frightening, if believable. But it was short on one thing—"proof positive."

Rep. Boggs said last summer he got "suspicious" that his home phone was tapped and called in the phone company to check it. The company said its investigation showed there was no tap on the Boggs line, FBI or otherwise.

Rep. Boggs says Mr. Hoover should be fired. But if he has that "proof positive" on which he said this demand was based, he forgot to mention it. Not often has so conspicuous a public official talked so long and let himself down so far.

[From the Washington Evening Star,  
Apr. 24, 1971]

**NOT GUILTY**

House Majority Leader Hale Boggs has done J. Edgar Hoover, the Federal Bureau of Investigation, the Democratic party, Congress, the nation and his own reputation an immense disservice.

In a one-minute speech in the House on April 5, Representative Boggs accused the FBI of tapping "the telephones of this body and of members of the Senate." In an hour-long speech Thursday, Boggs presented not a scintilla of evidence to support these serious charges.

The best Boggs could do was to claim that a nameless investigator from the Chesapeake & Potomac Telephone Company, called to his Bethesda home last August to inspect a suspected tap, reported that one had been placed on his "private telephone lines but that it had been removed in advance of the inspection."

The Louisianan admitted that the telephone company's written report stated "categorically that there was no tap on my lines." Boggs added lamely that it was his understanding that it was telephone company policy to deny the existence of a tap if it had been placed by the FBI.

The telephone company disputes Boggs on all counts. C&P spokesman Fred Langbein asserts flatly that "no wiretapping was found nor was there any evidence of a previous tap." Langbein adds that it is not telephone company practice to disclaim FBI taps.

When Boggs fired his broadside on April 5, both Hoover and Attorney General Mitchell denied the charges, which the latter termed "reckless and cruel." Nothing Boggs said Thursday invalidated that description.

One of the saddest aspects of the whole sordid affair is that it will be used to discredit those who believe for other and more valid reasons that the 75-year-old Hoover ought to accept the honorable retirement which he has surely earned after 47 years at the helm of the FBI. Boggs, failure to substantiate his wild charges has only served to delay the day when Hoover will admit that it is in everybody's best interest for him to hand over the direction of the FBI to a younger man.

That cannot be helped. The gentlemanly thing for Boggs to have done would have been to admit his error and to confess that, as Deputy Attorney General Kleindienst suggested shortly after the April 5 incident, he was, at the time he made his original charges, "sick or not in the possession of his faculties." Having failed to follow this course on Thursday, however, there is small chance that Boggs will elect to do so in the future.

All in all, a disgraceful performance.

**WEEKLY NEWS COLUMN OF CONGRESSMAN  
WILLIAM L. DICKINSON**

WASHINGTON, D.C.—Several weeks ago I had the privilege of meeting with the only director the Federal Bureau of Investigation has known since its beginning 46 years ago. J. Edgar Hoover, alert and active, looked like a man much younger than his 75 years. The heavy responsibilities of Mr. Hoover's job as "the chief protector of America's Internal Security" have not deterred his activities; in fact, the director seemed to me to be working harder than ever and keenly aware of all department investigations. I would like to report to you Mr. Hoover's observations and investigations on the Black Panthers. . . .

The Black Panthers have generated a cadre of support among the elements of the left and those ultra-liberal clique who embrace almost any cause that is against traditional American values or government by law and order. Members of the Panthers have, to date, been convicted of 409 major crimes, with 310 cases still pending action—some 719 instances of violence and lawbreaking. Contrary to liberal and left-wing belief, this group is not the upstanding organization which is supposedly fighting for the rights of ghetto residents.

In a Subcommittee report, Hoover said of the Panthers: "While falsely claiming their intent to protect the black community, Panthers have in fact assaulted and threatened Negro citizens" and intimidated neighborhood stores into contributing food and money. He termed the group as "consisting mostly of hoodlum-type revolutionaries," and said they are "dangerous from an internal security standpoint." He noted that during the past two years, authorities have confiscated 125 machine guns, sawed-off shotguns, rifles and hand grenades as well as thousands of rounds of ammunition.

Hoover said: "Let us clear away the rhetoric and confusion purposely generated to shroud the Black Panther issue and get it back into proper perspective. . . . An organization which stockpiles illegal weapons, trains in guerrilla warfare and seeks confrontation with enforcement officers for the expressed purpose of killing them is certainly in violation of the law. . . . Responsible citizens of all races have the right to demand and expect continued vigorous prosecution of any law violator—including a Black Panther."

He noted: "Currently, law enforcement agencies throughout the country are wrongly accused of harrassment by many well-intentioned but uninformed voices echoing outright lies generated by the Black Panther Party." He pointed out that the Panthers admit they use Marxist-Leninist doctrines and have openly called for the assassination of the President and the violent overthrow of the Government. He said Panther speakers made 189 appearances at colleges last year, getting up to \$1,900 for each talk. Hoover said the FBI is operating under "lawful process" in bringing the Panthers under control, but that many mistakenly believe their charges of "genocide" and "harrassment."

The Panther motto, expressed in "The Black Panther" their official newspaper is "The only good pig is a dead pig." The Panthers caution against using small-caliber weapons that may not kill and urge large-caliber guns "to knock the pigs out of their shoes."

We should pay particular attention to Mr. Hoover's remarks for he is in a position of high credibility. We can be grateful for men of his integrity who have devoted their life to public service.

**WEEKLY NEWS COLUMN OF CONGRESSMAN  
WILLIAM L. DICKINSON**

WASHINGTON, D.C.—I am deeply disturbed over the recent organized attacks from sev-

eral quarters upon the Federal Bureau of Investigation, and especially upon its director, J. Edgar Hoover himself.

Like all public figures, Mr. Hoover is subject to intensive scrutiny and criticism. It is far-fetched and intemperate, however, to compare this giant of law and order with adopting the "tactics of the Soviet Union and Hitler's Gestapo." Mr. Hoover has dedicated his entire life to impartial enforcement of our federal statutes. To most Americans, he is the epitome of honest and efficient government service. He has long been the target of Communists, criminals and anarchists, but now we find misguided politicians joining his foes to remove him from office.

Why the uproar? Has he been found guilty of any misdeed? The answer, of course, is that this whole effort is entirely without justification. Mr. Hoover is scrupulous in obeying the rulings of Congress and the courts. His superiors, Attorney General Mitchell and President Nixon, support the FBI chief fully. He has devoted 47 years to the FBI (under 8 presidents and 16 attorney generals), and he is solely responsible for the impeccable reputation enjoyed by that organization.

No critic of Mr. Hoover's age disparages his mental agility or reasoning capacity. Nor is it essential for the director of a tough law enforcement agency to have universal popularity as well as respect. The fact of the matter is that his personal integrity is without blemish, and the FBI remains the most outstanding law enforcement organization in the world.

Those who would engage in unwarranted personal attacks upon the director of the FBI should weigh their words carefully, unless it is their goal to detract from the effectiveness of the agency. Quoting from a portion of the letter I wrote the President: "Mr. Hoover has my utmost confidence, and I hope you will not be swayed by scurrilous attacks upon him personally and upon the Federal Bureau of Investigation. Our enemies—both foreign and domestic—would like nothing better than an ever-increasing criticism of the FBI. I hope you will remain firm."

Mr. BROYHILL of Virginia. Mr. Speaker, it is difficult to weigh the value of one man in relation to his own and the other nations and people of the world.

History is the final arbiter of every man's fate. Let it so judge the man we honor today—the Honorable J. Edgar Hoover, Director of the Federal Bureau of Investigation.

In my opinion that judgment—on the day each facet of his character, ability, and accomplishments are laid on the scales of justice—J. Edgar Hoover will stand among the great Americans who has dedicated his life to saving the nation he loves.

If any man in America is to be known by the enemies he keeps this man, J. Edgar Hoover, ranks at the top of the hatred list compiled by those who have made crime, communism, and corruption a way of life.

Those who hate him, those who send the slings and arrows of slander at his lifetime of service, do him honor today—for after a lifetime of trying they cannot yet, at this moment, pierce the shield of his integrity. It remains unscarred, impenetrable, a human Gibraltar of honor, duty, country.

They try, Mr. Speaker. They are still trying. And they are still failing. Thank God, Mr. Speaker, that they are.

J. Edgar Hoover is not a myth nor a

monument. He is a man, Mr. Speaker, a man today as he has been for—years a man who puts in a full days work for a full day's pay.

No other man has ever heard him complain that he is overworked; no other man has ever seen him cringe at the hazards of his job; no other man, woman, or child in America has ever borne witness to his having committed a dishonorable act, a moral wrong, nor an illegal decision.

No one ever will. He is as incapable of doing so today as he was as a young man whose first task, by Presidential assignment, was to clean up the Nation's investigative agencies and keep them clean.

Massive and lurid scandals have rocked other intelligence and investigative services throughout the world and here at home. But never the FBI.

Defectors, homosexuals, drunks, and deadbeats have peopled the select services of almost every other agency in the world devoted to curbing wrongdoings by people or nations. But not the FBI.

Directors, administrators, yes, political leaders—even Presidents—have fallen by the wayside of corrupting and malfeasance. But not the FBI nor Mr. J. Edgar Hoover.

We who salute him today do so for this untarnished record. When we do, we salute the thousands of dedicated men and women who have and continue to serve beside him with pride and competence.

He will not falter nor fall, Mr. Speaker, because the American people—the good and loyal American people—will not let it happen.

Let us serve notice today, Mr. Speaker, that this Congress and those to follow, stand with the Honorable J. Edgar Hoover, today, and tomorrow.

America needs this man, Mr. Speaker, as it cries out for honesty, courage, and dedicated service.

We who called him to duty Mr. Speaker, long ago issued our verdict of him as a man and an American. It will withstand the cheap sniping from the political and jungle gutters today, but only if we are ever alert in reaffirming it. In proud testament to my personal admiration for the man and the FBI, I urge, Mr. Speaker, that each of us in our prayers and our actions reaffirm our faith in the Honorable J. Edgar Hoover and in his strength, his service, and determination, may he remain on the firing line of decency and duty for many years to come.

Mr. McCLODY. Mr. Speaker, I wish to commend my colleague from Illinois (Mr. COLLIER) for his initiative in extending congratulations to the distinguished Director of the Federal Bureau of Investigation on the occasion of his 47th year with the FBI. The worldwide reputation of the FBI is due in no small part to the high quality professional service which has developed under Mr. Hoover's leadership. It would take many pages of the CONGRESSIONAL RECORD to enumerate the successful investigations and prosecutions which have resulted from the expert investigative work of the FBI.

This record of the FBI under Mr. Hoover's direction is appreciated by all—particularly in this day when many would seek public attention by leveling attacks against law-enforcement officials. Indeed, it seems well to pause and reflect on the important work which all investigative and law-enforcement agencies perform. The existence of an orderly society is dependent upon their professionalism, their courage, and their dedication to the public safety and welfare.

Mr. Speaker, I join in commending J. Edgar Hoover on his service to the Nation and wish him both good health and an extended active career. He is entitled to our honor and respect and this is a most appropriate occasion for expressing those sentiments.

Mr. McCOLLISTER. Mr. Speaker, last night I was rereading some of the newspapers from the last few weeks. I was particularly noting some of the charges which have been brought against J. Edgar Hoover and the FBI lately. In the midst of reading the articles, they suddenly began to sound quite familiar—almost as if I had seen all of this somewhere before. I leafed back through some materials I had, and came across a few newsclippings dated 1950. This, in essence, is what the articles seemed to say:

Senator Joe McCarthy has lodged unprecedented charges against the State Department, saying it contains 57 card-carrying communists. He has accused Secretary of State Dean Acheson of being fully aware of the situation, but says Acheson refuses to do anything about the communists.

In a radio interview, McCarthy said, "I don't claim to be the FBI, so when I have the names of 57, you can be right well sure there's a lot more."

The Senator said he would provide the names of the communists and his sources, but nothing has ever been forthcoming.

Mr. Speaker, when I was rereading the articles, I started substituting the name Boggs in place of the name McCarthy. And when McCarthy spoke of communism, I inserted the words FBI and J. Edgar Hoover. The similarities in the two situations were astounding.

The charges against Mr. Hoover have gone unsubstantiated, as we all knew they would. And I would like to pay tribute today to a man who deserves the widespread respect he has had over the years. He has served our Nation with a devotion and ability, and, under his direction, the FBI has done an unparalleled job of protecting our American citizens and their principles.

Mr. Speaker, I am honored to join my colleagues in honoring one of the Nation's great leaders and patriots.

#### GENERAL LEAVE

Mr. COLLIER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days during which to extend their remarks on the subject of this special order in tribute to J. Edgar Hoover and to include extraneous matter.

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

There was no objection.

## THE LATE MILTON A. PEARL

The SPEAKER pro tempore (Mr. GRAY). Under a previous order of the House the gentleman from Iowa (Mr. KYL) is recognized for 60 minutes.

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

## GENERAL LEAVE TO EXTEND

Mr. KYL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days during which to extend their remarks on the life and service of the late Milton A. Pearl.

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

There was no objection.

Mr. KYL. Mr. Speaker, very few outside of the Congress realize the scope of the contributions made continually by good committee staff members. Nor can others know the very deep personal relationships which develops between Members of Congress and these counselors.

A week ago Milton A. Pearl, counsel of the Subcommittee on Public Lands of the House Committee on Interior and Insular Affairs, died suddenly here in Washington.

I take this special order today to help honor Milton Pearl who was indeed one of the finest persons on a staff long known for its total excellence. I have good reason to honor him. I appreciated his competence. I treasured his friendship.

On Sunday last, at a memorial service, the gentleman from Colorado (Mr. ASPINALL), chairman of the Committee on Interior and Insular Affairs, delivered a tribute to Milton Pearl, a tribute which expressed not only the sentiments of the chairman but also a host of others of the House who had the pleasure of working with this very fine individual.

I ask unanimous consent that the tribute of the gentleman from Colorado (Mr. ASPINALL) be placed in the RECORD at this point.

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

There was no objection.

The tribute referred to follows:

## EULOGY OF MILTON A. PEARL

(By WAYNE N. ASPINALL, chairman, Committee on Interior and Insular Affairs)

Rabbi Bash, my friends: When I was honored by being asked to say a few words this afternoon in tribute to our recently departed loved one and friend, Milton Pearl, I understood fully how words of mine would be all too inadequate to express the deep love and sincere affection which all of us have experienced as we worked, walked and talked with him while he was yet among us. I feel this inadequacy of mine all the more so, as all we have left of him now are the memories of his gentle, compassionate, loyal and understanding spirit and personality together with his fine and valuable contributions to mankind.

When the all-persuading hand of his Creator and God was laid on the shoulder of Milton Pearl, time stood still for his loved ones, his friends and his co-workers. Life will never be quite the same for any of us anymore. We not only have lost his physical presence, but he has taken even part of each one of us with him. But, how meaningful

and wonderful it is that he left a great part of himself with us—a contribution which has heretofore, and will from the moment of his departure on, make us the fuller and richer because, for a while here on earth, he was a part of us.

These are hours of sorrow for all of us, my friends. This is not because of Milton's last journey, but rather because of the great void that his final departure leaves here among us—a void that no one else can ever fill because Milton was a man of special talents.

But, as the poet Wilde has written: "Where there is sorrow, there is holy ground." Yes, we, in our sorrow today, stand on holy ground, because our sorrow is so real, so poignant, so meaningful and so personal. The physical gem is gone. But, oh, how lustrous the beauty of the memories of that earthly temple that was with us for a while.

Addison left us his thoughts about one's final earthly farewell as he wrote: "Death only closes a man's reputation and determines it as good or bad." What a pleasant and joyous task it is for us who remain to measure the earthly reputation of a man such as Milton—a friendly obligation at this time because the door of his earthly life has been closed forever. There is no remaining alternatives for us. Accordingly, we accept without hesitation our opportunity of assessment of his reputation because of his great contribution to all of us.

Milton Pearl, in his journey with mankind, was an obedient and industrious son who brought honest, sincere and righteous pride and joy to his parents and family. He spoke often of his boyhood and early youth. It was always with heartfelt appreciation and joy that he had been privileged to be a part of his family and to grow in stature and mind in their presence.

Milton Pearl loved and sacrificed joyously for his loved ones especially those of his own immediate family. His daughters, Andrea and Joycelyn, were his pleasure and joy; and for their mother, Eleanor, he showed always understanding, respect and consideration. The last two years of his life were spent with his surviving widow, Muriel. These were most happy years for them as they worked and played together. She was his great inspiration. Their problems were his problems without any complaint or reservation. His legacy to each one of them is rich beyond description.

From the earliest days of his personal understanding of self-discipline and self-determination, Milton Pearl knew what he wanted to do with his life. Accordingly, he became a lawyer, an appraiser of real property, an active participant in the furtherance of his community's and nation's welfare—even to active service in his country's military—an able, industrious and efficient public servant.

His record of accomplishments is written and will be further elaborated on by many others. However, at this time, I wish to speak briefly and testify personally as to his work of the last ten years, because it was during this time, after he had come to work in the congressional process, that I personally came to know Milton Pearl.

He was industrious to the degree of uncomplaining sacrifice of his own personal time and desires. He was an unselfish contributor of his own great talents, intellect, logic, rationalism, loyalty and understanding. He was fair and generous as he accepted and gave direction. He possessed a memory far beyond that of most of his associates. He was dedicated to the work at hand to the extent that his own physical self suffered. He was loyal to his employees, his employers and friends far beyond the call of duty. When called upon to do so by those in charge, after presenting eloquently his personal views, he was willing and able to present and further the views and decisions of his supervisors.

I know whereof I speak: I was Milton Pearl's trusted friend and he was mine. To Milton Pearl, more than any other one individual, belongs the credit for the contribution of the Public Land Law Review Commission, its work and its report. And, yet, the decisions were not directly his, nor did he ever voice destructive criticism of any of the work of the Commission. On the other hand, throughout all of this great and universally recognized work, runs the thread of the genius and talents of Milton Pearl. Those who know and understand say, "Thank you, Milt", in full appreciation and deep sincerity.

Milton Pearl was a humble and gentle human-being. He never intentionally wounded physically or mentally another human-being.

The writer Raymond penned the following commentary: "Life is eternal; and love is immortal; and death is only a horizon; and a horizon is nothing save the limit of our sight."

Another poet wrote: "Oh write of me, not died in bitter pains, but emigrated to another star."

Milton's faith was such that all of us who knew him realize fully that his has been such an emigration. As he embarked on that journey, he left behind for us his great contributions of gentleness, of love, of understanding, of affection and service. So, we bid him a loving farewell, sincere and appreciative thanks, and a thoughtful prayer for a safe and successful journey.

Mr. FOLEY. Mr. Speaker, will the distinguished gentleman from Iowa yield?

Mr. KYL. I am glad to yield to the gentleman from Washington.

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

Mr. FOLEY. Mr. Speaker, I would certainly like to commend the gentleman from Iowa for taking this special order to recognize the long and distinguished service of the late Milton Pearl.

The gentleman said at the beginning of his remarks that an overwhelming number of our citizens do not understand or appreciate the very significant contributions that are made by expert and dedicated staff members of the Congress in all its deliberations and efforts. Whatever success we have in the Congress of the United States is due in no small degree to a largely unheralded staff. Certainly an outstanding example of that staff contribution was the dedication, expertise and effort of Milton Pearl. He was appreciated not only by the members of the Committee on Interior and Insular Affairs who served with him but by every Member of Congress who came in contact with him. We recognize our indebtedness to him, honor his services to the Congress, and mourn his untimely passing.

Mr. KYL. I thank the gentleman from Washington for his contribution.

Mr. ASPINALL. Mr. Speaker, I would like to express my appreciation to Mr. KYL for reserving this time today in order that we may pay tribute to the rewarding life and the outstanding and effective service of the late Milton A. Pearl to the Congress and to the Nation.

I first became acquainted with Milton Pearl during the 1950's when he represented the Secretary of the Army before the Committee on Interior and Insular Affairs and other committees of the Congress on legislation involving military real estate matters. Before that period of

responsible service, he had many years of training with the U.S. Army Corps of Engineers in various real estate assignments, a part of which time was spent in uniform. Members of the Interior and Insular Affairs Committee were very much impressed with the ability and knowledge which Milton Pearl exemplified during those early appearances before the committee and it was our committee's good fortune that, in February of 1961, we were able to lure him away from the executive branch and retain him on the professional staff of the committee as consultant on public lands, minerals, and mining matters.

During the next 4½ years, his professional conduct earned for him the respect and recognition of his capability by Members of this body, both on and off the committee. His work resulted in a unanimity of accord on both sides of the aisle for the valued, professional, objective, and craftsmanlike manner of his work. He demonstrated professional conduct not beholden to any political party, not beholden to any pressure group, and secure in the knowledge of acceptance for ability and technical competence, and for these alone. It was during these years that Milt and I became closely associated, as fellow workers and friends.

And so, when the Public Land Law Review Commission was created by the Congress in 1965 to review and recommend the updating of the public land laws of the United States, it was not unexpected that virtually all users of the public lands, from industrial and consuming users to the conservation and wildlife users, urged that Milton Pearl be given a leading role in this enormous task. As a result of this support and the confidence expressed by the 19-member Commission, Milton Pearl was appointed staff director for the Commission.

The Commission's gain of an effective leader meant, of course, a great loss to the committee. I recall that when I announced to the committee that Milt was leaving our staff, there was a spontaneous and unanimous outpouring of the sense of loss which the committee felt. Practically every member of the committee at that time expressed his admiration and respect for Milton Pearl.

Mr. Speaker, I had the honor to be chosen as Chairman of the Public Land Law Review Commission by its 18 members comprising six Members of the Senate, six Members of this body, and six members appointed by the President. Without the confidence I had in Milton Pearl, I could not have accepted this great responsibility. With the load of a committee chairmanship already on my shoulders, I had to have someone to whom I could turn over the directional authority for the day-to-day operations of the Commission. I had such a person in Milton Pearl.

The work of the Commission is now past history and is well known throughout the Nation. Our report was presented to the President and to the Congress in June of last year.

Because of his great contribution, the Commission's work and its report will

serve as a memorial to Milton Pearl in the years ahead.

The work of the Commission took 5 years and cost about \$7 million. Reflecting the vastness of the acreage owned by the United States, the Commission's report is entitled "One-Third of the Nation's Land." With the work of the Commission finished, the next step is to develop, in cooperation with the executive branch, legislation to try to unravel the complex web that constitutes the chaotic legal jungle of public land laws that has grown up since the inception of the Union. It was in this endeavor that Milton Pearl was engaged at the time of his untimely death. We had persuaded Milt to return to the committee staff as special counsel on public lands to undertake this task. I fear that the enthusiasm and intensity with which he tackled this new challenge may have shortened his life.

Mr. Speaker, it was my great honor to have the opportunity to eulogize Milton Pearl during the funeral service here in Washington last Sunday. Mrs. Aspinall and I join Milt's legion of friends throughout the Nation in expressing our most sincere sympathy to the friends and the wonderful family he leaves behind.

Mr. SKUBITZ. Mr. Speaker, I join my colleagues in mourning the death of Milton A. Pearl and I want to extend to his family my deep-felt sympathy.

Milton A. Pearl will be well remembered by all of us who knew him and the impact of his work will be felt by generations to come. He was a scholar of the first order, a gentleman, and an authority in his field. Milton Pearl spent his entire career as an attorney and technician in real estate and public lands work. As a professional member of the House Committee on Interior and Insular Affairs, during the 87th, 88th, and the first 7 months of the 89th Congresses, Milton Pearl earned for himself an enviable reputation for integrity and excellence in his work. That work included among other work the establishment of the Public Land Law Review Commission, preparation of the Classification and Multiple Use Act, Public Sales Act, Wilderness Act, and amendments to the Mineral Leasing Act.

The fact that he was appointed the staff director of the Public Land Law Review Commission is evidence of the esteem in which Milton Pearl was held by the users of the public lands, from industry to ardent conservationist. We shall all miss Milton A. Pearl, but we can all feel comfort in the thought that he truly was one that left that which he touched a little bit better for his having done so.

Mr. STEIGER of Arizona. Mr. Speaker, I want to associate myself with the remarks of my colleagues in paying tribute to the memory and work of the late Milton A. Pearl, a valued professional staff member of the House Committee on Interior and Insular Affairs, of which I am privileged to be a member.

It is difficult to eulogize a man like Milton A. Pearl, for spoken words are inadequate to describe the intangible legacy he left. Competence, integrity, and performance are adjectives that come to mind when I think of Milton Pearl. His

contribution to the study and development of policy for the utilization of public lands, his advocacy of the causes he chose to champion, his service to the House Interior Committee on such technically complex matters as the morass of public land laws, mining laws, and mineral laws, the unflinching accuracy of his counsel and warmth of his personal friendship are some of the things for which he will be remembered.

I feel a deep sense of loss in his absence, but that loss is coupled with a feeling of privilege and pride to have known him and in part to have been a beneficiary of his personality and expertise.

I extend my condolences to his family.

Mr. HOSMER. Mr. Speaker, I would like to join in the remarks made by my colleagues in tribute to the memory and work of the late Milton A. Pearl.

I was dismayed upon receiving the news of his untimely demise. Milton Pearl was a valuable consultant and staff member of the Committee on Interior and Insular Affairs. His contribution to the study and development of policy for the utilization of public lands was most significant. We were indeed fortunate that Mr. Pearl chose to devote his considerable background, education, and ability to public service. Indeed, we have been most fortunate that the responsibilities inherent in advising and assisting us in the formulation of public land, mining, and mineral laws were entrusted to so able a gentleman. Upon the occasion of his appointment as Director of the Public Land Law Review Commission in July of 1965, I expressed my regret at our loss of his fine counsel. Now, after his return to us, to aid us in the implementation of some of the recommendations of that Commission's work, his loss is, and in the future will be, most deeply felt.

I, too, extend to Mr. Pearl's family and host of friends my deepest sympathy in their bereavement.

Mr. HALEY. Mr. Speaker, today, I join my colleagues on the House Committee on Interior and Insular Affairs in paying tribute to a departed friend, Milton A. Pearl, who served us, the Congress, and the Nation so well in so many capacities. My first real association with Dr. Pearl came in 1961 when he joined the staff of the Interior and Insular Affairs Committee, where he worked as consultant on public lands and mining and was responsible for the staff work on legislation in those fields during the 87th and 88th Congresses and the early months of the 89th Congress.

Because of his able and effective service, it was appropriate that he leave the committee to become the Director of the Public Law Land Review Commission, where he did an outstanding job.

When that work was completed he returned again to a position on the Interior Committee staff.

His untimely passing was a great shock to me and my associates. He was held in the highest esteem by all who knew him. He was a kind and gentle man. He was a friend. He will be missed greatly. I extend to his family my deepest sympathy.

Mr. JOHNSON of California. Mr. Speaker, it is with a great deal of sadness that I rise today to pay tribute to one who has served this Nation so well for the loss which we all feel, not only personally but professionally, is very deep.

As a relatively new Member of Congress and of the House Committee on Interior and Insular Affairs I became an admirer of Milt Pearl's dedication, knowledge, and experience. As a newcomer, and one representing an area with tremendous acreage of public land, an area which is strong in mining history and lore, Milt Pearl became a close friend and whenever I was faced with questions pertaining to mining and minerals I very quickly found that I could always turn to him for both accurate advice and information. He has been a teacher to me in matters pertaining to public land laws as well as those relating to mining interests and problems.

His guidance has been valuable to the people of the Second Congressional District and I feel that as a result of his efforts we have made some progress in these important areas. Mr. Pearl visited California several times and had a wide acquaintance within the State. People of California think very highly of him and they mourn his passing.

On behalf of myself, my wife and the people of the Second Congressional District and the State of California I want to extend our deepest sympathy to his fine wife and his family. We all are going to miss Milt, who will always be remembered for his unselfish and dedicated service which was a hallmark of his career in private life, the military, the executive and legislative branches of Government, and in his recently completed tour as Executive Director with the Public Land Law Review Commission. The entire Nation has benefited tremendously from his outstanding record of achievement, of which we all can be proud.

Mr. O'HARA. Mr. Speaker, with the untimely passing of Mr. Milton A. Pearl, the Nation has lost a dedicated public servant and the House Interior Committee a most capable advisor. Mr. Pearl was an expert in the very complicated field of public land law. During his congressional career, he helped formulate a number of laws which provide for the rational use of our public lands, including the Wilderness Act, the Classification and Multiple Use Act, and the Public Land Sales Act. His experienced counsel will be sorely missed by the full committee, and the Subcommittee on Public Lands. I extend my deepest sympathy to his family.

Mr. RONCALIO. Mr. Speaker, above Dubois, Wyo., shortly before you start the long climb toward Togwotee Pass, there is a simple monument that sets off on a lonely little knoll. It is a worn monument and it warrants no more than a glance, a mere moment of curiosity from the thousands who have hurried through the scant and lonely country.

For those who climb the knoll to satisfy their curiosity, the legend is simple. It is brief. A small dedication to a breed of men no longer a part of the land; "tie-hacks" they called them, hard-working

robust men who asked little and gave all out of some old and timeless virtue that hard work was the mark of a man, accomplishment its own reward. There was only one thing they could say after hacking ties all day. They could straighten up, look at the dying sun, and say that this load of ties would be 1 more mile west. The work was hard, the reward was meager.

Nobody else climbs this knoll but it is there. A simple legend that carried the greater seed of men who were imbued with that particular American hunger—westering. There will be thousands more who will come down another road and not know Milton Pearl but of us who knew him, we will have known a man of the westering breed. He will be missed.

Mr. TAYLOR. Mr. Speaker, when the candle of life is snuffed out and the sadness of the darkness surrounds us, it lightens the burden of our sorrow if we can remember the experiences which made our association meaningful.

As one whose association with the Committee on Interior and Insular Affairs closely paralleled my own, Milton Pearl became my good friend and a valued adviser I, like everyone, was shocked and saddened at his passing.

For me, it was especially helpful to benefit from his years of experience as a Federal lands specialist. Coming, as I do, from a State with no public domain, I learned a great deal from Milt about public lands problems and opportunities, and that basic knowledge has been useful to me in the years that have followed.

My association with Milt Pearl went beyond his service to the Committee on Interior and Insular Affairs, because I served on the Public Land Law Review Commission, as well. In the years that the Commission existed, my respect for Milt's ability expanded and I looked forward to relying on his expertise when he rejoined the committee staff as a specialist to help formulate a program for the implementation of the Public Land Law Review Commission recommendations.

We will miss our friend for many reasons, but we can take consolation from the fact that his life was a fruitful one. His ambitions were converted into effective action and his energy and ability were transformed into constructive achievements. Our personal sadness at his passing cannot be diminished, but it is somewhat assuaged by the knowledge that his contributions to the life and well-being of his fellow man will endure.

Mr. UDALL. Mr. Speaker, the wheels of a government such as ours, dealing as it must with problems involving an infinite number of variables depending upon one's viewing perspective, require men of exceptional talent if those wheels are to turn at all.

Such a man was Milton A. Pearl who we honor here today.

I came to know Milt, first as public lands and mining consultant for the Committee on Interior and Insular Affairs, then as Director of the Public Land Law Review Commission. It was my good fortune to work with him on both bodies.

Milt was a dedicated craftsman. He was one of those rare individuals with

the capacity to view big issues in both their broad perspectives and in their minute details. He probably worked longer and harder than any man I knew.

When the Public Land Law Review Commission was established, the task was thrown to him. This was to be a truly monumental and pioneering undertaking and few men could have assembled the staff, organized the study and seen it through to successful completion. Milton Pearl was one of those few.

Yet, as his staff will tell you, for all of his burden of work and for all of the pressures upon him, he was the kind of person who would listen to someone else's troubles and extend a helping hand if he could.

I feel I have lost a friend but even more sad is the fact that a conscientious and able public servant, in the highest sense of the word, is gone.

I include the following:

MILTON A. PEARL, DIRECTOR, PUBLIC LAND LAW REVIEW COMMISSION

Entire professional career in real estate and public lands work as attorney and technician. Immediately before assuming present position was member, professional staff, Committee on Interior and Insular Affairs, House of Representatives. As consultant on public lands and mining, was responsible for staff work in the House on public lands and mining legislation during 87th and 88th Congresses and the first seven months of the 89th Congress, including establishment of Public Land Law Review Commission, Classification and Multiple Use Act, Public Land Sales Act, Wilderness Act, and amendments to Mineral Leasing Act.

By designation of the Speaker acted as adviser to the United States Delegate, International Lead and Zinc Study Group meetings, 1963 and 1964.

Prior to congressional staff work represented the Secretary of the Army on land matters before congressional committees.

Affiliations: American Bar Association; Federal Bar Association, American Institute of Real Estate Appraisers (awarded MAI designation); Washington Board of Realtors, National Wildlife Federation; Alpha Lambda, honorary land economics fraternity.

Teaching: Professional Lecturer on real estate, School of Business Administration, The American University; formerly lecturer at Pohn Institute of Real Estate, New York City.

Publications: Contributor to Rocky Mountain Mineral Law Institute, the Appraisal Journal of the American Institute of Real Estate Appraisers, Journal of Forestry, and other professional publications.

Background: 1937-1943, practice of law, real estate management. 1943-1946, in Army, with last year of service in Real Estate Division of the North Atlantic Division Engineer Office, New York. 1946-1960, as civilian employee of the Corps of Engineers, occupied progressively more responsible positions culminating in representing the Secretary of the Army as referred to above. 1961-1965, staff, House Interior Committee.

Education: A.B., 1934, Washington Square College, New York University. J.D., 1936, New York University School of Law.

Born: March 19, 1914.

#### TAKE PRIDE IN AMERICA

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

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's

great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a nation.

Although Luther Burbank won both fame and honor, he thought of himself as a good gardener. During his many years of work, he created more than 220 new plants and improved many old ones. In a message to a group of schoolchildren he said:

Tell them this is a beautiful world full of wonders . . . Tell them to have confidence and faith. Who knows—one of them may do all that I have done and more.

#### DISTRICT OF COLUMBIA FIREMEN

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

Mr. HOGAN. Mr. Speaker, inasmuch as I was away from Capitol Hill on official business in connection with my Post Office and Civil Service Committee assignment when the House considered and voted on H.R. 5638 earlier today, I wish at this time to express my support for this legislation and my pleasure at the unanimous approval it received by the Members of this body.

This bill, which would extend the penalty provisions for assaulting a policeman in the District of Columbia to assaults on firemen, fills a void in the law which has sorely needed attention. At the present time, there is no law in the District which would make it a crime to assault or otherwise interfere with a fireman when he is performing his official duties.

The need for such legislation first came to my attention in 1968 during the Washington riots. My colleagues will recall the harassment and interference which the firemen experienced when quelling fires arising out of the riots. In response to this problem, I introduced legislation in the 91st and 92d Congresses which would make it unlawful to injure, intimidate or interfere with any fireman performing his duties in the course of a riot.

In the 92d Congress, I also introduced legislation which would amend the Federal law much in the same way the bill before us amends the District of Columbia Code, however, with stiffer fines and penalties.

District of Columbia Firemen have continued to be subjected to harassment and interference when attempting to respond to fires. The committee has pointed out in its report several excellent illustrations of the type of harassment which has plagued the men of the Fire Department in the last year or so, and I insert these in the RECORD for your information:

##### EXHIBIT No. 1

DISTRICT OF COLUMBIA FIRE DEPARTMENT  
(Engine Co. No. 27, Platoon No. 2)

MAY 30, 1970.

Memorandum to the Fire Chief:

Subject: Unit shot at while responding.

While responding on Box Alarm 998 this unit was shot at several times, one shot breaking the windshield of the pumper, one going into the cab of wagon, and the rest going wild.

Communication Section was notified that we were at 50th Pl., and Hayes St. and to send the police.

We then left the area and met the police at 49th St., and Deane Ave., N.E.

No one was injured and the only damage was to a broken windshield on S-198.

Sixth District Police Lt. Light and Sgt. Simmons along with 8th B.F.C. McDermott investigated and made a report.

Apparatus Division was notified and Job No. H-7822 received.

The Box was received at 1:38 P.M. and unit placed in service at 1:41 P.M. In quarters at 2:05 P.M.

THOMAS W. SCOTT,  
Lieutenant.

8th BFC Endorsement is attached.

##### EXHIBIT No. 2

DISTRICT OF COLUMBIA FIRE DEPARTMENT  
(Engine Co. No. 30, Platoon No. 3)

APRIL 12, 1969.

Memorandum to the Fire Chief:

Subject: Stoning of Apparatus and Personnel.

At 11:55 P.M. on April 11, 1969 this unit responded on S.A. 9438 at 58th and East Capitol Streets and on arrival found two fires burning. As we dismounted the apparatus we received a volley of rocks and bottles which came from a group of about twenty older teenagers (15 years old and up) in a nearby alley. Pvt. W. J. Boyd was hit by a missile at this time and a call for Police assistance was made immediately.

Since one of the fires required immediate attention we remained on the scene and from time to time encountered additional rocks. After the fires were extinguished and the Police had not yet arrived I decided it would be advisable to move the apparatus to a safe location. While moving the apparatus back to East Capitol Street we were stoned again.

There were no injuries to personnel and no damage to the apparatus. A more rapid response on behalf of the Police Department would have greatly relieved a tense situation.

DENNIS L. BOATMAN,  
Lieutenant.

##### EXHIBIT No. 3

DISTRICT OF COLUMBIA FIRE DEPARTMENT  
(Engine Co. No. 30, Platoon No. 1)

SEPTEMBER 4, 1970.

Memorandum to the Fire Chief:

Subject: Rock-throwing assault.

On September 4, 1970, this unit was subjected to a rock throwing incident. The location was the 200 Block of 53rd St. N.E., where we responded to a Local at 12 Midnight. Upon arrival, 2 dumpsters were fully involved. A group of ladies approached me as I got off the apparatus and in a hostile manner informed me that they had set the fire as a protest to the government for not collecting the garbage. In a courteous and respectful manner I informed the ladies that starting fires as a protest was unlawful, and they should inform the mayor's office of their complaint. They greeted this advice with obscene words. Suddenly, Private Strine was hit with a stone in his back, Private Green was struck in the face with a small stone, and a bottle was thrown near me. None suffered injury. Since we have not had a rock-throwing incident in quite a while, I would assume that the recent bad press and TV coverage of our Fire Department might be the cause.

JOSEPH VAROFF,  
Lieutenant.

##### EXHIBIT No. 4

DISTRICT OF COLUMBIA FIRE DEPARTMENT  
(Engine Co. No. 10, Platoon No. 3)

MARCH 28, 1970.

Memorandum to the Fire Chief:

Subject: Special Order 65, Series 1969.

At 7:30 P.M. this date while standing on the running board of E-10's wagon to use

radio, Pvt. Richard T. Sweeney of E-10 was struck on the side of the face by an unknown object which was thrown by an unknown person in front of 775 18th St. N.E.

There were a great many people standing around, both adults and children and as usual no one saw anything or knew who had thrown the object, there were several police officers on the scene and as usual they did not see anything either.

At this time Pvt. Sweeney is at the WHO for an X-ray of his face and jaw.

This incident was reported to Sgt. Yackley, Badge No. H-86 of the MPD, District No. 5.

R. E. CROSS,  
Captain E-10.

H.R. 5638 authorizes a stiff fine of not more than \$5,000, 5 years imprisonment, or both, for actions of this nature, and with appropriate execution and enforcement this should serve to help eliminate the practice of harassing and interfering with the District of Columbia firemen while carrying out their duties.

#### IMPRESSIONS AND SUGGESTIONS UPON RETURNING FROM LATIN AMERICA

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

Mr. HAMILTON. Mr. Speaker, from April 10 to April 18, 1971, I was a delegate to the spring meeting of the Interparliamentary Union, held in Caracas, Venezuela. The following impressions and suggestions are based on my experiences there:

##### IMPORTANCE OF AMERICAN POLICY

I was impressed with the importance of the role of the United States in the future of Latin America. Everyone comments on this fact.

We are the giant neighbor. Every remark we make, every action we take or do not take, is noted and widely publicized. A single sentence on page 123 in Secretary Rogers' report to the Congress on U.S. foreign policy caused a storm of protest in Venezuela, and it took days of patient diplomatic effort to calm things.

There is an unfortunate but widespread expectation that a few changes in U.S. policy will correct all the problems of Latin America. This expectation is fueled by statements like that of President Cadera of Venezuela who said that he is "convinced that the future of the hemisphere depends upon the extent to which this great nation, the United States, reaches a decision to become a pioneer in social and international justice."

The importance of American policy is probably exaggerated by the Venezuelans, and arouses misleading expectations.

For improved relations in Latin America, however, it is vital for us to understand how carefully our actions are watched in Latin America. Such an understanding will save us from many errors of haste or neglect, and also remind us to do a much better job of communicating the reasons for our actions.

The feeling is often expressed that Washington does not understand what is going on in Latin America and that this country is insensitive to the needs of the hemisphere. Although official statements are always courteous, there is an under-

lying suspicion about American policy. Almost to a man, Venezuelans are deeply disappointed by our apparent lack of concern for Latin America. It has not missed their attention, for example, that there are very few Congressmen who have an in-depth knowledge of Latin American affairs.

In most of the conversations I had with Venezuelans, I was struck by the feeling that their attitude toward the United States was a kind of love/hate relationship, a curiously mixed blend of admiration and resentment. Given the dominance of the United States in the Western Hemisphere, this attitude may be the best we can hope for, but we should always be aware of both strains of feeling in their attitude toward us.

#### VENEZUELA

I was very much impressed by the importance of Venezuela as a test case of whether or not Latin America can avoid violent revolution. The issue is still in doubt and democracy is fragile. Everywhere people are saying that the 1973 presidential election in Venezuela will be a critical test of whether it can remain a parliamentary country. The star of Latin American democracy has waned in several nations, but democracy has been maintained in Venezuela for the past decade. There continues to be speculation about a coup, and there is great anxiety as to whether or not the present Government is moving quickly enough to meet the social problems and to persuade the populace that it is concerned about these problems. The feeling seems to be that the Venezuelan Government at the moment is not in any danger of military overthrow.

But I came away from Venezuela knowing that, even there, serious questions are being raised by many thoughtful persons about the capacity of a democracy, an open government, to deal effectively with the enormous economic and social problems.

It is worthy of note that the tempo of terrorist activity increasing from Canada to Argentina has not been present in Venezuela, at least not in recent months. The military continues to be concerned about the possibility of violence and points to a number of anti-Government groups capable of violence. The Venezuelans say, with their fingers crossed, that their country is currently an island of relative tranquillity. The President's action in granting amnesty to anti-Government forces in 1969 has helped. He legitimized the Communists and related parties and the military has been energetic in the pacification program.

The economic vitality of Venezuela is apparent. The American Ambassador, Robert McClintock, has said that Venezuela can become the Japan of Latin America, and even the casual visitor notes the crowded and well-stocked shops, the traffic-clogged streets, the obvious wealth of many, the crowded restaurants, the weekend rush to the seashore, and other evidence of a throbbing economy. The visitor is not surprised to learn that Venezuela has the highest per

capita income in Latin America, the soundest currency, relatively small debt burden, and an annual growth rate over the past 5 years averaging 4½ percent.

Even so, everywhere the cry is for economic development and social justice. If anything is certain, it is that Latins will no longer wait passively for a better life. They want to do something now about poverty, misery, hunger, illiteracy, and disease.

The single common denominator that unites Venezuela, if not all Latin America, is their striving for economic development and their struggle to teach, feed, house, and decently employ the rapidly expanding population.

I came away from Venezuela with the feeling that the Government wants very badly to make reforms—especially in eliminating the barrios, the squatter slums that surround Caracas and other cities. But I am also aware that there is a smoldering hostility that governmental inflexibility and lack of progress could easily ignite. Sincerity and a desire to get the job done will not be enough. No one can really say how much time the present Government has to deal effectively with its problems.

#### NATIONALISM AND INVESTMENT

You cannot be in Latin America very long without sensing the feeling among the people of the need for fundamental changes. Ferment is evident everywhere. The root causes of it are the rapid population growth, modernization, the migration from rural areas to the cities, the increase in communications and the rising tide of expectations, and the ever-widening gap between opulence and misery which exists between and within nations. The gap is especially evident in Venezuela, where great extremes of wealth and poverty exist within blocks of one another.

The ferment and unrest often manifest themselves in a strong and rising nationalism. The people are seeking much greater control over their own institutions, more independence from the United States, and, in some instances, they show this in an anti-United States attitude.

This attitude is understandable. Between 1961 and 1966, Latin America received \$6 billion in U.S. loans and investments, but paid back double that in debt payment, interest on loans and remitted profits. Between 1961 and 1968, U.S. corporations netted \$5.7 billion from their Latin operations. At the same time, U.S. imports from Latin America dropped from 21 percent of total imports to 12 percent—during a time when total U.S. imports rose more than 400 percent.

There has recently been a very sharp change in the investment climate in Venezuela. A few months ago it was the best climate for investment in Latin America. Today, the American business community is not so sure. They have been stunned by recent restrictive legislation and are trying to evaluate its future impact. The legislation came in the form of a new banking reform law and increases in petroleum profits taxes. The foreign banks are now to be at least 80

percent owned by Venezuelans and the largely foreign-owned petroleum industry is to be taxed more heavily, with the effective Government share of profits rising from 70 percent to 80 percent. Since the Government will now unilaterally establish reference prices on which the petroleum taxes are based, Venezuela will now decide how much profit foreign oil companies may earn. Previously, this was a matter for negotiation.

The abrupt change in the foreign investment climate arises from several factors. First, many Venezuelan products have been priced out of the market for exports. For many years, Venezuela has felt that oil would pay for everything. It depended upon that product to provide 90 percent of its foreign exchange earnings and two-thirds of its gross national income. Only 3 percent of the population pays income taxes. The Government has been following a policy of import substitution, forcing local manufacture of goods normally imported. This creates jobs, but means prices are substantially higher than they are in countries with larger markets and more effective use of mass production technology.

Second, an exploding population has increased the labor force faster than jobs have been created, and unemployment and underemployment are high, leading to economic discontent.

Third, the people have demanded that progress be made in dealing with the country's enormous social problems. Attempting to meet these problems, the Government faced deficits and tried to collect new taxes. Naturally, it turned to the oil companies and to other foreign investments.

Also, the petroleum supply market tightened, and the Middle East oil negotiations were noted. Their message was that it is possible for countries like Venezuela, which depend upon one commodity, to band together with other countries and get more money from the industrialized nations whose appetite for petroleum is unsatiable.

As if the legislative steps already taken were not enough, there is the fear among Americans and other foreign business interests that the Government will move toward new laws which will restrict foreign investment even further. There is consideration of a foreign investment code similar to one that will soon govern foreign investments in the Andean Group of Colombia, Ecuador, Peru, Bolivia, and Chile. This code is very restrictive, much more so than anything Venezuela has imposed so far. It would restrict the movement of foreign exchange, limit profits and impose domestic controls on basic industry, which Venezuela has not done in the past. For the moment, the American business community waits, watches and hopes that further restrictions will not be imposed.

#### SUGGESTIONS FOR AMERICAN POLICY

Several steps could be taken which would enhance our relations with our friends to the South.

It is apparent that a new United States-Latin American policy has been

emerging. The Latins still want assistance, but with fewer strings attached. They want foreign investment, but not exploitation, and on their terms. They want more trade with a market for their exports. The new policy must take into account these attitudes, stressing trade, aid, and private investment more than the reforms which were the hallmark of the Alliance for Progress.

American policy is obviously important to the future of Latin America, but a sense of perspective is important. We should recognize that American policy can only influence events in minor ways. The future of Latin America rests overwhelmingly with the Latin Americans.

#### I. COMMUNICATION

Nothing is more important than for the United States to convey to the people of Latin America our deep concern for furthering economic development and social progress. Too often we are identified with the forces standing against change, for the status quo, and against the people who urgently want a new order of things. Unless we succeed in conveying a new posture, we will find ourselves increasingly alienated from our Latin neighbors.

Style and rhetoric of policy are almost as important as its substance. We have to do a better job than we have done in conveying to the Latin Americans our interest in and concern for their problems. The President and the Secretary of State carry the major burden of communication, but the Congress has an important role to play.

There is no belying the fact that the Venezuelans, and I suspect most Latin Americans, feel that the United States neglects and ignores them. They point out that little or no public attention has been given to our Latin America policy since the Rockefeller report and Presidential speech of late 1969. Almost to a man they are disappointed by present U.S. policy toward Latin America. It has not escaped their notice that America's chief foreign policy concerns have been elsewhere. It will take much better communication of our sensitivity to the problems of Latin America to rehabilitate U.S. policy toward that area.

In this country we must better understand the Latin Americans' loss of pride and dignity when confronted with the American Goliath. They want a better life, to be treated as equals, and to be able to develop their culture, economy, and life style in their own way. American policy must understand these central realities. Our policy must communicate that understanding to the people of Latin America—not just to their governments. We must bend every effort to identify and adopt our policy to the hopes and desires of the people for change, development, and progress.

Latin American events must be given more prominence in our news coverage. Several Venezuelans mentioned to me that, while visiting the United States, they went for days at a time without seeing a single reference to Latin America in the news media.

Contacts between North and South America must be encouraged by increased travel, cultural exchanges, and people-to-people programs.

#### II. TRADE

We should adopt a trade pattern that gives the developing countries of Latin America tariff preferences for their products. Venezuelans, at least, are not much interested in aid; they are very much interested in trade. Our goal should be an open market and freer trade for Latin American products. We should strongly support efforts to reduce nontariff barriers to trade, and the elimination of nuisance duties on products of special interest to the countries of Latin America. The President should follow up on the promise made in his state of the world speech of February, 1971, that he would "soon" submit legislation to implement generalized tariff preferences, and Congress should promptly enact this legislation, when proposed. This step would increase trade of products now traded and create a new market in the United States for other products.

#### III. INVESTMENT

We must be sensitive to the fact that the role of U.S. foreign investment in Latin America is changing almost everywhere in response to the new political realities and the growing enlightenment of the American businessman.

Traditional U.S. efforts to control South American mineral wealth and the extractive industries cannot be swiftly erased or changed. Perhaps the best course would be to urge American companies to try wherever possible to enter into joint enterprises with other nations and to work carefully with the host country, which may wish a majority share of the enterprise. At the least, we must be open to new approaches to an investment relationship.

#### IV. DEVELOPMENT ASSISTANCE

Development assistance will be needed in Latin America for a long time to come. The trend toward the use of multilateral channels of assistance is desirable, and apparently is quite acceptable to the Venezuelans, if not to all Latin America. The Inter-American Committee on the Alliance for Progress has approved this trend.

The Congress should promptly approve the President's request to increase the authorization for the Inter-American Development Bank, which is becoming the major source of development funds.

The United States should also continue its bilateral assistance programs with special emphasis on technical assistance in the areas of agriculture, education, health, and population control.

I believe we are slowly learning the importance of sharing responsibility in U.S. assistance programs. The temptation has been for the United States to tell the Latin Americans what should be done. Reality demands that the United States participate with them in developing and implementing plans for assistance.

Assistance must be according to plans which the Latin Americans themselves

approve, if not originate, and should be with as few restrictions on its use as feasible, and, if a loan, should be on easy terms.

We should be cautious in extending technical aid unless the technician is highly qualified with a knowledge of the language and culture of the recipient nation, and accomplished in human relations.

One hopeful sign in Latin America is the growing number of a new breed of leaders and technicians who have a sense of commitment to their country and a strong desire for economic and social progress. These men are agricultural experts, urban planners, housing and sanitation engineers, health and education experts. They are the best hope for progress, and I left with the feeling that things will go better for Latin America if their tribe increases. Our assistance programs should do all they can to multiply their number and strengthen their capability.

By so doing, we will help disabuse Latins of the notion we are trying to guide their development and we will affirm our belief that they should determine their own development policies. At all costs we must avoid the patronizing attitude that "Uncle Sam knows best."

The Inter-American Social Development Institute, created in 1970, will provide funds for nongovernmental institutions, like universities, credit unions, foundations, and represents an important opportunity to reach people directly, unhampered by the political sensitivities that can accompany government-to-government programs. It deserves strong support because it gets resources directly to private groups and will help bring about fundamental social change.

I must confess to disappointment at the attitude I encountered in Venezuela on population control. I hope it is not typical of all Latin America, but I fear it is. Latin America has the highest rate of population growth of any continental area in the world—some 3 percent per annum. This growth counteracts economic growth rates, causes congestion in the cities, strains educational, health, and other services. We must continue to push hard for acceptance of the need for limitations on the rate of population growth.

The Peace Corps seems to have been well received in Venezuela. It is adopting its new form in Venezuela with increasing emphasis on skilled volunteers. It is one of our more successful efforts in assistance to Latin America.

#### V. MILITARY ASSISTANCE

U.S. military assistance to Latin America should be tailored to each country's circumstances. Sweeping policy generalizations of no military assistance to any country or military assistance to Latin America for stated purposes should be avoided, and a vigorous, country-by-country analysis made.

It is helpful to maintain good working relations with the Latin American military because of its critical leadership role, both present and potential.

Depending upon our assessment for a particular country, we should be prepared to assist Latin American countries in their efforts to maintain internal order, modernize their forces with reasonable amounts of U.S. equipment, and provide training assistance. We should strongly discourage the diversion of funds needed for economic and social development.

#### VI. INTER-AMERICAN SYSTEM

Our policy should leave no doubt about our commitment to the growing inter-American system, and our desire to strengthen the Organization of American States and other institutions of the system. U.S. participation in 1970 in the review by the Inter-American Committee of the Alliance for Progress of our economic policies was a beneficial step, and should be repeated annually.

#### U.S. DOLLAR CRISIS—A DIVIDEND OF INTERNATIONALISM

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

Mr. RARICK. Mr. Speaker, while public attention is funneled by the communications media to urban ghettos, pollution, poverty, and the Vietnam war; one of the most serious threats, not only to our country but to every individual, receives little news coverage. I refer to the devaluation of the American dollar by foreigners.

West Germany, Switzerland, the Netherlands, Belgium, and Austria have stopped supporting the price of the dollar by refusing to pay the official exchange rate. This refusal to accept our dollar creates the possibility of devaluation of our money.

The rush to dump U.S. dollars for German marks with the expectation of making a profit later became so obvious that Chancellor Willy Brandt's government felt justified in ordering the Bundesbank to close its official money exchange and halt the buying and selling of U.S. dollars.

It is estimated that the Bundesbank's holdings of dollars alone exceeds the total value of U.S. gold stocks.

This international monetary condition is contributed to an increasing American balance-of-payments deficit, which has flooded West Germany and other European countries with excess dollars.

The American balance-of-payments deficit has resulted from unwise policies of our government in the areas of foreign aid and free trade which, while benefiting foreigners, have been detrimental to the American taxpayer.

The effects of UNCTAD—United Nations Conference on Trade and Development—the name of which was changed to the Kennedy round before submission of the free trade project to Congress, are coming home to roost as we see cheap foreign goods dumped on the American market to undersell American-made goods, eventually causing local

firms to go out of business, thus swelling the unemployment rolls in this country.

While socialist foreign governments back their domestic corporations and other firms in the export market with credit at preferential rates, tax incentives, and underwriting of sales and advertising programs; such is not the case with the U.S. Government and U.S. suppliers competing for U.S. markets, nor should it be under a free enterprise economy.

The effect of international repudiation of U.S. paper money must eventually affect us all. It will be felt like a new wave of inflation lessening the buying power of our dollars, or it could be explained as diminishing our paychecks like the passage of a new hidden Federal tax.

The financial apologists for the manipulators of U.S. dollars are hard at work using the communications media to reassure our people that foreign loss of faith in U.S. money will have no effect on Americans at home. Yet the over reaction of our "whiz kids" (financial experts) who have sold themselves on the textbook theories that money is only faith on paper indicates fear that the American people may panic.

If U.S. dollars possessed by the German Bundesbank exceeds all U.S. gold holdings, what happens if Germany, Switzerland, Austria, and The Netherlands demand gold and we cannot pay? How does a nation politely go bankrupt? Or do we just assess our people by raising taxes?

For certain, the solution to be offered will not be returning of U.S. troops from West Germany, nor cutting off foreign aid, nor requiring the French to pay their World War I debt owed to us.

Now that gold cannot be owned by American citizens nor paper money redeemed in silver, the bank accounts and paper currency of our people are at the mercy of the dictates of the Federal Reserve Banking System—not for the best interests of Americans but to save face for international bankers abroad.

While the low regard for the American dollar, which since the demise of the British pound has been the most desired currency in the world, can be credited to the liberals' foreign trade and foreign aid policies by the bureaucrats in the U.S. Government; it should also be remembered that the present monetary crisis comes at a time less than 2 weeks following the secret 3-day meeting of the Bilderbergers. This international financial meeting—attended by former West German Foreign Affairs Minister Gerhard Schroeder, Prince Bernhard of The Netherlands, and Henry Kissinger, Assistant to President Nixon for National Security—may just have masterminded the assault on the stability of the U.S. dollar. The Bilderberger discussion reportedly concentrated on "the possibility of a change of the American role in the world and its consequences" and "the contribution of business in dealing with current problems of social instability." See CONGRESSIONAL RECORD 13688 of May 5, 1971 entitled "Bilderbergers Woodstock Meeting."

Mr. Speaker, the conditions which produced the current real possibility of a devaluation of the U.S. dollar have evolved during the past half century as a result of the passage of certain laws and the pursuance of certain policies abdicating the guidelines laid down by the U.S. Constitution and basic economic fundamentals of the free enterprise system.

Unless the present national goals toward more and more socialistic legislation, deficit spending, bureaucratic governmental controls over the lives of people, concentration of power at levels of government distantly removed from the people, and toward crass immorality, are reversed, what future can our children have?

The key to peace through freedom is to return power to the people. The greatest source of people power is the Constitution of the United States of America. To restore America to her former greatness, it is essential that we return to the Constitution and competitive free enterprise.

I have introduced three bills to return power to the people over their money, over their taxes, and over war. If enacted, these measures will return America to its intended role of greatness as deserved by our people. The amendments can be passed by every State legislature as well as this body. I urge our colleagues to give these people power measures early consideration.

I insert related news clippings followed by the text of House Joint Resolution 23, proposing an amendment to the Constitution relative to abolishing personal income, estate, and gift taxes and prohibiting the U.S. Government from engaging in business in competition with its citizens; H.R. 351, to vest in the Government of the United States the full, absolute, complete, and unconditional ownership of the 12 Federal Reserve banks; and House Joint Resolution 535, proposing an amendment to the Constitution for a referendum on war.

The items follow:

[From the New Orleans States-Item, May 4, 1971]

#### DOLLAR SENT REELING BY EUROPEAN TRADERS

LONDON.—Currency speculators sent the dollar reeling on European exchanges today, and the flood of U.S. money exchanged for West German marks, Dutch guilders and Swiss francs threatened to send inflation soaring further.

The dollar was on the floor in Frankfurt and Zurich. Only heavy buying by the Bank of England kept the rate just off the mandatory intervention point of \$2.42 to the pound.

Anxiety over the monetary situation drove the price of gold up in the London and Zurich free markets. The jump was 43 cents in London to \$39.86, the highest level since the 1969 crisis over the undervaluation of the mark.

West Germany's Central Bank was reported to have taken in \$250 million to \$300 million in the first hours of trading today and more than \$120 million in the last hour yesterday.

"Substantial" dollar sales were reported in Zurich. The smaller Amsterdam market was

also caught in the flurry, with \$20 million reported taken in late trading yesterday.

The speculation apparently was touched off by the call from five West German economic research institutes yesterday for the mark—now pegged at 27 cents—to be set free in world markets to combat inflation.

Speculators saw a chance of a quick profit, anticipating another upward revaluation of the mark that might even force the guilder and the Swiss franc to go up too.

The British pound was caught in the squeeze but to a lesser extent. However, the Bank of England is reputed to have taken in more than \$1 billion since December, driving the country's rate of inflation up to the highest level of any country in Western Europe, 8½ per cent.

[From the Washington Evening Star,  
May 5, 1971]

#### FIVE NATIONS SUSPEND SUPPORT OF DOLLAR (By Lee M. Cohn)

A major international monetary crisis erupted today when West Germany and several other European governments stopped supporting the price of the dollar.

These moves were viewed as a preliminary to possible action raising the official parity values of the German mark and other currencies—which would devalue the dollar, in effect.

If this happens, imported goods will cost more here, U.S. export prices will decline and American tourists will find that trips to Europe are more expensive.

More dollars would be required to purchase any given amount of marks and other revalued currencies.

#### DEFICITS, INTEREST RATES

The crisis has resulted from big deficits in the U.S. balance of payments and, more immediately, huge flows of dollars attracted to Europe by high interest rates there.

International monetary rules require foreign central banks to maintain the value of their currencies within 1 percent above or below fixed parities with the dollar. When the dollar is weak, the central banks buy dollars with their currencies to keep the price within the permitted range on the markets.

Heavy flows of dollars into Germany have compelled the Bundesbank, that country's central bank, to buy huge sums of dollars to keep the dollar from falling through its floor price of 3.63 marks.

Today's action suspending these support operations temporarily eliminated one of the primary rules of the international monetary system, fixed currency exchange rates.

The mark was permitted to "float"—to find its natural level on the basis of supply and demand relative to the dollar. Conversely, the dollar was permitted to float downward.

In early trading, as expected, the price of the dollar in terms of marks went below the support level, and the price of the mark rose above its ceiling of about 27.35 cents.

Central banks in Switzerland, The Netherlands, Belgium and Austria also suspended dollar support operations, according to wire service reports from Europe, but Britain, France and Italy continued normal operations.

Monetary authorities were expected to meet soon to decide what to do next.

They could continue to let their currencies float until they settled at new parities. Or they could quickly fix new and higher parities.

In either case, higher values for European currencies would in effect devalue the dollar—at the initiative of foreign governments rather than the United States.

Germany in 1969 allowed the mark to float, and finally raised its official value by 8.5 percent.

Wire services reported from Europe today that holders of dollars were being limited in

some cases in the amounts they could convert into foreign currencies. European bankers were trying to protect themselves against losses in case the dollar's value declines.

There was no immediate comment from U.S. authorities. They could help ease the crisis by absorbing excessive European holdings of dollars.

This could be done by expanding sales of Treasury and agency debt securities to foreign branches of American banks, and to foreign central banks.

Massive flows of dollars to Europe have created a glut, which has depressed the price and compelled the central banks to accumulate more dollars than they want in their reserves.

Upward revaluation of the mark and other currencies would reduce this accumulation of dollars in reserves.

The prospect of revaluation has augmented the flow of dollars to Europe. Speculators are using dollars to buy marks and other strong currencies in the hope of profiting by revaluation.

The Bundesbank reportedly bought \$1.2 billion yesterday alone, on top of previous huge accumulations.

Suspension of support will halt temporarily this accumulation of dollars. Uncertainty about where a new parity will be fixed, if the mark is revalued, may stem the stampede for marks.

Treasury Secretary John B. Connally issued a statement last night, before support operations were suspended, that he saw no need for parity changes. A spokesman stuck to the statement today.

#### SEEN AS TEMPORARY

Administration officials have taken the position that the currency turmoil is temporary, and that the markets will settle down when differentials between U.S. and European interest rates narrow. Higher rates in Europe have been an important factor in the outflow of dollars from here.

The U.S. Federal Reserve has been raising short-term interest rates and foreign central banks have been lowering their rates.

German foreign currency exchanges were to remain closed through Friday. Thus, the Bundesbank will not resume purchases in support of the dollar until Monday at the earliest.

The German cabinet is scheduled to meet on Friday to discuss and perhaps act on the monetary crisis.

Direct devaluation of the dollar at the initiative of the United States would require an increase in the official \$35-an-ounce price of gold. The Nixon administration adamantly opposes such action.

#### THEORETICAL READINESS

The United States theoretically stands ready to sell gold to foreign central banks for dollars at the official price. However, the Bundesbank's holdings of dollars alone exceed total U.S. gold stocks.

If the central banks tried to redeem large amounts of dollars for gold the United States probably would halt gold sales. That could undermine the international monetary system, although some experts contend the consequences would not be so disastrous.

Since the central banks want to avoid that risk, they have avoided large-scale demands for gold. Thus, they have been compelled to accumulate dollars without an adequate outlet, and have been searching for ways to stem the flood.

There have been proposals for agreed limits on accumulations of dollars abroad. If deficits in the U.S. balance of payments continued to send dollars abroad in excess of those limits, the United States would be obligated to buy them back—by borrowing foreign currencies from the International Monetary Fund, if necessary.

As in all monetary crises, the price of gold on free markets has soared above \$40 an ounce.

[From the Washington Post, May 6, 1971]

#### FIVE EUROPEAN GOVERNMENTS END 'SUPPORT' OF DOLLAR

(By Hobart Rowen)

The U.S. financial community braced itself last night for moves later this week that could have the practical effect of devaluing the dollar.

Nixon administration officials remained silent yesterday on this prospect. On Tuesday, Treasury Secretary John B. Connally had said that no change in the value of major currencies "is necessary or anticipated."

But after West Germany and four other European governments stopped "supporting" the price of the dollar—which means they refused to pay out their own currencies at present exchange rates—the prospect of devaluation became a real possibility, although not a certainty.

Devaluation would be a blow to American prestige—one that the Nixon administration and its predecessors have assiduously sought to avoid—although its practical effect on most American citizens would be hard to detect.

One respected private expert here said he thought that the dollar was in a "hopeless" position, and that it would be foolish of the U.S. government to try to support an "untenable" exchange rate.

But American officials are reluctant to see moves that would tend, even psychologically, to degrade the U.S. dollar, which has been the standard for international trading and exchange markets. There could be bitter feelings among many nations which held dollars in their officials' reserves, guided by U.S. assurances that there would be no devaluation.

#### COULD BE HEALTHY

On the other hand, many experts feel that the long-run effect of a devaluation amounting to 5 or 6 per cent would be healthy because it would make American exports that much cheaper—relative to other goods—and imports (and travel abroad) that much more expensive.

The crisis stems from the continuing, huge deficits in the American balance of payments, a problem which has become worse in the last year because of the sharp reduction in interest rates here resulting from an easier monetary policy pursued to promote recovery from the 1970 recession.

The low American interest rates, compared to those in Europe, have stimulated a flow of dollars abroad in search of a higher return. In the last few weeks, most of these dollars have moved into German marks, Swiss francs, and Dutch guilders, all considered "strong" currencies.

In a sense, it has been a self-fulfilling speculative movement: the more dollars were exchanged for other currencies, the more certain it was that there would come a point when those currencies' central banks would cut off the flow.

Under rules of the international monetary system, where a dollar is worth 1/35 of an ounce of gold (gold, therefore, is \$35 an ounce), other currencies are quoted in terms of the dollar.

The relationship is maintained by the "intervention" currencies move more than 1 of central banks in the currency markets: When their per cent above or below the quoted parity, the banks buy or sell their own currencies to maintain the fixed rate.

What West Germany (and others) did yesterday was to quit this process. They closed the foreign exchange markets in effect saying that they would no longer buy dollars at the old rates.

International monetary experts here think that the foreign exchange markets can't reopen "without doing something new," and that the "something new" will be a different set of exchange rates. Those rates are bound to raise the value of European currencies in one fashion or another.

## POSSIBLE ALTERNATIVES

The guessing here is that one of three alternatives is possible:

A revaluation by the West Germans alone, which they are reluctant to do: A higher rate for the mark makes German goods less competitive with those of other countries.

A concerted action by several countries, which might jointly refuse to support the dollar with their own currencies and tell the United States to do the job itself by borrowing the necessary currencies, or selling gold to get them.

A refusal of the strong currency nations to accept any new dollars (except those that are derived from trade) at the old exchange rates.

## EFFECTS ON THE DOLLAR

Higher values for other currencies—especially if a group of leading nations acted together—would have much the same effect as a formal devaluation of the dollar.

The present rate of the West German mark is 27.3 cents, which is 3.66 German marks to the dollar. An American tourist cashing a \$20 traveler's check has been getting about 73 marks. If the mark were allowed to "float" up to a 30-cent level, or 3.33 to the dollar, the same \$20 check would bring only 67 marks.

The big speculator, similarly, would get fewer marks for the dollar, and thus a portion of the hot money flow might be decreased.

[From the Washington Post, May 6, 1971]

## EUROPEANS HALT DOLLAR TRADING

West Germany closed its foreign exchange market yesterday to stymie a rush by speculators converting dollars into German marks. This dramatic action was promptly followed by several other European countries. Experts predict that it foreshadows an upward revaluation of European currencies. This, in turn, would decrease the value of the U.S. dollar for purchases or travel abroad.

The monetary crisis has erupted as a result of the continuing heavy American balance of payments deficit, which has flooded Europe with excess dollars. American officials continued to insist that no basic changes in the international monetary system were necessary, although additional steps to dampen speculative money flows are being considered.

## BONN DECISION

(By John M. Goshko)

BONN.—The West German government today suspended the central bank's dollar transactions.

The action came after an avalanche of dollars hit West Germany early today, swamping the capacity of the central bank; the Bundesbank, to support the dollar at the official minimum exchange rate of 3.63 German marks.

Confronted by an international monetary crisis, the West German government set itself a Friday deadline to find ways of stemming the dollar inflow.

Bundesbank president Karl Klagen said an estimated \$1 billion had become stacked up waiting to be exchanged for marks in the first 40 minutes of business this morning.

In response, Chancellor Willy Brandt's government ordered the bank to close its official money exchange and halt its buying and selling of dollars until Monday.

Confronting the government is a situation that results from the fact that West Germany's explosive economic prosperity had made the mark one of the world's strongest and most desired currencies.

Because of the feeling in financial circles that the dollar is over-valued and over-extended, the past few years have seen steady pressures to exchange dollars for marks.

Recently, this trend has been accelerated by a flow of speculative money anxious to take advantage of the high German interest rates. The result of this dollar inflow, when

exchanged for marks, is to greatly increase the amount of money in circulation within the country and aggravate its mounting inflation.

Brandt today scheduled a cabinet meeting for Friday, promising to have ready for its consideration a comprehensive set of proposals to deal with the dollar inflow and other factors contributing to West Germany's politically explosive inflation problem.

Bonn's action set off shock waves among other European central banks and raised fears that the move could seriously disrupt the European Common Market's striving toward financial and monetary unity.

It was reminiscent of the situation two years ago when heavy speculation in the German mark also raised the threat of world monetary crisis. The result then was to force West Germany into its October, 1969, decision to revalue the mark upward by 9.2 percent.

However, as today's events made clear, that action has proved to be only a temporary palliative, both in terms of curbing West Germany's domestic inflation problems and preventing its currency from having disruptive effects on the international monetary system.

Brandt now faces a choice of several counter-measures—each of which would prove financially harmful to one or more key voter groups within West Germany. Unless the course he does decide on shows quick signs of being an effective remedy, the result could be the fall of his government.

While the decision will be painful, the government seemed fully aware that it cannot be put off. Referring to the months of debate and hesitation that preceded the 1969 revaluation, the government's spokesman, Conrad Ehlers, promised that this time a decision will be "quick and without long-drawn-out discussion."

Brandt echoed the same theme just before he departed for a two-day unofficial visit to London to participate in the 150th anniversary celebration of The Guardian newspaper. He said his decision to fulfill the London commitment indicated that there was no reason for panic.

But, he said the situation had reached a point where the long-range interests of the Common Market and other countries could be weakened if West Germany failed to safeguard its own position.

Actually, the decision on what course the government takes will be hammered out Thursday night when Brandt returns from London to meet with Economics Minister Karl Schiller and some of the most influential cabinet members.

The situation began building to crisis proportions on Monday after four major economic research institutes suggested that the best way to reverse the dollar flow would be to "float" the mark and let it find a new level of parity with the dollar.

The recommendation triggered a new torrent of speculative dollars that yesterday saw the Bundesbank forced to buy an estimated \$1 billion in support operations and that today resulted in the suspension of dollar dealings.

Actually, this suspension represented a de facto floating of the mark because it meant a withdrawal of the Bundesbank's commitment to keep the mark pegged to its present parity of between 3.63 and 3.69 to the dollar.

As a result, the dollar quickly fell below the minimum support price in West Germany's unofficial money markets. Banking sources said that volume in these markets during the day was low and that the dollar was trading at exchange rates varying from 3.59 downward to 3.45.

One immediate effect was that all German banks restricted the exchange of foreign currencies and travelers checks to 500 marks per person.

Klagen, who met in Frankfurt with Schiller and the Bundesbank board of directors, announced afterward that if no other steps are

taken by the government, his intention is to resume dollar operations on Monday at the present official rate.

However, the clear expectation is that by that time the government will have decided its course. Government officials and independent observers agreed that Brandt essentially has three choices:

The government can announce a new revaluation and put it into effect in time for the mark to trade at its new parity on Monday.

## BLAME ASSESSED

(By Jonathan C. Randal)

PARIS.—One European country after another followed West Germany in suspending foreign exchange trading today. The only major European money markets still operating in dollars were in Britain, France and Italy.

In the press and in private conversations, West Germany—and especially Economics Minister Karl Schiller—came in for harsh criticism. One Swiss banking source, who insisted on anonymity, characterized the German government's handling of the crisis as "grotesque mismanagement."

But the real onus for the crisis was placed squarely on the United States and on the uncontrolled and constantly growing \$60 billion accumulation of Eurodollars—dollars held outside the United States.

No matter how bitter Europeans might be at what they view as U.S. government prodigality and refusal to take meaningful action to control the Eurodollar funds, they themselves had little to crow about.

For the six-nation Common Market, the suspension of foreign exchange trading was something of a self-inflicted wound.

It was caused by their inability to take concerted action to stem the speculative and inflationary flow of dollars into their economies.

Ironically, it was only this week that the Common Market nations took their first practical step to achieve their goal of economic and monetary union by 1980.

A new communications system, allowing thrice-daily multilateral conference telephone calls among member central banks to coordinate currency intervention, fell into disuse in Brussels as the respective governments acted in dispersed order.

[Switzerland, Belgium, the Netherlands and Austria joined Germany in ceasing to buy dollars, while Israel suspended trading in continental currencies and Britain refused to quote them against the dollar, Reuter reported. Portugal suspended all foreign exchange dealings.]

Reliable sources said the Germans gave no specific advance warning of their intention to suspend trading, despite a Common Market obligation to consult members before taking a major economic or monetary decision affecting them.

A further blow to the already battered Common Market unity took the form of the disruption of the common agricultural policy.

Normally a full-fledged council of ministers meeting should be called within 72 hours of any planned change in currency parity or any suspension of trading. But in the past, in both the revaluation of the French franc and the upward revaluation of the German mark, in 1969, the Common Market has found suitable compromises—albeit at some damage to its proclaimed goal of having its own currency rivaling the dollar.

But the shock waves of the German decision were also felt beyond the Common Market, as non-members Austria, Switzerland, Portugal and Finland joined members Belgium and Holland in suspending foreign exchange dealings in dollars—and, in some cases, other currencies as well.

Doing business as usual, at least in France's case, was relatively without risk since the French government maintains complicated exchange controls that make it ex-

tremely difficult for "hot money" speculators to export capital.

Moreover, France is not adverse to building back its reserves to the \$7 billion level that they reached just before the 1968 student-worker upheaval wiped out Gen. de Gaulle's carefully husbanded gold hoard.

#### EARLIER FRENCH VIEW

Valery Giscard d'Estaing, the French finance minister, noted a \$71.2 million increase last month in reserves, which now total \$5.2 billion, in justifying the controls.

Only 10 days ago, Giscard d'Estaing helped fuel the public debate that led to the West German decision by telling fellow Common Market finance ministers in Hamburg that the price of gold should be raised above its \$35-an-ounce official level. Such action would be tantamount to devaluation of the dollar.

Compounding Schiller's blunder in trying to persuade France to accept a flexible exchange rate for the dollar for Common Market currencies as a bloc was the extraordinary report of five German economic institutions which calmly invited their government to revalue the mark or at least allow it to float.

The recommendations were all that speculators—with money managers of big and often American-owned multinational companies leading the way—needed to resume their stampede on the mark.

"Who sows the wind reaps the whirlwind," remarked the independent newspaper *Le Monde* in a tart front-page editorial which said that "the least one can say is that the Germans played with fire."

For Germany "which has the biggest world exchange reserves—\$16.5 billion worth—such a policy, or lack of policy," the newspaper said, could be qualified as irresponsible, "especially in the light of painful (German) precedents in the fall of 1968 and the summer of 1969."

In both episodes, German officials were guilty of speaking publicly about parity changes, much to the annoyance of world monetary officials who hoped that such misbehavior reflected domestic political considerations of the moment which would not be repeated.

#### AMERICAN "CONDESCENSION"

The newspaper noted the "certain condescension with which the Americans consider those who have the audacity to question the sacrosanct parity" of the dollar which Washington refuses to devalue unilaterally.

"Here, too, is it not necessary to speak of irresponsibility?" *Le Monde* asked. "Faced with monetary disorder maintained by the American [balance of payments] deficits and the enormous volume of floating capital out for a killing, Germany must choose."

While such talk is scarcely new, the extent of the money market disruptions gave new urgency to old arguments and produced predictable results.

London's free gold market posted its highest price—\$40.15 an ounce—since October 1969, the date of the previous German mark revaluation crisis.

The switch from currency to gold has produced a \$1.20 an ounce increase in a week, with investors turning to gold-mining shares and to such commodity markets as sugar, cocoa, coffee, metals and rubber. Prices of these commodities all moved up.

#### SWISS REFUSED TO TRADE

In Zurich, the other main free gold market center, Swiss banks refused to trade because of the inability to quote prices in dollars, a consequence of the suspended money market.

Swiss banking sources were generally skeptical about a general realignment of major European currencies, a course of action favored by West Germany.

But they surmised that Switzerland, which absorbed \$710 million in two days before suspending trading, would also revalue the

Swiss franc if such a general European revaluation could be arranged.

Switzerland, which like the United States used to require parliamentary approval for changing the value of its currency, recently changed the law to allow for independent government action in this sphere.

[From the Washington Evening Star, May 7, 1971]

#### THE CHALLENGED DOLLAR

There are always pressures in the relations between free-world currencies, because of the varying experiences and objectives of the national economies at a given moment. Occasionally the pressures boil up into a monetary crisis, like the current one involving the over-abundance of dollars in the financial capitals of Europe.

If there is one reason for viewing the affair with calmness, it is that the Western democracies have too great a stake in the orderly workings of the international monetary system to let it suffer severe damage. Solutions will be found, and the overriding common interests of the major non-Communist trading partners will be served.

The causes of the dollar crisis range from the long-term deficit in our balance of payments, to disparities in interest rates, to the rush of speculators intent on making a fast Deutschemark. The last two are temporary phenomena. Interest rates can be brought more into line (cutting the flow of dollars seeking a larger return abroad), and the speculative sales of dollars will be dampened when something is done about the apparent undervaluation of the German mark.

A solution of the balance-of-payments problem is a long-range proposition. Continuing attention to our health as an exporting nation is required. And eventual relief should come from reduction of our military spending abroad, through conclusion of the war in Southeast Asia and, when possible, cuts in our forces in Europe.

Oddly, though the ubiquitous (and some say overvalued) dollar is the cause of Europe's monetary headache, there is relatively little that American officials can be expected realistically to do about it. They should be concerned (and perhaps are more so than their alleged "benign neglect" would indicate), and should do what they can. But with recovery just begun, a reimposition of tight money is not in the cards. So the quest for a solution devolves, at the moment, mainly upon West Germany. The mark must be revalued upwards, possibly after being allowed to float according to market pressures. The achievement of a realistic exchange rate should solve the dollar glut though not without pain for the Bonn government. Or the Germans might try other forms of control over capital movements.

As for the dollar, because of its unique position as the currency on which all the others are pegged, devaluation is possible by raising the price of gold, but the administration opposes such a step. A more expensive mark would devalue the dollar in relation to that strong currency, but as ignominious as that sounds there are some advantages in it for us. German exports would be hurt by being made more expensive, and ours would be helped by the reverse process.

But overshadowing the day-to-day concerns of the marketplace is the vital stability of the monetary system. This stability, on which depend the vigor of international commerce and the success of political relations, must be improved. The basic framework of the system dates from the Bretton Woods conference of 1944, when the overpowering American economy was the hope of a shattered Europe. In the light of the growing equality of the national and supranational economies, changes are needed. Above all, cooperation in international monetary affairs must be preserved, ruling out a return to the destructive chaos of the pre-war years.

[From the Washington Post, May 9, 1971]

#### THE POLITICS OF MONEY

(By Joseph Kraft)

The current monetary crisis is chiefly interesting as a marvelously sensitive indicator of political relations among the supposedly allied countries of the West. It shows that the Europeans are beset by a paralyzing variety of contradictory impulses.

The administration in Washington, once again obsessed with Vietnam and the problem of public confidence, is seen to be out to lunch when other issues arise. Some of the glow may even be coming off the man who has hitherto been the local Golden Boy, Secretary of the Treasury John Connally.

The country most on the spot, of course, has been West Germany. The obvious, sensible action for the Bonn regime would have been a quick upward revaluation of the mark. That would have sent dollars flowing back to the United States and made it easier to deal with West Germany's internal inflation problem. It also would have shown Chancellor Willy Brandt leading the way toward cohesion in the West.

But Chancellor Brandt has hooked himself on the Eastern policy of detente with Russia. To sustain that policy he has depended on the coalition support of a splinter party, the Free Democrats. The Free Democrats count as their main base of support the German farmers.

Revaluation, unless coordinated with currency adjustment by Germany's partners in the European Common Market, would have exposed German farmers to revised pricing arrangements in the Common Market. So rather than run the risk of a strain in the coalition, the Brandt government dithered until it could at least throw some of the blame on other European governments.

For the French government of President Georges Pompidou the money crisis raised to the surface the shadow that has dominated the Paris regime since its earliest days. That is the shadow of Gen. de Gaulle.

In monetary affairs, it will be remembered, Gen. de Gaulle was a gold bug. His answer to all problems was a devaluation of the dollar against gold.

The Western nations, with France going along, decided that issue against him three years ago. But for President Pompidou the call to show faithful Gaullist colors was irresistible. Paris, once more, offered as its contribution to the monetary crisis a call for devaluation of the dollar against gold.

Britain's clear interest in the monetary crisis was an upward revision of the German mark and most of the other European currencies. That way British goods would sell more readily on the Continent, and European investment funds would flow to Britain. An improved economic condition would be the result, thus enhancing the British position in all foreign policy matters.

But the government of Prime Minister Edward Heath has pitched its future on entry into the Common Market. Rightly or wrongly, Heath has always felt that the route to Brussels lies through Paris. His government has been chary of differing from the government of Pompidou even on the issue of gold. So London has played a passive role in the monetary crisis.

With the Big Three across the Atlantic thus constrained, there was prepared an opening for American initiative. The United States in the past has stood for more flexible exchange rates to promote automatic adjustment without development of recurrent crisis. Off that position it would have been easy for American officials to express sympathy for everybody involved, to urge a jointly managed revaluation with a pledge to move towards a larger reform of the whole system later on.

Because large speculative movements of money are involved, governments have to tell

lies during currency crises. Perhaps Washington did, in fact, play the role outlined above. But that is not the impression given by the public rhetoric of the Treasury, nor received by sensitive observers at the International Monetary Fund.

The chief statement from the Treasury was a repudiation of the former support for flexible exchange rates. Secretary Connally said that no change in the value of major currencies is "necessary or anticipated." The impression, even in highly sophisticated circles, was that the United States was throwing the crisis entirely onto the Europeans on the narrow, chauvinistic principle that any changes would be bad because they would have the effect of shaking still further confidence in the Nixon administration.

In the long run, the monetary crisis should sort itself out with no great damage. The technical problems are easily soluble. Politically, the crisis could even have the useful effect of stimulating the West Germans to take a more active role in promoting West European unity.

But the problem of American relations with Europe persists. A less self-centered approach in Washington, a disposition to help other countries manage their problems, seems required if even minimal cohesion is to be maintained in meeting common problems.

[From the Washington Post, May 10, 1971]  
GERMANY FREES MARK; 3 NATIONS ADJUST CURRENCY

(By John M. Goshko)

**BONN.**—In a bid to stem the inflow of U.S. dollars, the West German government tonight formally decided to "float" the German mark and temporarily make it a more expensive currency.

Germany argues that the dollars are feeding its own inflation.

Three other European nations acted quickly to adjust their currencies.

Economics Minister Karl Schiller conceded to reporters that the floating period would last for "months."

But he insisted, in the face of considerable skepticism, that floating was not a prelude to revaluation and that the government intends eventually to return the mark to its current rate with the dollar.

Floating the mark means that the German government will let market demand set the exchange rate between marks and dollars from day to day as the mark rate rises. American investors and tourists will get somewhat fewer marks for their dollars and American buyers will have to pay somewhat more for German goods.

Schiller, in his insistence to newsmen, was making a nervous obeisance to West Germany's five partners in the European Common Market. Early this morning, after a 20-hour negotiating session, the Common Market grudgingly gave Chancellor Willy Brandt's government the go-ahead on floating.

The decision made in Brussels by the finance ministers of the Common Market represented a desperate attempt to preserve the credibility of a united approach to the international monetary crisis that burst over Europe last week, when a massive flood of speculative dollars caused many European countries, led by Germany, to suspend trading.

However, in so doing, the ministers were keenly aware that they could be dealing a crippling blow to their embryonic monetary union plan and their rickety common agricultural policy.

For this reason, they conditioned the green light given Bonn with the qualification that the Common Market expects the floating of the mark to be temporary and with a minimum of disruptive effects on the international monetary system.

Tonight, however, the immediate indications were that Bonn's decision was triggering precisely the sort of chain reaction that the Brussels meeting had feared.

In quick order, two countries outside the market—Switzerland and Austria—decided on upward revaluations of their currencies: Switzerland by 7 per cent and Austria by 5.05 per cent.

Both governments acted to protect themselves against a possible diversion to their currencies by speculative dollars moving away from the German mark.

Within the market itself, The Netherlands, which had followed West Germany's lead last week in suspending official support of the dollar, reacted tonight by also going to a floating rate.

#### BELGIAN FRANC

[Belgium's Premier Gaston Eyskens announced the Belgian franc would not float along with the mark, Reuter reported. Belgium, the only Common Market member that operates an official and a free market for its currency, preferred to use its present double-market system, Eyskens said. Any excessive capital inflows will be channeled onto the free market, where in effect the franc already floats, he said.]

Most attention centered on the mark, whose reputation as probably the strongest of the world's currencies, played a pivotal role in bringing about the present monetary crisis.

Because of the feeling in financial circles that the dollar is over valued and over extended, the past few years have seen steady pressures to exchange dollars for marks. The result of this dollar flow into West Germany is greatly to increase the amount of money in circulation and aggravate the country's mounting inflation problems.

Last week, the inflow reached such landslide proportions that on Wednesday the Bundesbank, the German central bank, was forced to suspend its commitment to support the dollar at an officially pegged exchange rate of between 3.63 and 3.69 marks to the dollar.

#### TOO EXPENSIVE

The suspension meant that the mark has been in a de facto floating state since Wednesday.

By opting for a course of continued floating, the Brandt government hopes that the mark will eventually become too expensive for speculators to make a profit by buying marks with dollars and that the dollar inflow will shrink correspondingly.

Because floating cannot be continued indefinitely, the German government sooner or later will have to set a new level of parity—that point where the Bundesbank intervenes officially to support the dollar and stabilize the exchange rate.

Since the mark is going to increase in value during the impending period of floating, many monetary experts here think the government will find it impossible to return to the current suspended rate.

For this reason, they predict that floating must inevitably lead to a revaluation that will see the mark repegged at a higher official exchange rate.

#### BORN IN DENIALS

At a press conference tonight, though, both Schiller and Foreign Minister Walter Scheel denied that the Brandt government intends anything other than an eventual return to the suspended rate. They said this was the understanding that they had given to the Common Market last night and that, in the government's view, such a return would be feasible once the crisis has abated.

Schiller also pointed out that the floating period to begin Monday would not be completely free but would be controlled in an effort to keep the floating rate from moving too far away from present parity.

By this, he means that if floating leads to a situation where the dollar seems to be slipping too far in its exchange value, the Bundesbank will intervene to buy dollars and support it at what is regarded as a safe level.

Schiller would not say what this level would be, although the expectation here is that it will be somewhere in the range of between 2.5 to 5 percentage points below the price of 3.63.

Although he refused to put a definite time limit on the floating period, Schiller was prodded into saying that it would last for months. This raised eyebrows since some participants in the Brussels meeting, notably French Finance Minister Valéry Giscard d'Estaing, were quoted as saying that the mark would float only for a few weeks.

In everything he said tonight, Schiller showed a keen awareness that the floating policy could have effects seriously detrimental to both the Brandt government's relations with its Common Market partners and its standing with the General electorate.

Repeatedly, he and Scheel insisted that Bonn's course would serve the long-range interests of European unity because this goal makes it incumbent on West Germany to control its inflation and otherwise set its economic house in order. A similar statement was issued tonight by Brandt himself.

In terms of domestic political considerations, the idea of a more expensive mark is opposed both by German industry and agriculture.

Industry doesn't like it because it would make its exports costlier. Agriculture is unhappy because German farmers have their earnings tied to a Common Market price policy related to the dollar.

These were among the issues that burst to the fore at last night's marathon Common Market session in Brussels, touching off an especially embittered exchange between France and Germany.

#### JOINT ACTION

The Germans had gone to Brussels, aware that their floating proposal could have detrimental effects on the European Economic Community and on the currencies of the other countries. Their hope was to win approval by the six members for a course of joint action, but in this they were only partially successful.

At the core of the debate was the adamant French opposition to uncontrolled, floating exchange rates. While France, supported by Italy and the European Community executive commission, argued for exchange control measures, the Germans stood firm in their insistence on floating.

In the end, the ministers came up with a face-saving formula that amounted to a bowing to the German position.

This stated that "in view of excessive capital inflows" into West Germany and "despite the incompatibility of floating exchange rates with the smooth running of the common market," it was understood that certain countries could widen their exchange margins "for a limited time."

Giscard d'Estaing had pressed for a strict limit, both in time and volume, on the German mark float. But, as Schiller's statement tonight indicated, he came back to Bonn with no such strictures.

#### MONETARY UNION

The most immediate casualty of the Brussels decision to allow unilateral floating of Common Market currencies is the community's monetary union plan.

It is virtually certain that the first practical steps toward a single currency—the reduction of the exchange rate margins between the Common Market currencies scheduled to go into effect June 15—will now have to be postponed.

The common farm policy, which is still suffering from the 1968 French franc devaluation and the revaluation of the German

mark in October, 1969, is further threatened by this morning's Brussel's agreement.

Under the farm policy, common prices throughout the six member nations are expressed in units of account, equal to the gold value of the dollar. This means that in the event exchange rate fluctuations between the individual national currencies, farm prices in the member countries, which directly reflect farmer's incomes, would also fluctuate.

#### POLITICAL EFFECT

Because of the potentially explosive political effect this will have among West German farmers, Schiller had asked the Brussels meeting to allow relief for the German agricultural sector in the form of border controls applied to food imports from the rest of the market.

Following a 4:30 a.m. phone call to Brandt, the Germans dropped this demand.

Instead, an emergency meeting of Common Market Agricultural ministers was scheduled for Tuesday in Brussels, and, at his press conference tonight, Schiller stressed that Bonn will continue pressing for special measures to aid German farmers during the floating period.

In Brussels, Schiller also promised Bonn's partners that the Brandt government will adopt a wide range of additional measures to combat inflation and cool off the booming German economy.

Tonight he said merely that the cabinet was still working on a comprehensive stabilization program.

However, Bundesbank President Karl Klagen later announced that the government will order West German banks to stop paying interest on deposits kept with them by foreign residents.

Other sources said additional likely measures aimed at depressing the flow of foreign funds into West Germany would include raising the minimum size of deposits in German banks by foreign residents and firms. The idea is that the necessity of having to keep large non-interest-bearing accounts will discourage the proliferation of such accounts.

Still other measures being debated by the cabinet are expected to include a tight clamp on government spending, freezing the use of various receipts due the federal government and the states and continuing in force various temporary taxes aimed at inhibiting business expansion.

Where the United States is concerned, most observers seemed to feel that the floating decision should aid the U.S. balance of payments problem—provided that its chain effects do not get out of hand and result in a general shakeout of free-world currencies.

If the German floating measures help to inhibit the flight away from the dollar to the mark, these observers say, the net effect should be to inhibit dollars from leaving the United States and also to force many dollars now circulating in Europe back home.

[From the Washington Post, May 10, 1971]

#### LITTLE U.S. HARM—MOVE BENEFITS AMERICAN TRADE BUT SHRINKS TOURIST DOLLAR (By Hobart Rowan)

West Germany's and Holland's decision to "float" their currencies and the upward revaluations of other European currencies yesterday will have no harmful effect on the U.S. economy and will go unnoticed by most Americans, except those traveling abroad.

The Americans most affected may be U.S. soldiers on duty in Germany, who will find that their pay in dollars will have shrunk by the same amount that the German mark eventually increases in value.

Overall, the American competitive position in world trade will be improved: for example, unless the Volkswagen company cuts the actual selling price of its cars, a VW delivered here will cost more. That would give a new edge to Detroit's small cars, as well as competing imports.

If the German mark should eventually settle at a level 5 per cent higher than the old fixed rate, then \$2,310 would be needed to buy a VW that formerly sold at \$2,200. Conceivably VW might think a \$110 boost would cut too heavily into sales and would try, therefore, to absorb some of the higher price.

Yesterday's key move, of course, was that by Germany. Experts here expect that the mark ultimately might be revalued by 5 per cent. Floating of the Dutch guilder had been expected to prevent the speculative "hot money" flow from being transferred from Germany to Holland.

Late last night, after a four-hour session, the Executive Directors of the International Money Fund issued a carefully drafted statement which avoided a direct disapproval of the German and Dutch actions, which are in violation of IMF rules.

Both countries, the statement said, had "assured the fund with respect to resumption of the maintenance of the limits around parity, in the interest of the smooth functioning of the international monetary system." By inference, the IMF thus expressed the hope that the old fixed rates would be restored.

The fund added that in its consultation on ways to cope "with the difficulties presently facing its members," it would seek to "maintain and strengthen the basic principles of the Bretton Woods system."

But it added that "the recent disturbances demonstrate the need to improve the international adjustment process and to bring about a better coordination among members with respect to their internal and external policies."

The British Treasury, meanwhile, said there would be no change in the value of the pound, which is "not directly involved," and that the British foreign exchange market would be open today as usual.

Ironically, although the IMF must take the position that the German float is technically in violation of its fixed-exchange rules, the technique was prominently mentioned by the executive directors in a report to last year's annual meeting in Copenhagen as one of three ways "which would facilitate a speedier response to an emerging or imminent fundamental disequilibrium."

#### "FINAL VIEW"

At that time, the directors said they had "not come to a final view," but reported that the "transitional float" could be one of three ways that might promote "the most smooth and effective operation" of the international monetary system.

There was much favorable comment on the IMF report at the Copenhagen meeting last fall, but since then, nothing much has been done about it.

High U.S. Treasury officials were in their offices yesterday afternoon after the German Cabinet decision to float the mark was announced. But at 7 p.m., the Treasury press office said that "there will be no statement."

"If the U.S. has any sense," said one private expert yesterday, "it should be pleased at the way things have worked out."

Why, then, the anxiety of recent days, and the repeated suggestion of U.S. officials that there was no basic reason for a change in the existing system of currency relationships?

#### LACK OF CONFIDENCE

Primarily, it is a matter of pride. The fact that five major countries in Europe last week refused to support the dollar was a striking display of lack of long-run confidence in the dollar.

It suggests to some that if the United States does not take steps to reduce its hefty balance of payments deficit, there will be other and stronger reactions against the dollar. These could involve new barriers to the movement of capital and goods, and eventually a shrinkage of trade on which world prosperity depends.

But for the moment, the system has been patched up in a logical way, although the solution will cause competitive problems within the Common Market. Indeed, it is one of the frustrations for the Europeans that they must make the adjustments in the international monetary system, while the U.S. dollar, which they blame for most of the trouble remains—in theory—unimpaired.

#### AMERICAN GNP

But whether the Europeans like it or not, the United States can afford to treat monetary crises with equanimity since it is much less dependent than others on foreign trade. U.S. exports of goods last year at \$42 billion bulk huge as a dollar item to the rest of the world; but it's only about four per cent of U.S. Gross National Product. Even adding in exports of services, the percentage is only 6.3.

But many of our trading partners find that their exports are 25 per cent, as in the case of Germany, or even a larger percentage of their GNP.

The U.S. attitude, therefore, is to treat international financial problems more lightly than do its partners. In a policy statement made too late Saturday night to be widely disseminated yesterday, Vice President Spiro T. Agnew told the prestigious Business Council at Hot Springs, Va.:

"We cannot allow transitory flareups in the international monetary situation to drive us into actions which are against the long-run interests of both this nation and our friends abroad."

#### CAPITAL CONTROLS

Agnew didn't say so, but one suggestion rejected earlier in the week by Nixon administration officials was the institution of some form of capital controls to dampen the flow of dollars to Europe. Lesser measures, such as the special Treasury security mentioned Thursday by Secretary John B. Connally, are soon to be unveiled.

Agnew used some other tough language. He said, observing that his comments came after discussion with Connally:

"What we will not do is to put the U.S. economy through the wringer in order to deal with a temporary situation.

"We can generate the trade surplus we need and deserve only if we are treated fairly by our trading partners abroad. To be blunt, we are not in my judgment being treated fairly today."

#### EUROPEAN VIEW

That language won't go well in Europe. It is not just a question of having too many dollars to match the shrinking U.S. gold supply.

U.S. financial power arouses a nationalistic backlash; the American presence is seen not so much in the dollar bill, but in the American-owned or controlled domestic enterprise.

On our contiguous border with Canada, the resentment grows bitter. In Europe, what is termed American insensitivity to this issue has helped fuse Common Market determination to create a stronger economic and monetary union.

But now, the revaluation upward of several European currencies while others hold steady threatens that unity. French resistance to the German float has caused, according to most reports, a new disagreement between those two strong nations.

All of the eventual European repercussions can't be foreseen clearly now.

[From the Washington Post, May 10, 1971]

#### SWISS ANNOUNCE FRANC REVALUED (By Jonathan C. Randal)

BASEL, SWITZERLAND.—In the first parity change in the entirely gold-backed Swiss franc since 1936, Switzerland revalued the franc by 7 per cent as a protective measure against speculative "hot money" poised to flood in at the opening of trading Monday.

As of Monday, one U.S. dollar will be worth 4.08 francs rather than the previous 4.37

parity, Finance Minister Nelo Celio announced.

The inability of the world's strongest money to resist revaluation reflected speculators' increasing flight to get out of what they believe is the overvalued U.S. currency.

In announcing the decision "without joy," Celio reiterated Switzerland's attachment to a "Traditional policy of monetary stability" which he said had been profoundly disturbed last week when \$1.5 billion of "hot money" forced suspension of official trading on Wednesday.

With inflation running at 6.7 per cent for the first three months this year—the fourth highest rate in the world—the government acted to avoid further pressures imported from abroad through speculative investments.

While conceding that the franc long has been "undervalued," Celio squarely blamed U.S. low interest policies last year for flooding Europe with unwanted dollars and sparking the present crisis.

#### SWISS DECISION

Switzerland's revaluation was apparently chosen because of the importance of banking the Swiss economy and a desire to spare clients the confusion of a "floating" rate.

Once Germany had all but officially decided to let the mark "float" upwards to find a new parity against the dollar, Switzerland had little choice but to take action, especially in the light of its close economic links with its more powerful neighbor.

It was against this background—compounded by the disarray shown at the Common Market finance ministers meeting in Brussels—that concerned central bankers from the 10 richest industrial nations meeting in Basel.

Paramount in their minds was the dollar problem which was discussed—as it has been so often at these regular monthly meetings at the Bank for International Settlements—without reaching any positive conclusion.

#### EUROPEAN WRATH

European wrath at U.S. insistence that the dollar cannot be unilaterally devalued because of domestic politics and its role as the major world reserve currency can only be expected to increase as revalued European currencies fight at competitive disadvantage against Japanese goods.

Symptomatic of the central bankers inability to cope with root issues was their renewed failure to announce action on regulating the Euro-dollar market.

This freewheeling accumulation of some \$60 billion in U.S. currency held outside the United States is blamed by many Europeans for sparking the generalized speculative crisis against their monies.

#### HOUSE JOINT RESOLUTION 23

Joint resolution proposing an amendment to the Constitution of the United States relative to abolishing personal income, estate, and gift taxes and prohibiting the United States Government from engaging in business in competition with its citizens

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States.*

#### "ARTICLE—

"SECTION 1. The Government of the United States shall not engage in any business, professional, commercial, financial or industrial enterprise except as specified in the Constitution.

"Sec. 2. The constitution or laws of any State, or the laws of the United States, shall not be subject to the terms of any foreign

or domestic agreement which would abrogate this amendment.

"Sec. 3. The activities of the United States Government which violate the intent and purposes of this amendment shall, within a period of three years from the date of the ratification of this amendment, be liquidated and the properties and facilities affected shall be sold.

"Sec. 4. Three years after the ratification of this amendment the sixteenth article of amendments to the Constitution of the United States shall stand repealed and thereafter Congress shall not levy taxes on personal incomes, estates, and/or gifts."

#### H.R. 351

A bill to vest in the Government of the United States the full, absolute, complete, and unconditional ownership of the twelve Federal Reserve banks

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of the Treasury of the United States is hereby authorized and directed forthwith to purchase the capital stock of the twelve Federal Reserve banks and branches, and agencies thereof, and to pay to the owners thereof the par value of such stock at the date of purchase.*

(b) All member banks of the Federal Reserve System are hereby required and directed to deliver forthwith to the Treasurer of the United States, by the execution and delivery of such documents as may be prescribed by the Secretary of the Treasury, all the stock of said Federal Reserve banks owned or controlled by them, together with all claims of any kind or nature in and to the capital assets of the said Federal Reserve banks, it being the intention of this Act to vest in the Government of the United States the absolute, complete, and unconditional ownership of the said Federal Reserve Banks.

(c) There is hereby authorized to be appropriated, out of any funds not otherwise appropriated, such sums as may be necessary to carry out the purposes of this Act.

#### HOUSE JOINT RESOLUTION 535

Joint resolution proposing an amendment to the Constitution of the United States for a referendum on war

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, to be valid only if ratified by the legislatures of three-fourths of the several States within seven years after the date of final passage of this joint resolution:*

#### "ARTICLE —

"SECTION 1. Except in case of attack by armed forces, actual or immediately threatened, upon the United States or its territorial possession, or by any non-American nation against any country in the Western Hemisphere, the people shall have the sole power by a national referendum to declare war or to engage in warfare overseas.

"Sec. 2. Congress shall have the power to carry out this article by appropriate legislation."

#### BRING BACK THE PENNY POSTCARD

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

Mr. GONZALEZ. Mr. Speaker, the penny postcard was a great invention; its demise should never have been permitted, and I am here to urge the House to bring back the penny postcard.

In a few weeks postage rates will go up, perhaps by 30 percent, and we will all be hearing protests. But Congress has given up the responsibility for setting postal rates, and we no longer have anything to say about the cost of postage, so we will have no answers for our constituents. We will not know, any more than the average man on the street, why postage rates have gone up—just that they have gone up. And we will not have any authority to do anything about it. We will not be able to do much except shrug our shoulders and talk about inflation, and how the Postal Service is supposed to get rid of its deficit.

But the truth is that the Postal Service is more than a service; it is vital to every person in the country, every day. It is a service that can only be provided by Government, and it is a service that can never be allowed to halt. The Postal Service is one of the most fundamental of Government services and, therefore, one that Congress should take the closest interest in. But we have turned our backs on this responsibility.

Now we will see the first result, and that is increased postal rates.

Why should not Congress be willing to set postal rates? It is ultimately our responsibility to see that the mail service system works, and it ought to be our responsibility to see that it works in a way that best serves the people who own it.

I believe that Congress has a duty to provide not just efficient mail service, but service that will reach everyone, service to which everyone has access regardless of his personal circumstances.

There are people in this country who are already hard pressed to scrape up a dime for an air mail stamp—a great many of them. There are some who cannot afford a 6-cent stamp for an ordinary first-class letter. To these people the postal service is already almost out of reach—and yet they are citizens, and they are entitled to mail service, and they ought to have access to it.

No matter how poor a man may be, he could still afford a 1-cent post card. He could easily afford the price of postage to contact his family, his friends, or his Congressman.

There should be no economic bar to the postal service. There should always be at least one rate that is available to every citizen, no matter how poor he may be.

There are those who would protest that a penny post card would have to be subsidized—that is hogwash.

I think that it is within the realm of reason to have a postal service that is efficient enough to handle post cards for a penny—and if it cannot do that, we ought to subsidize such postal cards.

We believe that mail is important to people, because otherwise we would have never established free mail service for people in Vietnam. If we can afford to subsidize air mail halfway around the world—and I believe that we certainly should—then I do not see why we cannot afford to subsidize penny post cards for people right here at home, if in fact subsidies would be required. I doubt that post card subsidies would cost as much as we are spending today for a few tanks, a couple of torpedoes, or for county

fairs at the White House, and certainly would provide far greater benefit to the public.

There are those who protest that a penny post card rate would be snapped up by bulk mailers, and the Postal Service would be swamped and ruined by billions of penny postcards. But that is absurd, because we could write into the rate a provision that a penny post card should be a personal communication, from one individual to another, and that it is in no way available for any commercial use.

That, after all, was what the penny post card was invented for—to serve people who need to tell someone else, easily, conveniently, reliably, and at very little cost, that everything is all right, that everyone is well, or that everyone is not well and nothing right; it could tell people thank you, or no thank you; and it was the easiest way in the world to keep people close together.

Do we not need such a service today? I say that we do. I say that we ought to provide it. Then we would be able to know for a fact that communicating a thought would never cost more than a penny—if it fit on a postcard.

We should bring back the penny post card—perhaps it would bring us back together.

#### DRUG ABUSE IN THE ARMED SERVICES

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

Mr. MONAGAN. Mr. Speaker, a January editorial in the Christian Science Monitor in the following words strongly urged the Government to face a problem of great importance to our young people and our whole country:

Congress should step squarely up to the military drug problem in the next session. The issues of treatment for soldier users, the kind of discharge they should get . . . should be addressed, forthrightly and forthwith.

Many segments of the community have pressed for enactment of broad reforms and an urgent appeal has come from the Vietnam veterans. Last month when these veterans were in Washington, I spoke with groups of them who asked that Congress deal with the drug abuse problem in the Armed Forces. I have sought to respond to their appeal. The legislation I am introducing today speaks to the drug situation in the military with particular emphasis on providing a workable system of drug abuse treatment, rehabilitation and prevention in military combat zones.

It is almost impossible to obtain accurate figures on the number of drug abusers in the armed services. A recent report of a House Armed Services Subcommittee indicated that up to 60 percent of all U.S. servicemen had tried drugs—and other estimates range as high as 80 percent. The Army itself acknowledges that the number of American servicemen involved with drug abuse in Vietnam alone has increased from 47 in 1965 to 9,253 for the first 10 months of 1970. In the same period, 89 American soldiers in Saigon died from drug-related

causes. Time magazine recently observed:

Drugs are rapidly becoming as great a threat to American forces as the enemy.

Although all of the armed services admit that the drug problem exists, the Army has so far been the only service to confront the problem through setting up a program and providing rehabilitative opportunities for the drug user in that branch. The Navy, Air Force, and Marines take the position that they do not have adequate facilities or personnel to handle this problem. Their solution is to discharge drug users as quickly as possible, and usually with other than honorable discharges. The attitude of these services toward drug abusers allow young men, damaged physically and emotionally by a habit they developed while in the service, to bring their problems back to civilian life. The inevitable result for the home front is an increase in drug-related crime. Although the number of Vietnam veterans involved in drug-related crimes has not yet been made available by the Pentagon, it is certainly high. While we must deplore the resort to drugs on the part of these young men and reject the idea that they should in any way be rewarded for what is voluntary and in some sense indulgence, nevertheless the critical nature of the problem requires that we address it as an actual threat which exists rather than an abstract situation involving free will and objectionable conduct. Whether we like it or not, it is there and it has reached crisis proportions so that it is a problem which must be attacked in a national way and with national resources.

The military drug abuse problem should receive attention in three areas: First, there are no authoritative information and creative projects to educate members of the military about drugs and drug abuse, as well as a lack of constructive programs of rehabilitation for those wishing to break their habits; second, the enforcement procedures designed to eliminate dangerous drugs on or around American military installations are not working effectively, and third, the prevention and control of drug abuse require intensive and coordinated efforts on the part of both nonmilitary and military agencies.

My bill, the Armed Forces Drug Abuse Control Act of 1971, provides the military structure in each service with a specialized division, trained to care for the problems of drug addiction within its service. I offer this bill in the belief that drug abuse in the military can be treated effectively and efficiently before the soldiers are demobilized and returned to civilian life. In this bill, each service will establish a Drug Abuse Control Corps that will oversee the drug abuse control program for each branch. The intent of the bill in establishing three divisions in the Corps, an education, a rehabilitation, and an enforcement division, is threefold: to prevent those not already addicted; and through enforcement, to eliminate the source of the supply of narcotics now available to members of the American military.

The education and training division would be headed by a staff psychiatrist

with experience in dealing with users of narcotics, and include an enforcement officer, and a person having experience in drug education. The staff would develop and collect materials on the dangers of drug abuse that have relevance to the location of the base affected and the types of drugs available there. The purpose of the education program would encourage the individual to resist involvement with narcotic drugs.

A treatment and rehabilitation division would develop a program under a trained psychiatric and medical staff that would restore the drug user willing to accept rehabilitation to active military service and would offer rehabilitative treatment to all convicted offenders.

An enforcement division would conduct antinarcotic and dangerous drug activities in geographical areas in which American military troops were based. It would collect and evaluate narcotic intelligence; identify routes and personnel involved in narcotic traffic; isolate narcotic traffickers from narcotic sources and users; assist in joint narcotic suppression efforts with the local authorities of the country or area in which American troops are based; develop evidentiary data and assist in prosecution of narcotic traffickers and their compatriots; prevent illicit shipping of drugs by military personnel. Using all intelligence and enforcement procedures available, the enforcement officers would reduce the availability and use of narcotic drugs in the areas surrounding American military bases.

The final section of my bill provides that no member of an armed force who is adjudged addicted to a narcotic drug by competent medical authorities during his active duty, may be separated from service until he is completely free from any habitual dependence on narcotic drugs, according to competent medical authorities.

It is time that the Military Establishment was directed to take more responsibility for the drug problem and that every service was stimulated to an all-out effort to control, if not entirely eliminate, the drug abuse problem from which it, by its own admission, suffers.

With the passage of my bill, the members of the military services, with the full support of the civilian community, would work within a constructive framework for the control and eventual elimination of the narcotic drug problem, which is draining the strength and vitality from our people. It is with the hope of such success that I file this bill today.

#### CLOSING THE LOOPHOLE IN THE JONES ACT

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

Mr. PELLY. Mr. Speaker, for the information of the House, I wish to state that today I have introduced a bill to amend legislation passed during the Korean war which authorized the waiver of navigation and vessel-inspection laws. Under this wartime measure, the head of each department or agency responsible for these laws was directed to waive

compliance with such laws upon the request of the Secretary of Defense whenever he deemed that such action was necessary in the interests of national defense.

The purpose of that law, known as the act of December 27, 1950 (64 Stat. 1120) was to facilitate the movement of troops and supplies to the war zone. There was nothing in its legislative history to indicate that the statute covered waiver of the Jones Act, which, as Members of the House know, prohibits foreign-built or foreign-flag vessels from engaging in U.S. domestic trade. However, the Bureau of Customs and other agencies, including the Department of Defense and the Coast Guard, believe the statute does cover waivers of the Jones Act.

Mr. Speaker, I have been told that the policy of the Department of Commerce and the Maritime Administration is to oppose waivers of the Jones Act. But, on the other hand, in connection with the Alaskan North Slope oil development, there is strong pressure, I am told, by certain oil interests for waivers for foreign-flag tankers to carry petroleum to West Coast and other ports. Indeed, there are rumors that there have been discussions in the Office of Management and Budget and some support for the granting of waivers under provisions of this old emergency law on the grounds of national defense.

In World War II and the Korean war, in the interest of legitimate defense reasons, Congress acted promptly to pass waiver laws and if need be, legislation could be enacted again.

Meanwhile, Mr. Speaker, Congress should assure itself that the act of 1950, for purely commercial purposes, is not used as a device to waive the Jones Act. In this regard, I am hopeful the Congress will act expeditiously to close the loophole in section 1 of the act of December 27, 1950, by accepting my bill to provide that nothing in the law would authorize any department or agency to waive compliance with section 27 of the Merchant Marine Act of 1920, the so-called Jones Act to limit carriage of cargo and passengers between American ports to American-flag ships.

#### THE TAX SHARING ACT OF 1971

(Mr. BYRNES of Wisconsin asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter and tables.)

Mr. BYRNES of Wisconsin. Mr. Speaker, I am today introducing the Tax Sharing Act of 1971, to provide a more balanced sharing of tax resources by the Federal, State, and local governments. The Tax Sharing Act of 1971 incorporates a two-pronged approach for providing additional taxing latitude to State and local governments, consistent with the division of responsibilities within our federal system.

First, a 20-percent tax credit is provided against an individual's Federal income tax liability for State and local in-

come taxes that he pays. The credit would be extremely simple and easily understood by the taxpayer. A taxpayer would simply claim a credit on his Federal return for 20 percent of the State and local income taxes he has paid. For all taxpayers, whether they itemize or take the standard deduction, the credit will be in addition to and not a substitute for the deduction already provided for State and local taxes. State and local governments will know in advance that all taxpayers will have a reduction in their Federal personal income taxes equal to 20 percent of their State and local taxes paid.

The additional State tax resources made available by the new income tax credit—about \$2.5—will be clearly identified, and State or local governments can raise an equivalent amount by simply increasing their tax rates across the board or by imposing a surtax.

Second, my bill would update the Federal estate tax credit for death taxes to 80 percent of the tax on the first \$150,000 of the taxable estate, and 20 percent of the remainder. The present credit, which is based on the rates prevailing in 1926, is an anachronism currently providing a credit of only about 10 percent of the present Federal estate tax rates.

Historically, death taxes have been regarded by both the Federal and State Government as a State revenue source. Although the Federal Government enacted an estate tax in 1916, it recognized the States prior claims to this revenue source. In 1926, when it became apparent that interstate competition might impair this traditional revenue source, Congress provided an 80-percent credit against the Federal estate tax for State death taxes as an alternative to repeal of the Federal tax. Under the pressure of the depression and the fiscal crunch of World War II, Congress sharply increased Federal estate tax rates while continuing to base the credit for State death taxes on the 1926 rate schedule.

The law is now an anachronism. Cooperative federalism and fiscal balance in our Federal system require that we update the credit. In addition to providing over \$1 billion in increased taxing latitude to the States, my bill will substantially reduce the incentive in present law for "forum shopping" by people of means and also stabilize this important source of State revenue.

Additionally, Mr. Speaker, my bill directs the Treasury Department, working with the staff of the Joint Committee on Internal Revenue, to study the feasibility of a program for Federal collection of State income taxes at Federal expense at the request of the State. The study, which would include the feasibility of combined withholding of Federal and State income taxes, must be submitted to Congress not later than July 1, 1972. Hopefully, the study will provide the basis for improved Federal and State tax administration, reducing overall costs and the compliance burdens now imposed on taxpayers and their employers.

Mr. Speaker, I am appending to my

remarks a technical explanation as well as a table showing on a State-by-State basis the distribution of the additional taxing latitude provided by my bill. Additionally, I am including a table comparing the State-by-State distribution of the \$1 billion of tax relief under my estate tax proposal with the tax burden that would be imposed on each State by raising \$1 billion through the Federal individual income tax.

I am also enclosing tables showing the individual income tax effort being made by States and localities on three different bases: first, State, and local individual income tax collections are compared with personal income in each State, with each State being ranked according to State and local income tax effort; second, individual income tax collections by each State are shown as a percentage of Federal income tax collections in that State; and third, State individual income tax collections in each State are shown as a percentage of Federal adjusted gross income in each State.

Finally, Mr. Speaker, I am enclosing a table that ranks each State by overall tax effort—general revenue from their own sources—as a percent of personal income.

In all cases, I have used the latest statistical data available from the Census Bureau and the Internal Revenue Service. Although differences in my proposal require the use of additional data not relevant to the administration's proposal I believe we are in agreement on the relevant statistical sources.

However, I believe it is appropriate to point out difficulties that are necessarily encountered in projecting precise cost estimates relevant to any general revenue sharing or tax sharing proposal.

For example, there is a necessary lag between the collection and publication of the data and different years must sometimes be used for different governmental levels. The latest available figures on State income tax collections relate to fiscal year 1970. The latest available figures for local income tax collections are for fiscal year 1967. This means that revenues will have grown somewhat in the interim—both from economic growth and through changes in tax laws. There is also a lag in the collection of data on State and Federal death taxes.

While I thought it appropriate to point out these problems, I want to emphasize that the estimates are not only as accurate as can be obtained, but based on much more reliable data than is often available to us in other areas of the tax law.

Mr. Speaker, I have introduced this bill as an alternative to the general revenue-sharing measure proposed by the administration. I continue to solidly support the administration's program for "special revenue sharing"—grant consolidation along broad functional lines. I want to emphasize my complete agreement with the emphasis the President is placing on reform of our system of public services, and the need to halt the growing centralizing of more and more decisionmaking in Washington. In both his general and special revenue sharing

proposals, he is to be commended for defining the problem, outlining objectives, proposing solutions, and focusing public attention on the issues. We are in agreement on the need for special revenue sharing; in the area of general revenue sharing, we agree on the objectives, but differ fundamentally on the means.

My bill would make an additional \$3.5 billion available to State and local governments. I am frankly not convinced that the Federal Government—which must borrow \$47 billion in the current and succeeding fiscal year to pay its bills—can afford a reduction in revenues of this magnitude at this time. We simply must realize that a fiscal crisis confronts all levels of Government—Federal, State, and local. We are all squeezing blood from the same turnip—the overburdened American taxpayers. No one can perform the miracle of the loaves and the fishes: increased spending at any level of Government means increased taxes for the American taxpayer. We must not camouflage the fundamental fact that we, as a people, are demanding of all levels of Government more services than we can or are willing to pay for. However, a more balanced division of tax resources consistent with the division of responsibilities within our Federal system is a goal I am firmly committed to attaining as soon as fiscal responsibility permits. This goal will be achieved much more effectively through tax sharing than through general revenue sharing for several reasons.

First, general revenue sharing divorces the pleasure of providing public benefits from the odium of imposing taxes. Public officials are relieved of the painful necessity of balancing the benefits citizens receive against the increased tax burdens they must bear. Tax burdens are centralized; public benefits are decentralized. This is bad public finance and poor government.

Tax sharing retains this important nexus between dispensing benefits and imposing tax burdens. The dispensation of benefits and the imposition of taxes will be maintained on the same governmental level. Public officials will be required to impose the taxes necessary to finance benefits they desire to provide. Full public accountability requires no less.

Second, general revenue sharing is of dubious constitutional validity. The Constitution gives Congress the power to tax "to pay the debts and provide for the general welfare of the United States." This language—and the separation of powers within our Federal system—requires Congress to make a fundamental policy decision as to what constitutes the general welfare of the United States, rather than delegating this responsibility to the States.

By providing a blank check to the States, general revenue sharing abdicates this responsibility. Our Constitution is a flexible document. It was not cast in bronze at the dawn of creation, but neither is it a formless mass to be molded to whatever shape appears expedient.

Tax sharing provides additional taxing latitude to the States that they can utilize by imposition of their own levies in accordance with the federal system established by our Constitution. Ample precedent is provided in tax credits that have long been included in our estate tax laws and Federal unemployment tax, which the Supreme Court has specifically upheld.

Third, general revenue sharing distributes money largely on the basis of population, with only a minor adjustment for the revenue effort States and localities are making to meet locally defined needs. This revenue effort varies widely among the States. Even the minor adjustment made for revenue effort rewards all tax structures alike although 13 States either have no income tax or an income tax in name only, while others impose a very limited income tax burden. No incentive is provided for improvements in State and local tax structures. Although conceived as a response to Federal preemption of the income tax—the most elastic, easily administered, broadly distributed tax source available to government—general revenue sharing paradoxically provides no incentive for greater utilization by States and localities of this revenue source.

Tax sharing provides a positive incentive concurrent with fiscal relief for States and localities making little or no use of the individual income tax to improve their tax structure. States imposing a substantial income tax burden on their citizens would receive a greater share of the fiscal relief. By providing fiscal relief commensurate with individual income tax effort, tax-sharing recognizes that it is the States making the greatest income tax effort who have been truly "preempted" by the Federal individual income tax.

Finally, general revenue sharing creates the danger of States becoming mere appendages of the National Government dependent on Federal largess—the victims of greater centralization. History unfortunately shows that the aphorism "he who pays the fiddler calls the tune" is applicable to Government. The proliferation of restrictions on State discretion in our grant-in-aid programs is a case in point. In view of this experience, one can easily envision that dissatisfaction by Federal officials with State utilization of general-revenue appropriations might lead to increasing restrictions on State discretion in dealing with responsibilities historically reserved to the States.

Tax sharing provides adding taxing latitude to the States and localities that they can tap through simple amendments to their own tax laws. They will raise their own revenues as they have historically done under our Federal system, rather than being dependent on appropriations from the Federal Government. States and localities will "pay the fiddler and call their own tune."

While this does not exhaust the list of defects in general revenue sharing, it demonstrates the real need for a constructive alternative. My proposal provides a

constructive alternative. It restores fiscal balance consistent with the lessons of history and our Federal system. It expresses renewed faith in our Federal system of Government, the backbone of the most successful experiment in self-government in the history of man. I hope it will provide a basis for public dialog leading to constructive action on the important problems we face.

The material referred to follows:

**TECHNICAL EXPLANATION—THE 20 PERCENT CREDIT FOR STATE AND LOCAL INCOME TAXES**

The bill adds a new provision to the tax laws providing individuals a credit for the State and local income taxes they pay. This credit is limited to 20 percent of the State and local income taxes paid (or accrued) during the year and is allowable as a credit only against the regular individual and capital gains income taxes. It may not be used to reduce the minimum tax or the penalty tax on self-employed H.R. 10-type pension plans. The bill provides that the credit is in addition to, and not a substitute for, the deduction of State and local income taxes.

State and local income taxes are defined under the bill as those imposed by a State, locality, or the District of Columbia and which are of the type treated as deductible income taxes (sec. 164(a)(3)) under the tax laws.

At the option of the taxpayer, he may take a credit for taxes in the year they were accrued rather than in the year of payment. In addition, the Treasury Department is to prescribe regulations setting forth appropriate treatment of cases where taxes claimed as credits on an accrual basis represent ultimate payments which differ from the accrual and where taxes claimed as credits are refunded.

Several technical amendments relating to the 20 percent State and local income tax credit also have been included in the bill.

The 20 percent credit for State and local income taxes is to be effective for years beginning after December 31, 1971. However, no credit is to be allowed for taxes due before January 1, 1972, regardless of when paid.

The bill also provides that the Treasury Department is authorized to prescribe regulations and tables under which the withholding of tax on wages is reduced to the extent necessary or appropriate to reflect the State and local income tax credit allowed by this bill.

**INCREASE IN CREDIT AGAINST FEDERAL ESTATE TAX FOR STATE DEATH TAXES**

This bill substantially increases the credit for State death taxes which may be taken against the Federal estate tax. Currently, the credit is limited to a schedule based on 80 percent of the rates in effect in the Revenue Act of 1926. In most cases this works out to be about 10 percent of the present rates. The bill replaces this schedule with a credit equal to 80 percent of any Federal estate taxes on the first \$150,000 of the taxable estate plus 20 percent of the Federal estate tax on any taxable estate over \$150,000.

For example, if the taxable estate of a decedent is \$250,000, and no other credits are allowable, the maximum amount of credit for State death taxes would be \$34,560. This can be computed first by taking 80 percent of the tax on the first \$150,000 of the taxable estate (80 percent of \$35,700 or \$28,560). To this, then, is added 20 percent of the tax on the remaining \$100,000 (20 percent of \$30,000, or \$6,000). The sum of these two amounts (\$28,560 and \$6,000) is \$34,560, the maximum amount of State death tax credit which may be claimed.

One change made by the bill relates to the

present law exemption from the net estate tax imposed by the Federal Government (called the additional tax). Under current law, members of the Armed Forces dying as the result of injury received in a combat zone are forgiven for this "additional" estate tax but are subject to the portion of the Federal estate tax generally creditable for State death taxes (the basic estate tax). Since with the credit of up to 80 percent, the State death tax is likely to be the more important tax, the bill provides that these members of the Armed Forces will no longer be subject to any part of the estate tax imposed by the Federal Government, whether or not there is a creditable State tax.

Another change made by the bill relates to the fact that under present law overpayments of estate tax in some cases may be attributable to the payments which initially were related to the gift tax. This can occur, for example, where a gift is ultimately determined as made "in contemplation of death" or where, because of powers retained, a gift transfer is not viewed as complete until an individual dies. Presently, the gift tax paid in these cases can be credited against the usually larger Federal estate tax due. However, under the bill the "Federal" estate tax may be smaller than the gift tax (where there is no credit for State taxes) and as a result provision needs to be made for the payment of refunds. Under the bill, therefore, gift tax payments in these cases may be allowed as a credit to the extent of the net Federal estate tax paid and as a refund to the extent of the creditable State death taxes.

The operation of this provision of the bill

can be illustrated by the following example: Assume that the taxable estate is \$150,000 and that a gift tax previously paid of \$40,000 is allowable as a credit against the estate tax. In this case, the amount of the gift tax which may be refunded is limited to \$28,560. This can be shown as follows: The tax on the taxable estate is \$35,700.

The credit for State death taxes is limited to 80 percent of this amount, or \$28,560. Of the \$40,000 gift tax, \$7,140 would be allowed as a credit offsetting entirely the net Federal estate tax. A refund would also be allowed for the creditable State death taxes paid, \$28,560. No credit or refund would be allowed for the remaining \$4,300 of gift taxes paid.

The bill also contains a provision relating to "income in respect of a decedent." This is income attributable to a decedent but received after his death. Under present law, this income is included in the decedent's estate tax base (even though it may not yet be received). Then, when this income is reported for income tax purposes, a deduction is allowed for the estate tax attributable to this income. However, no deduction is allowed for the State death tax attributable to this income. The bill provides that this deduction is also to be available for the State death taxes paid on this income to the extent a Federal estate tax credit is allowed for them.

Several technical amendments relating to the credit against Federal estate tax for State death taxes have also been included in the bill. The principal changes specify the order in which this credit is to be taken,

relative to other credits under the Federal estate tax.

The credit for State death taxes applicable to estates of nonresident aliens has also been amended by the bill since a separate tax rate structure is provided in these cases. The bill provides a credit against State death taxes for nonresident aliens which is comparable to the credit available for residents and citizens of the United States.

The increase in the credit against Federal estate tax for State death taxes is made effective by the bill to decedents dying after December 31, 1971.

STUDY OF PROPOSAL FOR FEDERAL COLLECTION OF STATE INCOME TAXES ON INDIVIDUALS

The bill also provides that the Treasury Department, working with the staff of the Joint Committee on Internal Revenue Taxation, is to study the feasibility of a program under which the Secretary of the Treasury would enter into an agreement with any requesting State for the collection by the Treasury Department of the income taxes imposed by the State on individuals. This collection would occur as a part of the process of the collection of the Federal income tax and would be without cost to the State. The study would also consider the feasibility of the Treasury Department also combining withholding of both the Federal and State income taxes from wages paid to individuals in the State in question. The Treasury Department and the staff of the Joint Committee would be required to submit their recommendations on this study to the House of Representatives and the Senate not later than July 1, 1972.

ESTIMATED ADDITIONAL REVENUE, BY STATE, RESULTING FROM A 25-PERCENT INCREASE IN STATE AND LOCAL INCOME TAX TO PICK UP THE DECREASE IN FEDERAL INDIVIDUAL INCOME TAX LIABILITY UNDER A PROPOSAL TO GRANT A 20-PERCENT CREDIT AGAINST FEDERAL INCOME TAX (IN ADDITION TO THE PRESENT LAW DEDUCTION) FOR STATE AND LOCAL INDIVIDUAL INCOME TAXES PAID AND ESTIMATED INCREASE IN STATE DEATH TAX COLLECTIONS, BY STATE, UNDER A PROPOSAL TO INCREASE THE STATE DEATH TAX CREDIT AGAINST FEDERAL ESTATE TAX TO 80 PERCENT OF THE FEDERAL TAX LIABILITY BEFORE CREDITS ON THE FIRST \$150,000 OF THE TAXABLE ESTATE AND 20 PERCENT OF THE TAX LIABILITY ON THE BALANCE OF THE TAXABLE ESTATE

[In thousands of dollars]

State	(1)	(2)	(3)	(4)	State	(1)	(2)	(3)	(4)
		Increase in State and local revenues under tax credit proposal <sup>1</sup>	Increase in State revenues under estate tax proposal <sup>2</sup>	Total column (2) plus column (3)			Increase in State and local revenues under tax credit proposal <sup>1</sup>	Increase in State revenues under estate tax proposal <sup>2</sup>	Total column (2) plus column (3)
Alabama	21,848	5,528	27,376	Nebraska	11,111	3,593	14,704		
Alaska	8,114	88	8,202	Nevada <sup>4</sup>		3,123	3,123		
Arizona	16,244	15,402	31,646	New Hampshire <sup>3</sup>	866	3,647	4,513		
Arkansas	10,637	4,323	14,960	New Jersey <sup>2</sup>	4,411	43,818	48,229		
California	287,651	160,030	447,681	New Mexico	8,933	2,897	11,830		
Colorado	32,274	8,276	40,550	New York	708,941	150,058	858,999		
Connecticut <sup>3</sup>	1,229	28,912	30,141	North Carolina	67,736	12,254	79,990		
Delaware	17,122	7,106	24,228	North Dakota	3,845	909	4,754		
District of Columbia	20,761	7,112	27,873	Ohio <sup>4</sup>	29,744	48,450	78,194		
Florida <sup>4</sup>		54,298	54,298	Oklahoma	12,629	10,763	23,392		
Georgia	46,236	19,405	65,641	Oregon	53,263	10,762	64,025		
Hawaii	26,255	2,145	28,400	Pennsylvania <sup>4</sup>	57,126	68,119	125,245		
Idaho	9,166	1,301	10,467	Rhode Island <sup>3</sup>	4,661	6,525	11,186		
Illinois	143,900	80,171	224,071	South Carolina	23,850	4,317	28,167		
Indiana	54,096	14,792	68,888	South Dakota <sup>4</sup>		1,683	1,683		
Iowa	28,187	11,355	39,542	Tennessee <sup>3</sup>	3,028	11,324	14,352		
Kansas	19,606	10,949	30,555	Texas <sup>4</sup>		49,836	49,836		
Kentucky	40,067	10,355	50,422	Utah	15,334	1,935	17,269		
Louisiana	11,998	7,767	19,765	Vermont	10,917	1,887	12,804		
Maine	4,721	4,656	9,377	Virginia	70,692	17,759	88,451		
Maryland	111,882	18,391	130,273	Washington <sup>4</sup>		12,882	12,882		
Massachusetts	129,488	33,205	162,693	West Virginia	10,015	4,932	14,947		
Michigan	118,976	25,207	144,183	Wisconsin	122,486	18,201	140,687		
Minnesota	86,433	10,429	96,862	Wyoming <sup>4</sup>		1,471	1,471		
Mississippi	11,041	5,381	16,422						
Missouri	42,283	30,145	72,428	Total	2,529,521	1,069,977	3,599,498		
Montana	9,718	2,103	11,821						

<sup>1</sup> Based on State individual income tax collections, fiscal year 1970, and local individual income tax collections, fiscal year 1967; makes no disallowance for the small amount of State and local income taxes paid by persons who are nonfilers or nontaxable under the Federal individual income tax.

<sup>2</sup> Based on fiscal year 1970 State death tax collections and estimated Federal estate tax data from returns estimated to have been filed in calendar year 1970; assumes that each State increases death taxes in an amount corresponding to the aggregate increase in tax credits claimed on Federal returns filed from the State.

<sup>3</sup> States with selective individual income tax as of Jan. 1, 1970. Connecticut: A tax is imposed at the rate of 6 percent on an individual's net capital gains of \$100 or more. New Hampshire: Income from interest and dividends taxed at 4.25 percent; effective July 1, 1970, a 4 percent tax is imposed on residents on income derived outside the State and on nonresidents on New Hampshire derived income. New Jersey: Tax imposed on New York resident individuals deriving income from New Jersey sources, and New Jersey residents deriving income from New York sources. Rhode Island: Tax imposed at the rate of 10 percent on an individual's dividend, interest, and net capital gains income as reduced by a personal exemption of \$2,000 and subject to certain adjustments. Rhode Island has repealed this tax for taxable years beginning on and after Jan. 1, 1971, and, effective for the period Jan. 1, 1971, through June 30, 1971, has enacted a 20-percent individual income tax on one-half of adjusted Federal income tax liability. Tennessee: Dividends and interest taxed at 6 percent; 4 percent on dividends from corporations with 75 percent of property taxable in the State.

<sup>4</sup> States with no State individual income tax as of Jan. 1, 1970; effective for taxable years ending after Dec. 31, 1970, Pennsylvania has enacted a 3.5-percent individual income tax on modified Federal taxable income.

COMPARISON BETWEEN ESTIMATED INCREASE IN STATE DEATH TAX COLLECTIONS, BY STATE, UNDER A PROPOSAL TO INCREASE THE STATE DEATH TAX CREDIT AGAINST FEDERAL ESTATE TAX TO 80 PERCENT OF THE FEDERAL TAX LIABILITY BEFORE CREDITS ON THE 1ST \$150,000 OF THE TAXABLE ESTATE AND 20 PERCENT OF THE TAX LIABILITY ON THE BALANCE OF THE TAXABLE ESTATE AND ESTIMATED FEDERAL INDIVIDUAL INCOME TAX LIABILITY, BY STATE, CALENDAR YEAR 1970, ADJUSTED FOR THE EFFECT OF THE TAX REFORM ACT OF 1969 WHEN FULLY EFFECTIVE

State	Increase in State revenues under estate tax proposal <sup>1</sup>		Distribution of \$1,069,977,000 of Federal individual income tax liability <sup>2</sup>		State	Increase in State revenues under estate tax proposal <sup>1</sup>		Distribution of \$1,069,977,000 of Federal individual income tax liability <sup>2</sup>	
	Amount (thousands)	Percentage distribution	Amount (thousands)	Percentage distribution		Amount (thousands)	Percentage distribution	Amount (thousands)	Percentage distribution
	(1)	(2)	(3)	(4)		(1)	(2)	(3)	(4)
Alabama	\$5,528	0.52	\$10,255	0.96	Nebraska	\$3,593	0.34	\$5,991	0.56
Alaska	88	0.01	1,554	0.15	Nevada	3,123	0.29	3,785	0.35
Arizona	15,402	1.44	7,775	0.73	New Hampshire	3,647	0.34	3,520	0.33
Arkansas	4,323	0.40	5,207	0.49	New Jersey	43,818	4.10	49,501	4.63
California	160,030	14.96	116,603	10.90	New Mexico	2,897	.27	3,398	.32
Colorado	8,276	0.77	10,437	0.98	New York	150,058	14.02	133,353	12.46
Connecticut	28,912	2.70	26,782	2.50	North Carolina	12,254	1.15	17,888	1.67
Delaware	7,106	0.66	3,374	0.32	North Dakota	909	.08	1,558	.15
District of Columbia	7,112	0.66	4,246	0.40	Ohio	48,450	4.53	60,395	5.64
Florida	54,298	5.07	35,713	3.34	Oklahoma	10,763	1.01	9,472	.89
Georgia	19,405	1.81	16,975	1.59	Oregon	10,762	1.01	9,644	.90
Hawaii	2,145	0.20	4,316	0.40	Pennsylvania	68,119	6.37	61,809	5.78
Idaho	1,301	0.12	2,396	0.22	Rhode Island	6,525	.61	4,921	.46
Illinois	80,171	7.49	77,253	7.22	South Carolina	4,317	.40	7,736	.72
Indiana	14,792	1.38	25,714	2.40	South Dakota	1,683	.16	1,871	.17
Iowa	11,355	1.06	11,980	1.12	Tennessee	11,322	1.06	14,771	1.38
Kansas	10,949	1.02	10,110	0.94	Texas	49,836	4.66	53,416	4.99
Kentucky	10,355	0.97	10,068	0.94	Utah	1,935	.18	3,874	.36
Louisiana	7,767	0.73	12,365	1.16	Vermont	1,887	.18	2,149	.20
Maine	4,656	0.44	3,920	0.37	Virginia	17,759	1.66	21,165	1.98
Maryland	18,391	1.72	25,923	2.42	Washington	12,882	1.20	18,862	1.76
Massachusetts	33,205	3.10	35,729	3.34	West Virginia	4,932	.46	6,050	.57
Michigan	25,207	2.36	48,586	4.54	Wisconsin	18,201	1.70	20,688	1.93
Minnesota	10,429	0.97	16,416	1.53	Wyoming	1,471	.14	1,371	.13
Mississippi	5,381	0.50	4,994	0.47					
Missouri	30,145	2.82	21,974	2.05	Total	1,069,977	100.00	1,069,977	100.00
Montana	2,103	0.20	2,124	0.20					

<sup>1</sup> Based on fiscal year 1970 State death tax collections and estimated Federal estate tax data from returns estimated to have been filed in calendar year 1970; assumes that each State increases death taxes in an amount corresponding to the aggregate increase in tax credits claimed on Federal returns filed from the State.

<sup>2</sup> Estimated by the staff of the Joint Committee on Internal Revenue Taxation. Note: Detail will not necessarily add to totals because of rounding.

STATES RANKED BY STATE AND LOCAL INDIVIDUAL INCOME TAX EFFORT  
 [State and local individual income taxes collected as a percentage of personal income]

State	Personal income calendar year 1969 (millions)	State individual income tax collections, fiscal year 1970 (thousands)	Local individual income tax collections, fiscal year 1967 (thousands)	State and local individual income tax collections (thousands)	State-local individual income tax effort <sup>1</sup> (percent)	State	Personal income calendar year 1969 (millions)	State individual income tax collections, fiscal year 1970 (thousands)	Local individual income tax collections, fiscal year 1967 (thousands)	State and local individual income tax collections (thousands)	State-local individual income tax effort <sup>1</sup> (percent)
New York	\$81,384	\$2,506,435	\$329,327	\$2,835,762	3.4844	Missouri	\$16,085	\$129,654	\$39,478	\$169,132	1.0515
Hawaii	3,060	105,019		105,019	3.4320	Kansas	8,096	78,423		78,423	0.9687
Wisconsin	15,376	489,944		489,944	3.1864	Alabama	9,116	85,081	2,311	87,392	0.9587
Delaware	2,218	86,486		86,486	3.0877	Arkansas	4,963	42,548		42,548	0.8573
Vermont	1,426	43,668		43,668	3.0623	Nebraska	5,230	44,444		44,444	0.8498
Oregon	7,261	213,053		213,053	2.9342	West Virginia	4,735	40,061		40,061	0.8461
Maryland	15,336	413,366	34,161	447,527	2.9181	Mississippi	5,234	44,162		44,162	0.8438
Alaska	1,258	32,445		32,445	2.5799	North Dakota	1,852	15,379		15,379	0.8304
Minnesota	13,448	345,733		345,733	2.5709	Oklahoma	7,825	50,516		50,516	0.6456
Massachusetts	22,722	517,952		517,952	2.2795	Maine	2,987	18,885		18,885	0.6322
District of Columbia	3,768	83,044		83,044	2.2039	Rhode Island	3,515	18,644		18,644	0.5304
Utah	3,132	61,335		61,335	1.9583	Pennsylvania	43,182		228,502	228,502	0.5292
Virginia	15,441	282,769		282,769	1.8313	Louisiana	10,413	47,993		47,993	0.4609
North Carolina	15,030	270,945		270,945	1.8027	Ohio	40,145		118,977	118,977	0.2964
Montana	2,172	38,871		38,871	1.7896	New Hampshire	2,489	3,462		3,462	0.1391
Kentucky	9,202	121,423	38,845	160,268	1.7417	Tennessee	11,189	12,113		12,113	0.1083
Idaho	2,120	36,662		36,662	1.7293	New Jersey	30,312	17,643		17,643	0.0582
Colorado	7,569	129,097		129,097	1.7056	Connecticut	13,784	4,916		4,916	0.0357
California	83,408	1,150,604		1,150,604	1.3795	Florida	22,396				
Michigan	35,010	415,345	60,557	475,902	1.3593	Nevada	2,037				
South Carolina	7,018	95,398		95,398	1.3593	South Dakota	1,995				
Georgia	14,253	184,943		184,943	1.2976	Texas	36,458				
New Mexico	2,879	35,730		35,730	1.2411	Washington	13,093				
Illinois	47,340	575,601		575,601	1.2159	Wyoming	1,073				
Indiana	18,868	216,384		216,384	1.1468						
Iowa	9,870	112,746		112,746	1.1423	Total	744,482	9,265,906	852,158	10,118,064	1.3591
Arizona	5,709	64,974		64,974	1.1381						

<sup>1</sup> Column (4) as a percentage of column (1).

Note: Compiled and computed by the staff of the Joint Committee on Internal Revenue Taxation.

STATE USE OF THE PERSONAL INCOME TAX

[Dollar amounts in millions]

States	Personal income tax collections in 1969—			States	Personal income tax collections in 1969—		
	Amount	As percent of Federal AGI in 1968	As percent of Federal income tax in 1968		Amount	As percent of Federal AGI in 1968	As percent of Federal income tax in 1968
United States, total	7,595	12.2	16.1	Missouri	118	1.0	7.3
Alabama	75	1.2	9.8	Montana	31	2.2	18.8
Alaska	25	3.4	24.3	Nebraska	37	1.1	8.6
Arizona	53	1.3	10.6	Nevada	3		
Arkansas	38	1.1	9.9	New Hampshire	15		
California	1,087	1.7	13.0	New Jersey	20	1.0	8.3
Colorado	103	1.9	14.6	New Mexico	2,152	3.5	23.0
Connecticut	61	3.7	23.0	New York	240	2.3	18.9
Delaware	67	3.1	19.4	North Carolina	14	1.2	11.5
District of Columbia				North Dakota			
Florida	139	1.4	11.2	Ohio	48	0.9	7.1
Georgia	87	4.1	29.8	Oklahoma	204	3.8	29.2
Hawaii	38	2.6	22.6	Oregon			
Idaho				Pennsylvania			
Illinois	181	1.3	9.6	Rhode Island	84	1.7	14.8
Indiana	107	1.5	12.5	South Carolina			
Iowa	72	1.3	10.2	South Dakota	11		
Kansas	108	1.7	14.0	Tennessee			
Kentucky	45	0.6	4.7	Texas	51	2.2	19.3
Louisiana				Utah	34	3.3	26.1
Maine	313	2.4	17.0	Vermont	273	2.4	18.0
Maryland	453	2.6	18.0	Virginia			
Massachusetts	390	1.5	10.3	Washington	31	0.9	6.9
Michigan	304	3.2	25.4	West Virginia	462	4.0	31.0
Minnesota	20	0.6	5.5	Wisconsin			
Mississippi				Wyoming			

Ex.—Exempt. Cr.—Credit.  
 1 Local rates are shown only for those States where such tax is used fairly extensively.  
 2 Weighted mean of the 35 States, and the District of Columbia imposing a broad-based personal income tax for the entire fiscal year. Maine and Illinois became personal income tax States during 1969.

Source: U.S. Bureau of the Census, State Government Finances in 1969; Internal Revenue Service, Statistics of Income, Individual Income Tax Returns, 1968; and Commerce Clearing House, State Tax Reporter.

STATES RANKED BY STATE AND LOCAL TAX EFFORT

[General revenues from own sources as a percent of personal income by State; in millions of dollars]

State	Personal income (1968)	General revenue from own sources (1968-69)	Revenue effort (col. 2 as a percentage of col. 1)	State	Personal income (1968)	General revenue from own sources (1968-69)	Revenue effort (col. 2 as a percentage of col. 1)
(1)	(2)	(3)	(1)	(2)	(3)		
Wyoming	1,005	195.7	19.47	Kentucky	8,516	1,170.8	13.75
North Dakota	1,712	312.7	18.29	Kansas	7,574	1,033.7	13.65
New Mexico	2,667	472.7	17.73	Massachusetts	20,974	2,841.4	13.55
Hawaii	2,705	466.4	17.24	West Virginia	4,451	602.1	13.53
California	76,581	12,822.1	16.74	Alabama	8,316	1,121.8	13.49
New York	75,049	12,472.0	16.62	Maryland	14,048	1,878.5	13.37
Arizona	5,034	826.2	16.41	Georgia	12,705	1,684.7	13.26
Alaska	1,136	182.7	16.09	Maine	2,757	359.4	13.03
Nevada	1,777	285.4	16.06	Virginia	14,100	1,796.0	12.74
Minnesota	12,185	1,953.8	16.03	Arkansas	4,611	584.0	12.66
South Dakota	1,887	301.8	15.99	Indiana	17,270	2,178.9	12.62
Idaho	1,876	299.0	15.94	North Carolina	13,642	1,721.4	12.62
Wisconsin	14,197	2,262.2	15.93	Tennessee	10,252	1,283.7	12.52
Louisiana	9,814	1,547.1	15.76	Rhode Island	3,244	402.7	12.41
Mississippi	4,878	763.4	15.65	South Carolina	6,341	785.6	12.39
Colorado	6,824	1,052.0	15.41	Texas	33,254	4,085.6	12.29
Oregon	6,660	1,024.9	15.39	New Jersey	28,047	3,405.6	12.14
Utah	2,885	442.5	15.34	Pennsylvania	40,102	4,738.6	11.82
Montana	2,039	311.9	15.20	Missouri	15,065	1,758.0	11.67
Washington	12,081	1,844.5	15.17	New Hampshire	2,288	262.6	11.48
Vermont	1,306	198.4	15.19	Ohio	37,151	4,195.7	11.29
Iowa	9,057	1,351.7	14.92	Illinois	43,760	4,897.6	11.19
Nebraska	4,661	693.3	14.87	Connecticut	12,611	1,394.4	11.06
Michigan	32,119	4,694.0	14.61	District of Columbia	3,580	386.6	10.80
Oklahoma	7,259	1,022.4	14.09				
Florida	19,626	2,739.6	13.96				
Delaware	2,026	280.7	13.85				
				Total	683,072	95,397.5	13.95

Source: Governmental Finances in 1968-69, Bureau of Census.

## BLACK MESA COAL AND THE ENVIRONMENTAL POLLUTION OF THE SOUTHWEST

(Mr. HECHLER of West Virginia asked and was given permission to extend his remarks at this point in the Record and to include extraneous matters.)

Mr. HECHLER of West Virginia, Mr. Speaker, in the Southwestern area of the United States, several power companies and coal suppliers have plans for supplying the people of Arizona, New Mexico, Utah, and California with electricity for many years to come. The proposals provide for the construction of several large powerplants, the diversion of a river, and the strip mining of several large beds of coal. Unfortunately, the power needs of the people have been considered without regard for the human needs of the Hopi and Navajo Indians, not to mention the adverse effects on the environment. In a paper, "Fact Summary of the Southwest Power Plants: Ecological and Cultural Effects: Recommended Action," prepared by the Native American Rights Fund, a thorough study of the environmental consequences of the Southwest power project has been made. I present this paper below for the information and use of my colleagues:

### FACT SUMMARY OF THE SOUTHWEST POWER PLANTS: ECOLOGICAL AND CULTURAL EFFECTS: RECOMMENDED ACTION

(Prepared by: Native American Rights Fund, David H. Getches, director, Bruce R. Greene, and Robert S. Pelcyger)

#### INTRODUCTION

This memorandum is a composite of our information to date concerning the existence and construction of six large coal burning electrical generating plants and the coal mines which supply them. Included are sections describing the environmental impact of the plants, the federal government's involvement, the Hopi way of life, the Navajo way of life, Indian problems, National Environmental Policy Act studies which have been undertaken or proposed, a section on information which is needed but as yet has not been obtained, and recommendations for action.

#### I. PLANTS AND LOCATIONS

Six huge coal burning electrical generating plants are being constructed in the American Southwest. One plant is now in operation, one has been constructed but is temporarily inoperative, three are under construction and the remaining plant is slated for operation by the mid-1970's. The individual plants are jointly owned by several utilities, but operated by a single utility company. The joint owners receive power in proportion to their capital investment in the plant. All participating utilities are members of Western Energy Supply and Transmission Associates (WEST). WEST is a western region group primarily concerned with planning for energy generation sufficient to meet the projected needs of the load centers served by their member utilities. At the present time WEST consists of 23 utilities in seven Southwestern states: 12 investor owned, 5 municipally owned, 3 REA generation and transmission systems, 2 irrigation districts and 1 state authority. WEST itself does not construct or own any of the facilities in question. The 23 members of WEST are:

Arizona Public Service Company,

Department of Water & Power, City of Los Angeles.

El Paso Electric Company.  
Nevada Power Company.  
Public Service Company of Colorado.  
Public Service Company of New Mexico.  
San Diego Gas and Electric Company.  
Sierra Pacific Power Company.  
Southern California Edison Company.  
Tucson Gas and Electric Company.  
Utah Power and Light Company.  
Arizona Electric Power Cooperative.  
Arizona Power Authority.  
Burbank Public Service Department.  
City of Colorado Springs.  
Colorado-Ute Electric Association, Inc.  
Glendale Public Service Department.  
Imperial Irrigation District.  
Pacific Power and Light Company—Wyoming Division.  
Pasadena Municipal Power and Light Department.

Plains Electric Generation and Transmission Cooperative, Inc.

Salt River Project.

Southern Colorado Power Division of Central Telephone and Utilities Corporation.

As envisioned by WEST in 1985 the six projects in the Southwest will produce more than 3 times the power of the Tennessee Valley Authority and 17 times as much as the huge High Aswan Dam in Egypt. The Navajo and Mohave plants alone, when operating at full capacity, will produce enough power to meet the normal needs of a city of 3,750,000 people.

#### Four Corners Plant

The first generating station to go into operation was the Four Corners Plant, located on the Navajo Indian Reservation 16 miles south west of Farmington, New Mexico. This plant has an installed capacity of 2075 megawatts produced by five generating units. Units 1, 2 and 3 are owned and operated by the Arizona Public Service Company; these units produce 575 megawatts. Units 4 and 5, producing a combined total of 1,500 megawatts, are operated by Arizona Public Service Company and are jointly owned by Arizona Public Service Company, Southern California Edison Company, Public Service Company of New Mexico, Salt River Project, Tucson Gas and Electric Company, and El Paso Electric Company. 48% of the power of units 4 and 5 go to Southern California Edison.

Coal for the plant is being obtained from the Navajo Strip Mine operated by the Utah Mining and Construction Company. The mine is located near the plant site on land leased from the Navajo Indian Reservation. The coal is transported to the plant via trucks. 22,000 tons of coal are used daily.

Water for cooling purposes is pumped from the San Juan River and is stored in a reservoir immediately adjacent to the plant, called Lake Walker. After the water has cooled the plant, it is returned to the reservoir. The water is removed from the river under the terms of a contract negotiated between Utah Mining and the Secretary of the Interior. 34,000 acre feet is yearly pumped from the river. The company also has a contract with the Secretary of the Interior for an additional 44,000 acre feet per annum for use by future units identified as 6, 7 and 8. The only water current being returned to the San Juan River is a small amount that is sluiced off the ash settling ponds. This water runs from the ponds down a wash and into the river.

#### Mojave Plant

The first unit of the Mojave Generating Station has been constructed but is currently not in operation. It is believed that a mechanical breakdown due to high ash content of the coal from Black Mesa which is averaging 13% instead of the predicted 8%, and craft labor disputes which have led to

prolonged strikes have prevented the plant from operating. The plant is located on the Colorado River in Clark County, Nevada, approximately 3 miles downstream from Davis Dam and Lake Mojave. The site is situated on the 2,500 acres of land which is part of a much larger parcel designated as the Fort Mojave Development area. This area has been set aside in favor of the State of Nevada by an act of Congress. It is being developed under the auspices of the Colorado River Commission of Nevada. The land has been purchased from the Commission at a cost of \$440,000.

The completed plant will produce 1,580 megawatts in two units, with the second unit scheduled for completion by June 1, 1971. Southern California Edison, which operates the plant, will receive the major energy output—56%. Other utilities investing in the Mojave plant are Los Angeles Department of Water and Power, Nevada Power and Salt River Project.

Coal for the Mojave operation is being strip mined from 64,858 acres atop Black Mesa. A lease executed with the Navajo Tribe covers operations on a 24,858 acre portion entirely on the Navajo Reservation. The remaining 40,000 acres is part of the joint use area belonging to both the Hopi and Navajo Indians. The coal is slurried to the plant site through a 273.6-mile 18-inch steel pipeline which shoots westward across the Arizona Desert from Black Mesa. The pipeline carries a mixture of one half coal and one half water, with the entire trip requiring approximately 2.8 days. At full capacity, the pipeline will hold 43,000 tons of coal. When both units of the Mohave plant are in operation, it is expected to consume coal at a daily rate of 16,000 tons.

Water for the pipeline is provided by five deep wells which have been drilled under Black Mesa. The amount of water required when the pipeline is operating at full capacity is 3,200 acre feet per year, or 1,042,720,000 gallons per year. The coal mine is operated by Peabody Coal of St. Louis, Missouri, a wholly owned subsidiary of Kennecott Copper Corporation. The terms of the leases executed between the Hopi and Navajo Tribes and Peabody Coal Company is for "... ten (10) years from the date of approval by the Secretary of the Interior or his authorized representative, and for so long thereafter as the substances produced are being mined by the lessee..." The coal provision contracts executed by Peabody and the plant owners run for 35 years. Black Mesa Pipeline, Inc., a subsidiary of Southern Pacific Pipelines, Inc., has a contract from Peabody to operate the pipeline and crush the coal to the proper size before it is pumped into the pipeline. Coal quality ranges between 10,000–11,500 Btu. per pound with a sulfur content range from 0.36–1.26% and an ash content range of 5.84–12.18%.

Water for power plant cooling purposes is drawn from the Colorado River. 30,000 acre feet per year will be utilized. This water is part of Nevada's share of Colorado River Water under assignment from the Secretary of the Interior. While the operating company at Mojave had originally announced plans to use the well water from the slurry line for plant purposes, our best information to date indicates that this has not been possible due to poor operation of centrifuges which have not separated out as much of the coal dust from the water as expected. If the slurry water is not used for plant purposes, it is unknown whether it will be returned to the river or evaporated. The water provision contracts have been negotiated with the Colorado River Commission of Nevada which in turn has negotiated for water rights from the Bureau of Reclamation. The Commission pays 50¢ an acre foot to the Bureau for every foot removed from the river. The plant operators

pay \$1.05 per acre foot to the Commission. No water is returned to the river. The plant has one smokestack that is 500 feet in height.

#### Navajo plant

Construction began on the Navajo Generating Station in April 1970. This plant is located on 1021 acres leased from the Navajo Indian Reservation near Page, Arizona, three miles from Lake Powell. Another 776 acre parcel, two miles further east, has been leased from the Tribe for an ash disposal area. The plant will be operated by the Salt River Project with the United States Bureau of Reclamation, Los Angeles Department of Water and Power, Nevada Power and Tucson Gas and Electric all receiving power from the generating station. The Bureau of Reclamation needs this power in order to operate pumping stations on the Central Arizona Project which will supply Colorado River water to Phoenix and Tucson. The plant capacity will be 2,310 megawatts in 3 units. It will have 3 smokestacks each 775 feet, which is over 70 stories in height.

Coal for the Navajo plant will be mined from the same Peabody mine on Black Mesa as that which supplies the Mojave plant. The coal will be transported from the Black Mesa Mine by conveyor belt and shipped to the Navajo plant on the 80-85 mile Black Mesa to Lake Powell railroad. The railroad line is to be built by the Morrison-Knudsen Company and construction will commence within the immediate future. 23,000 tons of coal per day will be needed to fire the boilers at the generating station. The contracts between Peabody and the plant operations provide for coal to be supplied for 35 years.

The operators of the plant have contracted with the U.S. Bureau of Reclamation to remove up to 34,000 acre feet of water per year from Lake Powell for cooling purposes. Current plans are that no water will be returned to the lake. This water is part of Arizona's allotment of the Colorado River, but also involves Indian water rights. The Navajos specifically allowed upper Colorado basin water to be used for this industrial purpose.

The water will be removed from the lake by means of a pumping station located on the edge of the lake. Five suction lines will extend from the pumping station 350 feet down the cliff into the water. A pipeline approximately four miles in length will carry water from the pumphouse to the generating station.

#### San Juan plant

Construction began on the San Juan plant on December 23, 1970 and the first power will be available by June of 1973. The plant is located on land purchased from the Bureau of Land Management 12 miles northwest of Farmington, New Mexico. The total land area occupied by the plant and the coal leases is approximately 6 square miles. (The Four Corners plant is 10 miles to the south.) Two power companies are the joint owners: Public Service Company of New Mexico and the Tucson Gas and Electric Company. The plant will ultimately have an installed capacity of 990 megawatts in three units.

The first unit planned for operation in 1973 will have a capacity of 330 megawatts. Cooling water will come from the San Juan River in the amount of 20,200 acre feet per year when the plant is operating at its peak performance level. The water will be stored in a retention reservoir prior to its use in the plant. After plant use, the water will pass through cooling towers and be returned to the river. Approximately 10% to 12% of the water removed from the river will be returned.

Coal will be strip mined at the plant site. 3,100 tons a day will be utilized when the plant is operating at the initial installed

capacity of 330 megawatts with increases corresponding to the level of power production at the time. The coal will be strip mined by Utah Mining and Construction Company. The Company has purchased surface rights and leased mineral rights from the Bureau of Land Management. The ash content of the coal averages 18% and the sulfur content averages 1%. The third and final unit which will bring the plant to maximum planned output is planned for operation by 1980.

#### Huntington Canyon

The Huntington Canyon Generation Station is now under construction. It is located 28 miles southwest of Price, Utah and 7 miles west of Huntington, Utah. The plant will be owned and operated by the Utah Power and Light Company and eventually will produce approximately 2,000 megawatts of power. The first unit scheduled for completion in 1974 will produce 450 megawatts. There will be one smokestack not less than 300 feet high.

The coal will be supplied at the rate of 3,300 tons per day from an underground mine two miles from the plant site. The mine will be owned and operated by Peabody Coal Company. Peabody has purchased mineral and surface rights from private parties, state agencies, and the Secretary of the Interior. The coal will be crushed at the mine mouth and transported by conveyor to the plant. The coal quality ranges from 12,200 to 12,900 BTU per pound with a sulfur content averaging approximately 0.5% and an ash content range of 6 to 10%.

Cooling water will be diverted from Huntington Creek to a settling basin containing approximately a two day supply. The power company plans to build a reservoir upstream from the plant for a supplemental water supply which will contain about 30,000 acre feet. The reservoir will be about 4 miles long and 215 feet deep at the dam. As an additional water source, Utah Power is negotiating a contract with the Secretary of the Interior for 6,000 acre feet of water per year to be supplied from the Emery County Project, a Bureau of Reclamation project. The total water consumption is expected to be approximately 30,000 acre feet per year.

#### Kaiparowits plant

The Kaiparowits plant, the largest of all the planning power stations as of this time, is in the intermediate planning stage. There are two plant sites being considered both located on public land, one about ten miles from Page, Arizona at Warm Creek and the other about thirty miles from Page. The Warm Creek site is the favorite at this time because of its proximity to Lake Powell which will be the source of cooling water. Application has been made to the Bureau of Reclamation for the use of this site. If selected, it will be about fifteen to thirty miles from coal mines which supply the plant.

The owners of the plant are the Southern California Edison Company, San Diego Gas and Electric Company and the Arizona Public Service Company. Plans call for ultimate installed capacity of 5,000 megawatts with an initial capacity of 2,000 megawatts in two units by 1977. The generating facility will be the largest in the United States. The design of the plant has not yet developed to any specifics.

#### II. ENVIRONMENTAL IMPACT OF THE STRIP MINING AND POWER PLANTS

The impact which fossil fuel steam plants have on the environment is already a matter of general knowledge. In the Southwest, the impact is potentially much more grave due to the general scarcity of water and the present clarity of the air. The Southwest desert is one of the last environmentally pristine areas in the United States.

The combination of power plants and strip

mining present virtually every conceivable pollution problem. The plants will withdraw huge quantities of water to be used for cooling and other plant purposes from the Colorado River and its tributaries, which will further deplete a scarce and overextended water resource and increase the salt proportion of an already highly saline river. They will emit large quantities of particulates, sulfur and nitrous oxides. In addition, the quality of the land will be permanently impaired from the strip mining operations.

#### Air and visual pollution

The Four Corners plant, which has been operating since 1966 and for which we have the most information, is the single worst stationary source of air pollution in the State of New Mexico, perhaps even in the entire United States, emitting over 465 tons of particulate matter each day. According to the State Chairman of the New Mexico Citizens for Clean Air, particulate matter emissions from all sources in New York City and the County of Los Angeles are 140 and 110 tons per day, respectively. Particulate matter includes solid and liquid substances in varying sizes and weights. Particulates are produced primarily by coal fired plants and are a basic component of visual pollution. Particulate matter when combined with sulfur dioxide poses a danger to the health of humans, livestock and vegetation. The Navajo plant, according to a draft NEPA statement dated January 1971, will emit between 7 and 15 tons of particulates each day. Under current Los Angeles County air pollution regulations, steam plants may emit only 240 pounds of particulates each day.

According to nuclear physicist at the Los Alamos Scientific Laboratory, a direct aerial tracing of the Four Corners plume has revealed smoke from the plant in the Grand Canyon, Bryce Canyon, Monument Valley, Utah, and Albuquerque, New Mexico.

Air pollution of the Grand Canyon, as well as other recreation and scenic areas, and the Indian reservations of the Southwest will increase greatly as the plants now under construction go into operation. The Southwest, long known for its near perfect visibility, may soon have the distinction of being the smoggiest non-metropolitan area in the country.

In addition to particulates, the plants will also emit sulfur and oxides of nitrogen, both of which are acid, corrosive, and poisonous gases and have a deleterious effect on human and livestock health, vegetation and property. According to the First Annual Report of the Council on Environmental Quality, at page 68:

"Sulfur oxides, produced mainly by burning coal and oil, can cause temporary and permanent injury to the respiratory system. When particulate matter is inhaled with the sulfur oxides, health damage increases significantly. The air pollution disasters of recent years were due primarily to sharply increased levels of sulfur oxides and particulates.

"Sulfur dioxide can irritate the upper respiratory tract. Carried into the lungs on particles, it can injure delicate tissue. Sulfuric acid—formed from sulfur trioxide when water is present—can penetrate deep into the lungs and damage tissue."

It has been calculated that Edison's Mojave plant will emit 13,000 pounds of sulfur dioxide each hour. Under Rule 67 of the Los Angeles County Air Pollution Control District, steam plants are limited to 200 pounds and 140 pounds each hour of sulfur dioxide and nitrogen dioxide emissions respectively.

The power plants will constitute mammoth, ugly intrusions on the scenic quality of the Four Corners area. For example, the Navajo plant will be located on a bluff overlooking Lake Powell and the 70 story stacks

will be easily visible from the surface of the lake. The giant Kaiparowits plant will also be located near the shores of Lake Powell, opposite the Navajo plant. The stacks of all other plants will be several hundred feet high, painted red and white and thus will serve as constant and ubiquitous reminders of the power company's intrusion upon the environment of the Southwest.

#### Water

There are essentially two types of water problems in the Southwest: first, the critical scarcity of the resource, and, second, pollution of that resource. Large quantities of water will be withdrawn from the Colorado River and its tributaries for cooling purposes. Kaiparowits alone is planned to consume 102,000 acre feet each year, which is enough water to serve the needs of all persons living in the city and county of San Francisco for one year. Other than limited local supplies of water, the Colorado River and its tributaries is the only principal source of water supply for Southern California, Arizona, Nevada, Colorado and Utah. But the flow of the river is not sufficient to satisfy the needs of the numerous individuals and governmental organizations which have claimed water rights. Consequently, the use of the water is tightly regulated and competition is keen for rights to water usage. By drawing such huge volumes of water from the already over-draughted Colorado, the power plants are making a critical situation much worse.

The Central Arizona Project, estimated to eventually cost upwards of a billion dollars and perhaps more, will consist of facilities to bring non-existent water from the Colorado River to the Phoenix/Tucson area. There is simply not enough water to meet even the present needs of Colorado River users. The adjudicated water rights of the five Indian Reservations along the lower Colorado River (Mojave, Chemehuevi, Colorado River, Quechan and Cocopah) are left in an extremely vulnerable position. If experience is any guide, the State of Arizona and the Bureau of Reclamation can be expected to take the position that in authorizing the Central Arizona Project, Congress implicitly seized the Indians' water rights.

The second major and related water problem of the Southwest is pollution of existing supplies. The Little Colorado River is highly saline. It intersects the main stream of the Colorado River a few miles above the Grand Canyon. The water of the main stream is relatively less saline at this point and presently serves to dilute the salty concentrations added by the Little Colorado. Five of the six power plants are currently withdrawing and consuming or will withdraw and consume water from the main body of the Colorado above the point of intersection, thus reducing the quantity of fresh water available for dilution. This results in a higher salinity for downstream users.

These downstream users are already plagued with a high concentration of dissolved salts in their water. Many acres are yearly removed from agriculture in the Imperial Valley of California because of infertility resulting from the deposition of salts by irrigation waters from the Colorado. The lower Colorado area is potentially one of the most fertile agricultural areas in the United States. Huge sums of money are spent annually in attempts to prevent this valuable resource from becoming as dry and barren as the once fertile Tigris and Euphrates Valleys are today.

This same salinity problem also affects the farmers of the rich Mexicali Valley of Mexico who also depend on the Colorado River for irrigation. By treaty with Mexico, the U.S. government in 1944 agreed that Mexican

farmlands each year should receive from the Colorado River, en route to the Gulf of California, at least 1.5 million acre feet of water suitable for irrigation of crops. Not only has this pledge gone unkept, it has been broken more and more flagrantly with the passing years. Huge flood controlling dams have conserved the water for use north of the border, the impounded water has lost enormous amounts of its volume by evaporation under the desert sun, the salt content of the water has risen because of the evaporation, and the American farmers have leached the salt out through irrigation ditch drainage and dumped it back into the river, finally leaving the Mexican share of the water not only sadly depleted but so heavily laden with salt that crops irrigated with it are limited both in variety and in yield. Crop failures are commonplace. The failure of the United States to deliver water of the requisite quality and quantity to Mexico is one of the principal sources of friction between the two countries.

By diverting additional millions of acre feet of Colorado River water, the proposed Central Arizona Project will severely intensify these critical water quality problems. The Indians, along with other lower Colorado River users including the Imperial Irrigation District and the Republic of Mexico, will receive waters so saline as to be virtually useless.

Another source of water pollution is the surface run off of evaporation ponds and ash dams near the power plants. All of the plants use large ponds to evaporate water not returned to the river. At Four Corners they are currently using their third pond. The first is completely dry while the second still contains small amounts of water. After a pond is fully evaporated, salts, which were in solution, remain on the now dry surface. These fine, powdery salts are scattered onto adjoining land by the prevailing desert winds. There appears to be no evidence of pond lining, and seepage and run off from the pond in use and from dry ponds after a rainfall may occur. Surface run off usually finds its way back into the river, further increasing salinity. Similarly, contaminated run off from strip mined areas will either pollute and destroy local water supplies or wash down eventually into the Colorado River.

In addition to water removal from the Colorado, Peabody Coal Company has drilled several deep wells into the Navajo Sandstone Aquifer beneath the Black Mesa. This water, over one billion gallons per year, will be used to slurry coal transported by the pipeline to the Mojave plant. In a U.S. Geological Survey letter, a copy of which is attached, dated October 20, 1970, it was stated that the water table at Kayenta should drop 100 feet over the life of Peabody's lease.

Water is a scarce and valuable resource in the Southwest. Average rainfall is only 10 to 12 inches, and consequently there will be little recharge of the aquifer in the foreseeable future. Thus far, little consideration has been given to this aspect of the water problem. Are there higher uses for the water? What of the Indians' rights to the water? Peabody can argue that the Hopis and Navajos will be paid for the water, but what is the value of payment if a scarce resource is for all practical purposes permanently depleted? Who will bear the cost of the new pumping equipment needed at Kayenta, Shonto and Rough Rock after the level of their wells drops?

#### Land

Far and away the most significant environmental intrusion upon the land results from the strip mining operations now occurring at the Black Mesa and Navajo mines. Appalachia is ample testimony to the ravages left in the wake of strip mining of

coal. In addition to the environmental degradation, the mining operations are a sacrilege to the Hopi and Navajo people who consider Black Mesa itself to be a religious shrine.

Peabody has made public statements, the most recent occurring in the February 8, 1971 issue of *Newsweek*, that they will reclaim the area and make it more fertile than before the mining occurred. Peabody claims it will introduce new strains of more hearty vegetation which will improve the nutrients in the soil. But whether successful reclamation can occur is a matter of much dispute. A noted geologist from the Southwest has concluded that the overburden, once replaced into depleted mining cuts, will be so highly saline that it will not be capable of sustaining growth of any vegetation. This is due to the failure of Peabody to separate the top soil from lower, more saline shale after the overburden is removed, which would entail greater expense on their part. The lower shale contains salts which have settled there by the process of percolation of surface water.

This same overburden, which lays on the surface while the open cut is mined, contains large amounts of shale. With the coming of the rains and snows, the shale will disintegrate in the water and be carried down the slopes of Black Mesa, through the Moe-kopi wash, to be deposited eventually on agricultural lands that the Hopis have relied upon for agricultural purposes since the twelfth century. The shale hardens into an impenetrable layer that may render useless lands which are the very basis of the Hopi way of life. The water resistant characteristics of dissolved and then hardened shale are well known to the Hopis who have used the same process to construct the roofs and walls of the homes that have protected them from the elements from time immemorial.

#### III. FEDERAL AGENCY PARTICIPATION AND PERMITS REQUIRED

##### U.S. Corps of Engineers

33 U.S.C. 401 requires that a permit be issued by the U.S. Army Corps of Engineers prior to the construction of any structure that will modify or change in any way a navigable river. The statute reads:

"The creation of any obstruction, not affirmatively authorized by Congress, to the navigable capacity of any of the waters of the United States is prohibited; and it shall not be lawful to build or commence the building of any wharf, pier, dolphin, boom, weir, breakwater, bulkhead, jetty or other structures in any port, roadstead, haven, harbor, canal, navigable river, or other water of the United States except on plans recommended by the Chief of Engineers and authorized by the Secretary of the Army; and it shall not be lawful in any manner to alter or modify the course, location, condition or capacity of any port, roadstead, haven, harbor, canal, lake . . . or channel of any navigable river of the United States, unless the work has been recommended by the Chief of Engineers and authorized by the Secretary of the Army prior to beginning of same."

The Colorado River and its tributaries are navigable and therefore, pursuant to 33 U.S.C. 401, permits from the Corps are required for the power plant cooling water intake and outfall structures which extend into the river. The intake structures will be used to divert large quantities of water. An Army Corps of Engineers' permit has been obtained for the Mojave plant intake structures and for the slurry line crossing the Colorado River. No other permits have as yet been granted for the other plants. The Four Corners plant was constructed prior to the

extension of Corps jurisdiction to include tributaries of navigable rivers at the time of construction and therefore, it is the Corps position that no permit was required. Permits will be required for the Navajo, San Juan, Kaiparowits, and Huntington plants. Permits for the plants now under construction have not as yet been required because there have been no structures built in or affecting navigable rivers. However, before such structures can be constructed, a permit is required.

In cases where water is to be returned to a navigable stream, the Corps requires that a certificate from the state in which the construction is to be undertaken be attached to the application for the issuance of a permit. Such certificate must be obtained from the state water quality control board. The certificate must verify that the effluents discharged will comply with the applicable state water pollution ordinances. The Corps permit is issued based upon state or local governmental approval of the project to be undertaken. In the event such approval is not granted, the permit is invalid. The decision whether a permit will be issued must rest on an evaluation of all relevant factors, including the effect of the proposed work on navigation, fish and wildlife, conservation, pollution, aesthetics, ecology and the general public interest. Public hearings will be held whenever there appears to be sufficient public interest to justify such action, and any doubt will be resolved in favor of holding a hearing.

#### Secretary of the Interior

All of the power plants will draw at least a portion if not all of their cooling water from sources that are under the jurisdiction of the Secretary of the Interior, Bureau of Reclamation. The Huntington plant obtains the majority of its cooling water under a contract with the State of Utah, but a portion is to be obtained from the Emery Project under the direction of the Secretary of the Interior.

The water service and land use contracts, which have already been negotiated, all have provisions regarding environmental quality. The provisions include requirements concerning both air and water pollution. It is generally required that the contractees comply with all local, state and federal anti-pollution ordinances. However, provisions in each contract vary as to specific requirements. Failure to comply with these conditions can result in cancellation of the lease.

In addition to these specific protections, Public Law 91-190, The National Environmental Policy Act, requires that each federal agency make a study and report to the President's Council on Environmental Quality whenever the agency proposes legislation or other major federal actions "significantly affecting the quality of the human environment."

With regard to existing projects and programs, the Revised Guidelines on Statements on Proposed Federal Actions Affecting the Environment, promulgated by the Council on Environmental Quality, which will not become effective for approximately another 30 days, provide:

"To the fullest extent possible the section 102(c) procedure [which requires the preparation of an environmental statement should be applied to further major federal actions having a significant effect on the environment even though they arise from projects or programs initiated prior to enactment of the Act on January 1, 1970. When it is not practicable to reassess the basic course of action, it is still important that further incremental major actions be shaped so as to minimize adverse environmental consequences. It is also important in further

action that account be taken of environmental consequences not fully evaluated at the outset of the project or program."

State agencies also have authority to control pollution activities of these power plants. Each state has its own governmental framework for regulating pollution. A good example is the agencies of the State of Utah which have jurisdiction over both the Huntington Canyon and Kaiparowits plants. The Utah Air Conservation Council has authority under 326-14-9(2) of the Utah Code Annotated (U.C.A.) to review and approve plans where there will be air pollution. The Utah Water Pollution Control Committee has authority to review and approve plans under authority of U.C.A. Section 73-14-5(b)(4), 1953. These agencies possess continuing authority and permission to inspect premises for compliance with the various standards set. Other states have similar regulation authorities.

In addition to the federal involvement discussed above, the Secretary of the Interior has the jurisdiction to grant applications for land use and routing for power transmission line right of ways whenever these lines cross federal land. These right of ways are of significant size. For example, there will be at least thirteen 500 KV transmission lines emanating from four of the power plants, Mojave, Navajo, San Juan, and Kaiparowits. These lines will connect the plants with load centers in Southern California, Phoenix and Tucson. In a 500 KV line, there are usually 3 pairs of conductor cables and 2 overhead ground wires. At normal spacing there are about 4 towers per mile. Each tower is approximately 110 feet high and occupies about one-half acre. The tower sites and the road required for line construction and maintenance, occupy slightly less than 4 acres per line mile.

Each of these transmission lines will be several hundred miles long. As is readily apparent, thousands of acres of land are involved, in addition to the land leased for the power sites and strip mines.

Generally, Indian tribes have sovereign police powers much like those of states and local entities. This police power includes the right to enact ordinances pertaining to the regulation and control of air polluting emissions. It is clearly within the Secretary of the Interior's jurisdiction, and indeed is undoubtedly encompassed within his fiduciary obligations toward Indians, to offer a tribe technical assistance in the preparation of these air quality ordinances. However, the Secretary not only has failed to assist in the drafting of antipollution ordinances, but has approved the lease between the Navajos, acting through their Tribal Council and the Arizona Public Service Company in which the Tribe purportedly contracted away its rights to enact pollution regulations. The contract provides:

"The Tribe covenants that, other than as expressly set out in this agreement [the agreement does not appear to contain any express or implicit controls over air and water pollution], it will not directly or indirectly regulate or attempt to regulate the Company or the construction, maintenance or operation of the power plant and transmission system by the Company, or its rates, charges, operating practices, or its sales of power; . . ."

We believe there is a substantial doubt regarding the legality of this purported relinquishment of the Tribe's police power. But, beyond that, once again the Secretary has failed to live up to the high standards of his trust relationship with the Indians.

#### V. THE NAVAJOS

The Navajos differ significantly from the Hopi. The basic difference is that the Navajo people are nomadic and pastoral, while

the Hopi are agricultural and sedentary. But like the Hopi, beauty and harmony are the heart of the Navajo way of life. The beautiful Southwestern plateau country has become and remains deeply engrained in their life.

The landscape itself is a shrine to the Navajo. Their land lies between four sacred mountains. The land forms of the Navajo country all play a role in the drama of creation with each form embodying a special meaning. Pollen Mountain is a recumbent female figure. Her head is Navajo Mountain, her body Black Mesa, and her feet Balukai Mesa. On these and other summits stand the Sky Supporters, deities who hold up the canopy of the sky. Between the sky and earth move the sun, moon and stars, which are held aloft by winds. Pollen is the symbol of life and productivity, for peace and prosperity. Pollen symbolizes light. Light and color abound in the Navajo homeland and are mentioned constantly in ritual.

The spirits and gods of the Sacred Mountains created man from everything natural. The name of this being is "Created from Everything." Because man is of the earth, to injure the earth is to injure man. When the earth is ill its sickness is transmitted to man and harmony must be restored. Without natural harmony, man must perish. The Navajo "Song of the Earth Spirit" from the "Origin Legend" expresses this concept of oneness with the earth:

It is lovely indeed, it is lovely indeed  
I, I am the spirit within the earth . . .  
The feet of the earth are my feet . . .  
The legs of the earth are my legs . . .  
The bodily strength of the earth is my bodily strength . . .  
The thoughts of the earth are my thoughts . . .  
The voice of the earth is my voice . . .  
The feather of the earth is my feather . . .  
All that belongs to the earth belongs to me . . .  
All that surrounds the earth surrounds me . . .  
I, I am the sacred words of the earth . . .  
It is lovely indeed, it is lovely indeed.

Smoke from the Four Corners plant has darkened the clear air and is reducing surface light and muting color. Strip mining is ripping open the body of Black Mesa, more specifically the liver. The tide of industrialization is sweeping across the home of the Navajo and Hopi and its effects have begun to alter their way of life.

#### VI. THE INDIAN PROBLEM

The Hopis and Navajos are the Indians that are usually associated with the power plants and strip mining in the Southwest. While it is true that the Navajo and Hopi Tribal Councils are the only Tribal governments that have permitted the use of Indian land for strip mining, for the power plant sites and for essential rights of way, scores of other Indian reservations within the area will suffer adverse environmental effects caused by the power plants and related activities.

The Southwest is the very heart of Indian country within the continental United States. There are some forty Indian reservations in the area—from the Colorado River on the West to the Rio Grande on the East, and from Salt Lake City and Denver on the North to Phoenix and Albuquerque on the South (see attached map). The precious air and water resources of all of these reservations are, and will be endangered by the operation of these plants.

The environmental impact on some of these other reservations is immediate and obvious. As already noted, the water rights of the five reservations on the Lower Colorado River will suffer from inadequate quantity and increased salinity of their water supplies.

The Mohave Indian Reservation is within five miles of the Mohave power plant and will certainly be inundated with air pollution. The Jicarillo Apache Reservation, standing astride the continental divide, just downwind from the Four Corners and San Juan plants, and directly in the path of the main plume from all but one of the plants, has been living with skies blackened from the Four Corners Plant for the last five years. If current plans proceed, air and water quality will become much worse. In spite of the Interior Department's trust responsibility to preserve and protect these properties, to the best of our knowledge, no one from the Government has ever advised any of the reservations in the area of the adverse effects of the power plants on their environment or what powers the Tribes have to deal with the situation.

Indeed, the Interior Department's conflicts of interest stand in the way of the proper discharge of its trust obligations to protect and enhance the environments of the reservations. The Interior Department itself is up to its neck in the development of the power plants and has a great stake in the completion of the projects. For example, the Bureau of Reclamation will take the largest share of electrical power from the Navajo Plant. It will use the power generated by the plant to pump Colorado River water to Phoenix and Tucson as part of the Central Arizona Project. Since Black Mesa coal is the energy required to fuel the Navajo Plant, the Secretary of the Interior's approval of the Black Mesa strip mining leases amounts to a flagrant case of self-dealing on the part of the trustee. In effect, the Secretary of the Interior is both seller and purchaser of the Black Mesa coal. In these circumstances, the trustee cannot properly advance the interests of its beneficiaries "without reservation and with the highest degree of diligence and skill."

The Hopi and Navajo Tribes were never advised by the Secretary of the Interior, either before or after the various leases were approved, of the adverse environmental effects of the power plants and the strip mining on their reservations. At the present time, the newly elected chairman of the Navajo Tribe has indicated that he wants to re-evaluate the situation now confronting his tribe. With regard to the Hopis, there is no doubt that the Bureau of Indian Affairs has made possible the lease of sacred Black Mesa lands by allowing and encouraging the so-called "Hopi Progressives" to impose their will on the Hopi people in opposition to the traditional clan and village religious leaders and in violation of the Hopi constitution and by-laws.

At the very least, all of the Indians within the affected area are entitled to a full report on the environmental impact of present and projected facilities on all of the reservations in the Southwest. If the Indians then decide to interpose no objections, it will be done with full knowledge of the consequences. Until then, a moratorium should be ordered halting all future construction activities.

#### VII. ECONOMIC RETURNS TO NAVAJOS AND HOPIS

In addition to Peabody's claims regarding restoration of the land, as outlined above, Peabody is providing some jobs for Indians living on or near the Mesa. The contracts provide that Indians will be hired when available and when in the judgment of the lessee, they are qualified. Peabody has also agreed to make a special effort to work Indians into skilled positions and other more

important jobs in connection with the mining operations.

According to Peabody's figures, a 150-man crew is currently employed in order to supply coal to the Mojave plant. Of these it is claimed that 70% are Indian employees. It is expected that the work force will increase to 375 workers when both plants are in full operation, and Peabody has stated publicly that it hopes to employ 80% Indians. Salaries for these employees are expected to approach \$10,000 per year. Our best figures indicate that Peabody is currently employing approximately 85 Navajos at the mine site, which constitutes 56.6% of a 150 man work force, some 15% less than Peabody's claim. There are approximately 120,000 Navajos living on the Navajo Indian Reservation and approximately 5,000 Hopis living on the Hopi Reservation.

Peabody has agreed to pay the tribes 25c a ton for coal used off the reservation and 20c a ton for coal used on the reservation. They claim that this represents the highest royalty ever paid for coal developed on Indian or public lands. There is a provision in the contract for increasing the price per ton if Peabody's gross realization should rise above \$4.00 a ton.

It is estimated that payments to the tribe will average about \$3,000,000 annually when both plants are in full operation which will extend over the anticipated thirty-five year operating lives of the plants.

With regard to the water Peabody is extracting from the deep wells on Black Mesa, they have agreed to pay \$6.67 per acre foot of water pumped from the leased area, \$5.00 to the Navajos and the remainder to the Hopis.

Numerous calculations have been made regarding the economic benefits which will be derived by the Indians as a result of locating coal mines and generation plants on their land. However, these calculations have generally been one sided, with no attempt made to calculate the costs associated with the environmental harm from these same operations. Admittedly, environmental intrusion is difficult to quantify, especially since it effects many future generations. However, both government and private industry appear to have adopted a consistent pattern of all but ignoring these costs.

#### VIII. NATIONAL ENVIRONMENTAL POLICY ACT STATEMENTS

No final NEPA statements have been prepared to date, even though much construction has occurred in the area. There are currently five draft NEPA statements which are available to the public, copies of which are attached. Four are contained in a document dated January 13, 1971 and relate to: (1) The Black Mesa coal mining operation, (2) the Navajo Black Mesa coal haul railroad, (3) the Navajo-McCullough transmission line, and (4) the Navajo-Phoenix transmission system. The fifth statement is entitled Draft of Environmental Statement Navajo Project, and is dated January 1971.

The shortcomings of all of these statements, aside from any lack of merit of an individual statement, is the failure to consider the total impact of all of these mines and power plants on the Southwest. Thus, to consider the Black Mesa coal mine solely or to consider the Navajo generating plant solely is like examining one piece of a puzzle. The more the components of this single power development are isolated, the less significant the environmental intrusion. Thus far, there have been no comprehensive studies of the Southwest as a region to determine how it will be affected by the construction of facilities which will generate over 14,000 megawatts by the burning of coal, even though the draft NEPA statement admitted that the

"extent of the problem" was beyond their current comprehension.

#### "Cumulative impact considerations"

"In meetings held to explore the probable effects on the environment of the Navajo Project, environmentalists have repeatedly expressed strong convictions that the studies of environmental effects should be expanded beyond the area that may be influenced by the Navajo Generating Station to include the entire southern Utah and northern Arizona regions.

"The reason advanced for this proposal is that there could well be cumulative effects from the power plants now operating or planned for construction in this region, as shown on the thermal-electric plant location map in the Appendix. The proponents of expanding the studies to this broader area argue that even if a single plant, like Navajo, meets all Federal and State standards for environmental control, a serious problem might develop from the cumulative effects of other plants in the region.

"In addition to the possible effects of power plants, the cumulative effects study should also consider future industrial and urban development in the region, including sociological aspects. Much attention is being given to this aspect of environmental protection in the region by the Department of the Interior and other agencies."

Current NEPA drafts totally belie the last sentence of Navajo report, "quoted above". Without a comprehensive regional study, which is not predicated on the assured construction of these plants, one can be certain that these individual reports are nothing more than attempts to placate the public conscience.

Even assuming for the moment that a regional study is not possible, the individual drafts prepared thus far are patently inadequate. For example, the coal mine report essentially states that there is no information regarding revegetation of the stripped area, no analysis of the overburdened soil, and no information on rainfall to aid in selecting optimum revegetation methods. This complete lack of information has thus far not in any way inhibited full scale mining operations. To justify the Navajo coal haul railroad, the draft report states that the only practical alternative is a slurry line, but that "is not feasible due to the quantity of water needed . . . and the limited supply of water at Black Mesa coal field." But there is virtually no discussion of the scarcity of water in the coal mine report and this irretrievable loss is not even listed as an "Adverse Environmental Effect."

None of the draft reports effectively discuss alternative sources of power. In the December 5, 1970 issue of *Saturday Review*, there is a lengthy article on geothermal steam as a source of fuel to generate electricity. Qualified experts predict that steam from beneath the Mexicali Valley ultimately may provide enough power for the equivalent of the needs of the metropolis of Los Angeles. In addition, there are known thermal springs over most of the western eleven states. One of the principal by-products from geothermal generation power is water, which could be used for agricultural and other purposes.

It is this type of planning, or lack thereof, which has paved the way for the general deterioration of the environment today. It is now time that we turned our attention away from the purely economic considerations which have dominated our thinking in the past, and began instead to evaluate our actions in terms of the quality of our environment and our responsibilities to the Indian as our fellow man.

\* President Nixon's message to Congress on "Recommendations for Indian Policy," transmitted July 8, 1970.

## IX. GAPS IN OUR INFORMATION

There is a great deal more technical information which we need to effectively conduct litigation planned for the Four Corners area. While the power companies and the government have conducted some environmental studies, much more research is required. This is immediately apparent after a quick perusal of the draft NEPA statements prepared to date; the reports candidly admit great gaps in information. For example, we need to know more about:

(a) the operational mechanics of fossil fueled electrical plants;

(b) the state of art on particulate, sulfur and nitrous oxide emission control devices;

(c) the effects and interaction of polluting emissions on vegetation, livestock and human life;

(d) the movements of ground water and the relationship of salinity in the Colorado to the plant's planned water withdrawals;

(e) the meteorological conditions, including the existence of inversion layers and prevailing wind directions as well as the effects of weather modification caused by activities such as evaporation of cooling water withdrawn from the Colorado and its tributaries;

(f) the soil conditions in and around the strip mined sites and how this relates to attempted revegetation; also the optimum methods of revegetation, if any;

(g) rainfall in the area and its effect on recharging the Navajo sandstone aquifer, which is the water source for the slurry line—also the probabilities of any effective revegetation of strip mined areas due to the small annual rainfall;

(h) projected consumption of power over the next several decades in order to adequately access the need for more generating facilities. Current predictions by experts indicate that California will never again experience the same growth rate of the period between 1950 and 1970. In an article appearing in the January 8, 1971 edition of the *Los Angeles Times*, it was reported that due to a slow down in California population growth, that California's water supply will last into the 2000s, some 20 to 30 years longer than anticipated. Two reports, one prepared by the state and the other by a local agency, were sharp departures from repeated warnings that Southern California was facing a water crisis. Since this change of opinion is due principally to lowered population projections, it appears highly likely that future electric power needs also may have been overestimated;

(i) alternative sources of fuels and methods of supplying power such as geothermal steam;

(j) the effects of noise pollution caused by operating the generating plants;

(k) the whole range of land use problems including the steady movement of wilderness land to forested, grazing, agricultural and finally urban uses. For example, in California, for every person added to the population, one-fifth of an acre of agricultural land is converted to urban uses. The problem is intensified because only 6.7% of California's land area is in the prime agricultural area to begin with. In the Southwest, thousands of acres will be devoted to generating and then transmitting power to major urban load centers. How much land does our civilization need?

Experts who can provide affidavits and testimony on the above areas as well as interpret the complicated numerical relationships which are explanations of air pollution monitoring standards are also needed. These reports and affidavits will aid us in our attempt to present a documented comprehensive lawsuit on the total regional effects of the entire system of power plants.

## X. RECOMMENDED ACTION

At the present time, the Fund is working with and advising several tribes and groups of individuals and plans to file three major lawsuits in the near future. We are also working closely with three national environmental organizations which are vitally concerned about the potentially disastrous ecological impact of the power plant development in the Southwest.

The most pressing need at this time is cessation of all further construction and development until the full extent of the environmental impact has been assessed. A regional, in depth NEPA study is required; one which fully considers and questions all assumptions starting with the need for this power, then working through all potentially adverse environmental effects. Until this Southwest regional study is completed, the council on environmental quality should call for an Executive moratorium, directing all interested agencies and departments to cease issuing any additional permits or entering into any contracts which directly or indirectly relate to these plants.

## STRIP MINING: THERE MUST BE A CEASE-FIRE IN THE WAR AGAINST THE ENVIRONMENT

(Mr. HECHLER of West Virginia asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. HECHLER of West Virginia. Mr. Speaker, there are several articles which relate to strip mining which I would like to call to the attention of my colleagues. The escalation of strip mining means that the war against the environment has been escalated, and there must be a cease-fire which can only be achieved through a total ban on the strip mining of coal.

One of the powerful arguments which is advanced in defense of strip mining is that all you have to do is to enforce strong reclamation laws, and the land will be restored to better condition than before the strip miners began to disturb the land. We have all seen the beautiful color photographs which had been published to display attractive scenes of recreation areas, blue lakes, fishing, golf, and other activities allegedly made possible as a result of or following reclamation of strip-mined areas. For example, in the March 29, 1971, issue of *Time* magazine is included a full-page color ad by the Bethlehem Steel Corp., showing a fishing scene captioned: "Most of the land for Fishpond Lake and Park was donated by Bethlehem to serve as a recreational area for the people of Jenkins and other nearby communities in eastern Kentucky. The dam and lake were built by the State of Kentucky." The advertisement itself is headed: "Before Sunny Mullins Was Born, Fishpond Lake Was a Coal Mine." The text of the ad then reads:

Where mining shovels once pulled coal from the earth's surface, Sonny and his grandfather—retired miner George Mullins—now pull bluegills and large-mouth bass from this 45-acre, man-made lake. The lake and 900 acres of surrounding park were built on property that had been surface mined more than a decade ago.

George Mullins remembers the area before it was surface mined. Here's how he tells it: "I've lived close to what is now Fishpond Lake all my life. In the late forties when they began surface mining the area here, I thought: 'Boy, these old hills have had it.' But I was wrong. Before they removed the coal, the land just sort of laid there . . . pretty but not much use to anyone. But now that these hills have been mined and reclaimed, they're just as pretty as ever. And we've got something we never had before: a lake for fishing and swimming . . . and acres of restored land for picnicking. Now I'm glad they mined this land. Look what we've gained."

We need lots of coal, and we must mine it where it is . . . even if this sometimes means disturbing the natural terrain of hillsides and mountain slopes. But the disturbance is only temporary. Every acre of land surface mined by Bethlehem is promptly and effectively restored . . . often to more beneficial use than before it was mined.

Bethlehem first took steps toward scientific control and restoration of lands more than 40 years ago. We want to be a good neighbor wherever we have operations.

A very significant analysis of this Bethlehem advertisement in *Time* Magazine was made by Ernest B. Furgurson in the April 15, 1971, issue of the *Baltimore Sun*, the complete text of which follows:

## WHAT THE ADVERTISING DOESN'T TELL

(By Ernest B. Furgurson)

JENKINS, KY.—You may remember the ad: a full page in color in *Time*, *Newsweek* and elsewhere. A happy youngster in jeans and baseball cap fishing with his grandpa beside a blue mountain lake. The grandpa tells how he feared when strip mining first opened that hole in the earth that "these old hills have had it," but now he's glad because it created such a nice 43-acre fishing hole.

To his testimony, Bethlehem Steel added: "We need lots of coal, and we must mine it where it is . . . even if this sometimes means disturbing the natural terrain of hill-sides and mountain slopes. But the disturbance is only temporary. Every acre of land surface mined by Bethlehem is promptly and effectively restored . . . often to more beneficial use than before it was mined."

The ad made strip mining seem such a public-spirited and beautifying enterprise that I just had to come down to have a look at Fishpond Lake. And it turned out to be true, from one point of view. If you circle the lake carefully, you can find a narrow angle from which, when the light is right, the proper filters are used and the background forest is at season's peak, it all looks like a cameo from a *Sierra Club* publication.

But don't look left or right. What you see there is characteristic of all strip mines: coal slides into the water, scars in the mountainside. Fishermen were there in the Easter weekend sunshine, and so were beer cans and gritty dust blowing from the irreparable gash in the slope opposite.

The main thing Bethlehem contributed toward Fishpond Lake was the land after it had been ravaged. The state of Kentucky built the dam and lake. Student architects from Yale did the pier. Workers in an OEO program provided much of the labor. Then Bethlehem ran the ad, which quite likely cost many times what the land itself was worth.

One eastern Kentuckian who happens not to be a Bethlehem employee says that all Fishpond Lake proves that if you want to spend half a million dollars you can make a pond out of a stripped hollow. But you can't do it with every stripped hollow; this one just happens to be on a high plateau near

where several rivers originate. And it was torn out by relatively small equipment more than a decade ago, before the giant land-eaters were built which now are ripping up thousands and thousands of acres of West Virginia, Pennsylvania, Virginia, Ohio, Kentucky, Maryland and other states.

Of course neither Bethlehem nor any of the other absentee companies financing this frenzy of strip mining during the current period of high coal demand is about to spend half a million dollars reclaiming each hole they claw in the earth. The pattern is for them to fight desperately in the state legislatures against laws which require them to replant forest and otherwise go through the motions of reclamation.

Even where such laws are in effect, they are no more than a gesture. It simply is impossible to put a mountain back together after it has been torn apart. What happens instead has been well publicized—the mud slides that often inundate the homes of the people who own the land but unfortunately not the mineral rights beneath the surface; the acid runoff that kills the streams; the desolate moonscape that offends the eye from an airplane overhead or from the roadside parking areas that once offered views of peaceful hills beyond hills.

One such pulloff is in Pound Gap, where U.S. 23 crosses from Virginia into Kentucky. The highway overlooks Jenkins, surrounded by mountains whose sides are shorn away, making long brown scars where trees would be budding if they still grew. This is the domain of Bethlehem Steel, which owns the land, usually contracts the stripping, then buys back the coal.

Not far from Fishpond Lake is the Millstone strip mine, on which Bethlehem spent many thousands as a reclamation demonstration project. Little grows there but weeds.

There is an outcry about stripping in every state where it is practiced. Laws are passed, but they are mere wrist-slapping. There is debate over banning stripping entirely. But there is no way it can be halted immediately. The companies are fighting a ban while the acreages stripped multiplies each year. Even road builders and specially formed speculation firms are rushing to get theirs by strip mining while the market is hot.

Meanwhile, the effort is made to soothe the body politic with full-page ads in national magazines, read mostly by people who will never have a chance to take a first-hand look at Fishpond Lake or the rest of the misused land. And it should be added that what the strippers do to try to assuage public opinion is duplicated by other industries. Lumber, for one.

Mr. Speaker, one of the best analyses of the effects of strip mining was made by Robert J. Daoust, a graduate of Syracuse University with a B.S. degree in forest management. He was employed by the West Virginia Forestry Division in 1961 and in 1968 became district forester responsible for nine southern counties. Since 1970 he has been employed by the U.S. Army Corps of Engineers as a forester working in four States. His analysis, which was printed in the *Charleston, W. Va., Gazette* of February 14, 1971, follows:

#### FUTURE BEING STRIPPED AWAY

(By Robert J. Daoust)

Almost nine years have passed since I first journeyed through the rugged southwestern highlands of West Virginia. My experience in the state at that time was a brief and relatively uneventful tenure as a service forester of the W. Va. Forestry Division in the pleas-

ant rolling hills of Roane, Wirt, and Calhoun counties. With this background I was sent to Mingo County in the spring of 1962 to help forestry personnel fight numerous fires, worsened by unusually high winds.

Although I had been well briefed by my supervisors and had read and listened to numerous accounts about conditions in the coal fields, this first trip was a depressing experience. Subsequent to that first journey into Appalachian poverty, years of experience resulting from permanent assignment to the southern mountains has transformed my original consternation to cheerless acceptance. Familiarity however will never erase those vivid first impressions of the much abused landscape with its coal dust blackened houses.

As a professional, I had been trained to evaluate the land-use history of a region by observing the patterns of forest and vegetative cover, the relationship of agricultural to industrial land use and the over-all economic climate of the region. The story etched on those tortured hills and the faces of its people is a lamentable catalogue of human failure.

The occasional lands of prosperity resulting from the skilled union miner working in an automated mine contrasted with the sea of despair evident in the permanently unemployed. The gigantic welfare state created a specter of wretched people sitting idly on the porches of their rotting shacks with blank faces. The great public dole which feeds the body and destroys all traces of ambition and human dignity was in every hollow. It was indeed a pity to see a myriad of futureless children languishing in such abject poverty.

In the intervening years I learned that forest fires were a routine semi-annual occurrence of minor concern to all but a few dedicated conservationists. In fact, it was apparent the entire forest resource was considered of little value except as it might serve the interests of the big coal operators.

One does not spend very much time in the southern highlands before learning the basic economic law of the region. For 70 years "King Coal" has reigned supreme. This unfortunate condition harms the land, its resources, and its people. Seven miserable decades during which time the once proud and independent mountaineers have suffered every possible indignity at the hand of this despotic monarch.

Coal has been described as the "Brute of American Industry" upon which our highly touted standard of living has been built. Unfortunately, brutes seldom offer compassion to their slaves. A review of the poorly recorded history of coal mining in West Virginia reveals a complex and dramatic record of feudalism, enormous poverty, innumerable crippling injuries, great loss of life, and violence so brutal it makes western frontier history read like "Mother Goose Rhymes."

By far the most damning evidence of the total, utter contempt for the land, resources, and people of the once magnificent southern mountains is the loathsome and hideous strip mine. Monster earth moving machines gouge the mountains, cutting them open with unbelievable ease. Oaks, hickories, poplars, maples, sassafras, and beech; many lesser plants, mosses, delicate wildflowers, laurels, and rhododendrons; the food and shelter of birds, squirrels, raccoons, deer, and every other denizen of the forest succumbs to the brute power of these awesome contraptions. Down the slope it all goes, crushed trees, animals, and plants quickly covered by an avalanche of topsoil, yellow clay, rocks, and slabs of gray slate. Jack hammers bore into the exposed sandstone and explosives crack and shatter the yellow rock. Mammoth bulldozers

shove fragments as big as army tanks crashing down the slope.

The huge gash extends for miles around the mountain. On the uphill side a grim man-made cliff of jagged rock or "high wall" rises as high as 80 feet. On the downhill side extends a sweeping apron of splintered trees, loose soil, and jumbled rock fragments. The glistening black coal has now been exposed on the artificial bench and it too is blasted apart. Giant power shovels load it into waiting trucks to eventually feed ravenous steam generators or huge steel furnaces.

Close behind the stripper follows the auger miners with their "big screws." These devices riddle the mutilated mountain with thousands of holes drawing out as much as 15 tons of coal per minute. This wasteful method only recovers about 30 per cent of the coal and on occasion has so weakened the potential roof support that large isolated blocks of coal can never be safely recovered.

For six years I frequently piloted a state airplane at low altitude over the steep mountains and narrow twisting valleys of the southern highlands. It was a painful and saddening experience to watch mountain after mountain reduced to useless heaps. Most alarming was the steadily increasing rate of destruction as the enormous profits of strip mining financed bigger and faster machines to devour the land. Tens of thousands of acres have already been irrevocably destroyed and left useless.

What is there to be said about reclamation of strip mined land? As a professional, I can state that reclamation in the mountains of West Virginia is virtually impossible. This fact is clearly recognized and discussed in Section 11 of the present strip mine law. If this tough-worded section of the law had been enforced with the spirit and intent of the men who drafted and approved it, strip mining would have ceased in West Virginia. Unfortunately, however, history repeated itself and the defenders of the coal interests had their way.

In the normal course of my forestry activities I have crossed by jeep and on foot many miles of stripped mountainside. What little reclamation I observed will afford little protection against heavy rainstorms. Many of these sparse plantings have already washed down the steep slopes along with large quantities of mud after the first heavy rain.

The impoverished people who continue to reside in the midst of this desolation are gambling with their lives. A heavy downpour and resultant flash flood can and will bury them under an avalanche of rock and mud.

The current debate over whether to abolish strip and auger mining focuses on the most important decision in the entire uneven history of conservation in the state. The judgment when rendered will determine the fate of an entire region and its people.

The opportunity to abolish strip mining represents the first ray of hope to penetrate the dreary hollows of the coal counties in 70 years. It could be the juncture in state history which future generations will gratefully and proudly recall. It could be the great turning point when mountaineers discard the bonds of the absentee coal barons. It could be a signal to Kentuckians and Virginians; a beacon that leads the way and saves vast forested mountains beyond the borders of our state.

Lobbyists for the absentee land wreckers are on the scene and they are extremely well financed. They will drag out the old time-worn and faulty arguments that the state economy depends on the continuance of their obscene trade. Business interests who profit enormously from the sale of expensive hardware to the stripper will parrot the nonsense.

The evidence against this tiny segment of

the state's labor force is overwhelming. The highly paid strippers live alongside the poorest people in the United States. A substantial number of these skilled men will leave the state as soon as the outcrop coal has been stripped, easily selling their skills elsewhere. Of course they will have totally destroyed the land, endangered its people, and taken away any glimmer of hope for a better life.

West Virginia is losing population as the prospects for a better future diminish. The exodus of the capable young people from the southern mountains is most tragic. The more perceptive youngsters can see that as the land is destroyed and impoverished the chance of a meaningful future is eliminated. The remaining population will eventually consist of the very old, the very young, and the incompetent. As a result the prospects for any regional improvement grow dimmer and dimmer. The feeblest of minds must recognize that continued destruction of the region's resources can only lead to permanent poverty and despair.

The stripper knows that it is only a matter of time before overwhelming public opinion drives him from the land. He'll support any move that will buy him a little time because all he needs is a few years. His technology is so efficient he can decapitate and dismantle entire mountains. Failure to approve the proposed abolition legislation or the passage of another meaningless unenforceable "reclamation" law will effectively buy the stripper sufficient time to erase vast portions of our state.

On the other hand the legislators can take the first and powerful stride on the long uphill journey toward prosperity. They can look well beyond the traditionally alternating "boom and bust" coal market and the short-lived problem of re-employing highly skilled people. They can boldly design new programs which will re-employ the mass of jobless, undertaking vast conservation and community improvement projects. They can take the welfare fund which has fostered laziness and ignorance and invest it in the restoration of the land and more importantly the dignity of its people. They can envision a beautiful region where streams and rivers are crystal clear and mountains and covers grow new young forests.

These men of our legislature have a great opportunity to earn the gratitude and respect of all future generations of Americans by simply preserving a region which has been accurately described as the richest expression of the deciduous hardwood forests of North America.

One of my very good friends, a member of the West Virginia State Legislature, the Honorable Robert F. Hatfield, recently stated his views on strip mining in an article in the *Hurricane*, W. Va., Breeze. I found Delegate Hatfield's reasoning sound and his ideas expressed with clarity, so I would like to share them with my colleagues:

**DELEGATE HATFIELD EXPLAINS HIS POSITION ON STRIP MINING**

(By Robert F. Hatfield, Member of House of Delegates, Putnam County)

The public issue created by strip mining is, according to Senator V. K. Knapp, debatable. Perhaps, but in my view it is only if you, as an individual, are not intimately and adversely affected by stripping.

Thousands of West Virginians have been the victims of strip mining in years past. Many more thousands will be its victims in years to come unless, and until, the industry is abolished.

As the number of these victims doubles,

and then doubles again and again, such detached, calm discussions as presented by Senator Knapp regarding property rights and investments, tax revenues and jobs, will pale before the outrage of those victims.

Property rights and investments and tax revenues and jobs are, of course, vitally important to the people and the State of West Virginia. Senator Knapp is proper, therefore, in giving each weighty consideration.

But there is more to consider. There is the value of the quality of life lived by the victims of strip mining. Senator Knapp is not such a victim. As he indicated, "surface mining is presently almost non-existent" in his Fourth District.

It is, however, very much in existence elsewhere in West Virginia. And to those people who live in the midst of devastated mountains and flooded and polluted streams clogged with sediment and boulders, the abolition of strip mining is not really very debatable.

There are property rights and investments of those who own strip mineable coal to consider. But so too are the property rights and investments of those whose homes are ruined by that flooding to be considered, those whose walls are cracked by blasting, whose property values plunge as a direct result of the devastation surrounding them.

And frequently this devastation occurs even though the coal that is taken might actually be recovered through deep mining methods instead of stripping. There are experts in the field who suggest just this, but stripping is a cheaper method of production creating a greater profit.

Senator Knapp argues that at the John Amos Power Plant, indeed a valuable asset to Putnam County, approximately 30 per cent of the coal used will be obtained from strip mines. I believe his statement is true. Yet he also suggests that should strip mining be abolished, the power plant's development and operation would be curtailed. This, I do not believe to be true. In fact, West Virginia has known millions upon millions upon millions of tons of deep-mineable coal which can supply all our needs for many, many years to come—including those of the John Amos Power Plant. And each day new coal resources are being discovered.

In all the controversy over strip mining, however, the most volatile single issue is employment. Senator Knapp says industry supporters claim strip mining employs 22,000 persons—7,000 directly and 15,000 more in businesses which supply and support the industry.

Some industry supporters did, early during the recent legislative session, make such claims. Later, however, both supporters and opponents of the strip mining industry generally agreed that actually, a maximum of about 8,000 jobs would be affected, and maybe less.

Their agreement was reached after the State Department of Mines reported that, as of the first week in January of 1971, the number of persons actually employed in strip mining was some 4,100.

And Dr. William Miernyk of West Virginia University, one of the nation's leading economists, says no more than 4,000 additional jobs are indirectly affected by the strip mining industry.

Eight thousand jobs, of course, still of substantial concern—especially to those who would lose them if strip mining were abolished instantly. But instant abolition has never been the proposal. Rather, abolition was not sought until the end of a two-year phase-out period.

During those two years, with an economy improving such as is West Virginia's with a boom in deep-mining of coal, and highway and housing construction, it is quite probable that nearly all those who would lose

jobs through abolition would, instead, be able to find other employment.

Then too, there is another aspect of this job controversy. It is that strip mining is much like highway construction, and those persons employed in the industry are, to a substantial extent, transient. That is, their homes are actually located in other states and they are working here only until the completion of their particular project—whether it be an interstate highway or a strip mine. And while I earnestly hope we can provide more and more new jobs for more and more new citizens of West Virginia, the fact is that many of the jobs provided by the strip mining of coal in West Virginia do not actually go to those who plan to settle down here.

When considering employment, consideration must also be given to the future as well as the present. As more and more of our mountains are ripped apart, as more and more of our streams are clogged with sediment and overflow, as day-by-day our state's magnificent natural beauty is ravaged, what new industry creating new jobs will find West Virginia to be an attractive place to locate?

Not many, I suggest, and when, in 15 or 20 years all our land is stripped and all our beauty is gone, what will we have then? No more strip mining jobs and no new jobs in new industry.

Then too, Senator Knapp suggests that while abolition wasn't passed in the recent legislative session, those who support abolition should receive some solace from the bill that was passed. In sum, he indicates our strip mining controls are now stronger than before.

I question that. True, reclamation bonds were increased from \$300 to \$600 an acre and abolition for a two-year period was imposed in 22 counties.

But it's also true that there is now no strip mining in those same 22 counties—and coal discovery reports indicate, there never will be strip mining in 15 of those counties because it isn't there to be stripped.

Additionally, while the reclamation bonds were increased, a number of controls which previously were only regulations that could be tightened by administrative action, are now a matter of law and cannot be improved by the Director of the Department of Natural Resources.

A prime example of the effect of this action is that the degree of mountain slope which can be strip mined is now set by law at 33 degrees, even though the Department of Natural Resources earlier recommended that this be reduced, by regulation, to 25 degrees.

Finally, Senator Knapp and others imply that West Virginia can well afford a year-long study of the problems created by strip mining, and then, if the study is adverse, the Legislature can enact abolition.

Perhaps, but during that year more and more thousands of West Virginians will be intimately and adversely affected by the devastation created by strip mining. Already strip mine permits issued during the first quarter of 1971 are more than double that issued for the same period of 1970—and during 1970 the number of strip mining permits issued was 50 per cent higher than those issued in 1969.

All of which suggests that at the end of the year-long study there will be thousands more new victims of strip mining in West Virginia who will not find the issue of abolition quite so debatable.

Mr. Speaker, an excellent letter just reached my desk this morning from James P. Bland, clinic manager of the Southern West Virginia Clinic. His ideas

are expressed in a letter which he enclosed, addressed to a member of the West Virginia House of Delegates, and also an excellent article entitled "The Mountain State—Woodland or Wasteland," written by Prof. Robert Leo Smith of West Virginia University:

MAY 7, 1971.

HON. MARY MARTHA MERRITT,  
Delegated, House of Delegates,  
Beckley, W. Va.

DEAR MRS. MERRITT: I seldom take the time or trouble to write our legislative representatives but I have been so troubled over the strip mining situation that I feel compelled to write each of you and implore your urgent consideration of some action beyond what is now being undertaken. I realize and appreciate the many pressures you have as a legislator plus the fact that in most instances you have to approach problems from the standpoint of a compromise. I also have a fair realization of the economic values and effects of strip mining in West Virginia, but in this case I strongly feel that we no longer can compromise with strip mining, or we will see our home state completely devastated during our lifetime.

As you know, stripping has been going on for many years and we have all been too apathetic about the situation. However, with the coal market now being so good, plus the trend of legal curtailment of stripping, it is obvious to us all as to what is taking place. The list of strip mining permits on the front page of our local newspaper certainly attests to this fact! I am afraid the all out effort by the strippers while the legislature is conducting a study is comparable to watching a man drown while we sit on the river bank and decide which is the best method to save him.

Last week I happened to take a morning Piedmont flight to Washington, D.C. and when the plane was up over the Beckley area and the morning sun shone on the high walls, I could hardly believe my eyes to see the devastation in our immediate area. This was in direct contrast to our landing in Bluefield twenty minutes later where I could not see any signs of such scars in their area. I know the stripping is terrible but it really hits you between the eyes when you can see the extensiveness of the damage from the air.

As I said, I realize the economic pressures are great from those who are making financial gain from stripping, but many of these same people got along economically without stripping in the past and will have to again sometime in the future, so why not now! Moreover, now is the time to abolish stripping while our economy is good enough to absorb those whose jobs would be affected into other phases of mining and similar work. I hear the argument as to how badly coal is needed at this time but I find that many of the local companies in Raleigh County are shipping coal to Japan and other foreign markets. I certainly do not feel like permitting my home land to be desecrated for the sake of shipping coal to Japan and a few bucks in the pockets of out of state land holders. As you well know, the biggest profit margin in stripping does not go to the laborers who are doing the work. Surely you folks in the legislature can find some better solution than permitting continuation of stripping under the guise of a slogan about reclamation. These "thirty foot highwalls" in our mountainous areas can certainly never be reclaimed during our lifetime and probably that of many others. Admittedly they have a few good rehabilitated jobs on stripping projects, such as the Montgomery area, but these few tokens should certainly not

blind us to the total realism of this situation.

I have just read one of the most intelligent and comprehensive reports, as well as emotional, on strip mining that I have seen anywhere. The article is written by a professor at West Virginia University and appeared in the current Spring issue of "The West Virginia University Magazine". You may have already seen it or I am sure you will be exposed to it sooner or later. Therefore, I am enclosing a copy which I strongly urge you to give top priority to reading at your earliest opportunity. With this kind of information available plus the many obvious affects, I fail to understand why we should be losing valuable time with additional studies of the situation. Stripping is running rampant while all of this study takes place. The fairest way to both sides of the issue would have been to cease any further stripping permits or operations until a study was completed and not encourage the strippers to make hay while all of this was taking place.

As a native of West Virginia, I beg you to exert your influence to curtail this devastation as soon as possible and overcome the tendency we all have these days to sell our soul for a dollar.

Most sincerely yours,

JAMES P. BLAND.

THE MOUNTAIN STATE—WOODLAND OR  
WASTELAND?

(By Robert Leo Smith)

(NOTE.—Dr. Smith is a professor of wildlife biology at the University and has written numerous articles on ecology. His book, *Ecology and Field Biology*, was published by Harper and Row in 1966. A new work, *The Ecology of Man*, will be issued by the same publisher this fall. His syndicated column, "Outdoors West Virginia," is carried by a number of newspapers in the state.)

During the 1970s the major problems facing most states will center about expanding populations, city and suburban expansion and deterioration, and the environmental problems they create. By contrast the major issues of West Virginia will center about the production of power, which will create innumerable problems and public crises unless they are faced ahead of time.

The demand for power will double over the next ten years. Coal and water will continue to be a major source of that energy in spite of the glowing promises of nuclear power. At present nuclear power is based on fission reaction. Uranium-235 is bombarded with neutrons which convert U-235 into a series of fission products including reusable plutonium, neutrons and usable heat. Eventually the U-235 is totally utilized. The effect of this result is a heavy drain on the very limited supplies of low-cost uranium. Unless our present type of power reactor is replaced with breeder reactors, which can convert fission products into usable radioactive materials at a high rate, the world faces the exhaustion of inexpensive sources of uranium within twenty years and the irretrievable loss of uranium. Although a crash program is underway to develop breeder reactors that can utilize low-grade sources of fissionable material, the solution to the problems (including removal of the danger of radiational pollution of the environment) is at least 10 years away.

Although the use of coal as an energy source will probably decline if nuclear power becomes more important, increased power needs will require proportionately more coal than is being used now. Demand for coal in the steel and chemical industries will stimulate the opening of new fields, taking place at

an increasing rate, which will involve deep, auger and strip mines.

Both the demand for and the high price received by coal is stimulating a rapid increase in strip mining, not subject to the high production costs nor the long time involved in opening up new seams characteristic of deep mining. Increased strip mining poses a very serious threat to the land resources of West Virginia. Our steep slopes are not suitable for strip mining. The excavation of the coal results in very tall "high walls" on the inside of the slope that isolate the ridge tops and render them useless both for wildlife utilization or any economic use such as timber. The overburden, shoved over the side of the mountain, creates precipitous down slopes that buries vegetation. Where several seams of coal exist on the same slope an entire mountainside can be converted into one huge pile of overburden. The original slopes are destroyed, the narrow valleys are filled and the whole area is reduced to a pile of broken rocks, slate, shale and yellow clay.

Although strip mining is highly efficient, there may be many places in a mountain where the overburden becomes too great for economical stripping, yet the unstrippable seam of coal is exposed along the highwall. To remove this, auger mining moves in.

The spoils created by strip and auger mining are highly unstable. Water seeping into and percolating through the overburden wets the clays and shales. The slipperiness of the clays, the weight of the overburden, and gravity combine to cause massive landslides that can block mountain roads and dam mountain streams. Water rushing down steep slopes carries with it tons of sediment that is washed far downstream. Comparison studies of strip-mined land with adjacent undisturbed forest land in Beaver Creek Basin, McCreary County, Kentucky, showed that sediment yields increased 1,000 times their former level on strip-mined land. The sediment yield from a forested watershed in 1958 was 27.9 tons per square mile, from the adjacent strip-mined land 30,000 tons per square mile. The increased sediment discharge from strip-mined land had a much higher percentage of fine particles than sediment discharge from undisturbed land. And channels receiving drainage from the disturbed land have become clogged with recently deposited sediment that also found its way into streams far below.

In 1969 the Soil Conservation Service completed a study on the erosion of spoil banks on the Spruce Fork and Clear Fork of Coal River, Kanawha County, West Virginia. Three spoil banks ranging in steepness from 66 percent to 96 percent lost 3.5 to 3.8 inches of spoil material from the surfaces of the slope. From these two creeks alone 19,700 tons of silt flows annually into Coal River.

Strip mining alters the ground water regime. Water tables once deep in the underlying rock strata are exposed and flow freely to the newly created surface. Heavy surface runoff collects in pits and benches. During periods of intense spring and summer storms, runoff flows freely from strip mines with tremendous force, intensifying and heightening the damage from flash floods and washing out stream channels and narrow flood plains below.

To complicate the problem, the spoils, especially in West Virginia, are not easily vegetated. The spoil material, a mixture of rock fragments, sand, silt and clay high in iron, aluminum, magnesium and sulphur is too acidic and toxic to support life. Revegetation on many spoils is nearly impossible because of the acid and toxic soil of the overburden, the extremely unstable slope and severe environmental conditions. For the exposed acid materials to leach out to a

point where the material might support life again could require 800 to 1,000 years. Thus, for short-term economic gains, many parts of the state are in danger of being destroyed for centuries.

Of all ecological changes brought about by coal mining, both deep and strip, none is more damaging or affects a wider area than acid mine water pollution. Mine acid entering a stream destroys it. For the most part aquatic life associated with clear-running streams is killed from the high concentration of acid, the ions of iron sulphate and the deposition of a smothering blanket of iron precipitates on the stream bottom.

Much of this expansion will take place in the scenic eastern highlands. Mining activity in our eastern regions because of pollution regulations threatens to destroy the timber production on the National Forest, to eliminate the last of our fishing streams, and to reduce, if not entirely eliminate, population of such game animals as the wild turkey and the black bear. The eastern highlands are also the heart of a growing and potentially lucrative tourist and recreation industry. At present coal and recreation are incompatible. They will remain incompatible, and a source of considerable friction and legal battles, unless strong efforts are made by both industry and government to control mine acid drainage, restrict and strongly regulate strip and auger mining, prevent acid mine drainage, control gobblies and other eyesores so characteristic of the coal industry, and limit or prohibit mining of coal in areas of great scenic and ecological value.

The coal industry has yet to show any real interest in environmental conservation. A great deal of publicity is directed toward the reclamation of strip mines. State law requires that stripe mine operators pay a fee of \$30 on every acre of surface land destroyed. This money is to be used to reclaim "orphaned banks"—ones on which no reclamation has failed. Yet studies indicate that costs of reclamation are over \$2,000 an acre. Thus, little if any newly significant reclamation is ever done. Reclamation in mountainous regions usually amounts to little more than hydroseeding of water, straw and seed on steep slopes. The land is then considered reclaimed. To strip coal in the mountain counties we lose some of the finest forest land in eastern North America and gain, at the worst, uninhabitable, unproductive tracts of desolate landscape, and, at the best, a ruined landscape supporting a spotty growth of grass and legumes.

One of the more economical ways to convert coal to power is to construct power plants near coal fields so that the coal can be mined or stripped and conveyed directly to power plants without costly transportation costs. In the valley terrain of West Virginia these plants can cause serious air pollution problems. The deep narrow valley and steep sided mountain provide ideal conditions for formation of inversion layers which trap pollutants in the valley. Inversions form early in the evening in valley bottoms and deepen as night progresses and more cold air draws into the valley. The cold air is trapped by warm air that lays like a belt across the valley just below the ridge. Smoke from power plants and coal processing plants rises until its temperature equals that of the surrounding air. Then it flattens out and spreads horizontally. Unable to rise, the pollution fills and spreads through the length of the valley, physically affecting the people and blighting the vegetation. You need only to look at a topographic map or fly over the state, or stand on one of our higher summits to realize how vulnerable this state is to air pollution.

Air pollution, however, is not the only environmental problem associated with power plants. Another one of growing importance as power plants increase is thermal pollution. Producing electricity by steam electric stations is not an efficient operation. Much of the energy of fuels cannot be converted to electricity and is lost in the form of heat which must be dissipated. Although the ideal way to get rid of the heat is to release it to the atmosphere, the most economical way is to allow the water to discharge the heat to the air. Where ample supplies of cooling water are available, fresh water is circulated through the condensers where it picks up the heat. The heated water is then discharged back to the waterway. When ample supplies of cooling water are not available power plants are evaporative or wet cooling towers. Most of the waste heat is dissipated to the atmosphere by the evaporation of a small part of the cooling waters and the water is then recycled through the condensers once or several times before it is passed out to the stream or river. Power plants generally increase water temperature 10 to 30° F above the normal stream or lake temperatures. The temperature of the discharge varies with the season, reaching the highest in the summer when water is already warm and the flow is down. Then it is not unusual for discharges to reach 100 to 115° F.

Such temperatures are lethal to aquatic life. Increases of only a few degrees in temperature especially in the summer months, may cause 100 percent mortality among-aquatic animals. Temperature also influences the behavior of fish, reproduction and life cycles.

Much of the water utilized for cooling by power plants contains mineral matter that can be highly corrosive to condensers. Deposits of metal and biological growth on the walls of condenser tubes and on boilers can reduce heat exchange capacity and electrical generating efficiency. To clean these surfaces the electric power industry uses a variety of detergents, acids and chlorine which, along with the metallic materials, are washed into the stream. They may eliminate what life has been able to survive the high temperatures of the water. This has occurred already in West Virginia.

Thermal pollution need not occur nor do the wastes from the cleaning of boilers and condensers need to be discharged into streams. Thermal pollution can be reduced by use of dry type cooling towers, which function as enormous auto radiators. They operate on the principle of direct transfer of heat from tubed radiator devices to the atmosphere. Such installations are 2 to 3 times as expensive as evaporative cooling towers, and would raise the consumers' electric bill by 2.6 percent. When compared to present day inflation this isn't too high a price to pay for the control of thermal pollution. But it destroys the electrical power industry's sales pitch that the cost of electricity per kilowatt hour has been declining. Low cost per kilowatt has been at the expense of environmental quality.

A second source of energy in West Virginia will be hydroelectric power. Some power dams may be beneficial to recreational development but too many of them will destroy unique scenic areas or the quality of streams and drown out productive lowland forests and agricultural land.

West Virginia is commonly called a mountain state: It is more appropriately a valley state. The vegetation is influenced for the most part not by altitude as it is in the high mountains, but rather by the exposure of the mountain slopes. The best timber grows on the lower slopes and in the coves. The finest farmland is in the narrow valleys. Our mountain tops or ridge tops are dry and rocky

and not particularly productive of timber, wildlife or food.

Because it does have narrow valleys and steep mountainsides, West Virginia provides excellent sites for dams, both for power and for questionable flood control. Plans already are well underway for the construction of a power dam in the Canaan Valley which will destroy that scenic and historic mountain-top valley. Yet the environmental effects of that dam have not been fully studied. The Rowlesburg reservoir will drown out some of our finest farmland, a number of small and historic towns, and excellent forests, and it will tame a river that has been described in national magazines as one of the wildest in the East. Also proposed is a monstrous power dam, the Swiss Dam, that will back up the waters of the Gauley River from the town of Swiss to the Sutton Dam. It will burn more than 3,000,000 tons of coal per year which would create enormous pollution problems in that area. The Army engineers have on their drawing boards numerous dams suggested for future construction. Indeed if all the dams recommended are built in West Virginia during the next several decades, we will lose our highly productive valleys and mountain slopes and be left with largely sterile lakes and islands of unproductive mountain tops.

Few people consider West Virginia an agricultural state. Although we may lack the expansive cornfields and enormous feedlots of the Midwest, agriculture still is very important to the state. Yet when power and flood control projects are planned, not only in West Virginia but in other states as well, no thought is given to the loss of farmland that will occur. We live under the very false assumption that we have sufficient land for future food production in the United States, that technology will increase the productivity per acre. But there is a limit to the productivity of the land and to the conversion of energy by photosynthesis. The real truth is that a growing population and the continual loss of our best farmland to dams, roads, industry and homes will place a serious strain on our ability to produce food in the not too distant future. We need to be concerned about the protection of our best farmlands and their preservation should have the highest priority. In the future, first class farmland will be far more important to human welfare than hydroelectric or flood control dams.

Another environmental problem of the 1970s is the expanding road construction in the state. Increased building of roads, so desperately needed in West Virginia creates more environmental damage in our state than in most other states. Massive hillside cuts can expose as much raw earth and can scar the earth, the mountains, as greatly as strip mining. These roads will require intensive planning to reduce environmental damage, to protect scenic and cultural values, and to prevent excessive erosion and siltation.

For all its history West Virginia has been exploited by outside interests who have removed our timber and mined the coal, leaving the state degraded ecologically without really helping it economically. The profits accrued from our resources have flowed out of the state. Now with increased demands for energy, not only other states but other countries look to West Virginia as a source of energy. We are rapidly becoming a coal bin to the world. Our valleys are viewed covetously as sites for hydroelectric dams. Unfortunately, all of the coal that is mined and the power that is produced is not being used to economically improve our State. The coal and the power is and will be exported for use outside of our boundaries, and the wealth obtained will enrich not West Vir-

ginia but states, industries, corporations and stock holders in distant places. The same exploitative pattern that so characterizes our past will be accelerated in the future. Unless we guard against it we will inherit from coal and power only more polluted streams, polluted air, and a destroyed landscape.

If West Virginia is not to become poorer in the 1970s we must take immediate steps to prevent increased degradation of water, air, and landscape that will surely come with an expanding need of coal and power. As much as West Virginians hate to consider it, the answer lies in ecological land-use zoning on a grand regional basis. Such zoning should consider protection of our valuable farm land, recreational demands, forest production, wildlife and fishery resources, air and water quality road locations, and the sting of hydroelectric dams, and location of deep coal mines and strip mines. In fact, throughout much of southern West Virginia strip mining should be prohibited as being too damaging to both the environment and the long term economy of the state. Zoning studies should be undertaken soon and be fully implemented by legislative action, by a fair severance tax on both the coal mined and the power produced to finance the maintenance and improvement of the quality of our environment and the human resources. To fail to do either can head West Virginia well on the road to self-destruction by the 1980s.

Mr. Speaker, Dr. William H. Miernyk, of West Virginia University, has discussed the economics of strip mining in a most persuasive fashion, in an article which was reprinted in the Parkersburg, W. Va., Sentinel dated February 18, 1971:

STRIP MINING ECONOMICS DISCUSSED BY  
PROFESSOR

(NOTE.—The author of the following article on the economics of strip mining is Benedum Professor of Economics, and Director of the Regional Research Institute at West Virginia University.)

(The article was written in response to a number of inquiries about the potential economic impact of the proposed ban on strip mining on the West Virginia economy. The views expressed are those of the author, and should not be attributed to West Virginia University.)

(By William H. Miernyk)

The current controversy over strip mining shows how statistical juggling can confuse a fairly clear-cut issue. Surface mine spokesmen have claimed that 22,500 persons depend on strip mining for their livelihood. This figure includes all workers employed in surface mines, those employed in supplying industries, and all the members of their families. This is the number of persons it is claimed who "benefit" from surface mining.

But where there is an economic "benefit" there is also an economic "cost." In the case of surface mining, this cost results from acid drainage, soil erosion, and general damage to the environment. Environmental damage lessens the chances of other kinds of economic development. Thus the "cost" of surface mining is borne directly or indirectly by all the residents of the state. If it is legitimate to say that 22,500 West Virginians "benefit" from surface mining, it is also legitimate to say that 1.7 million West Virginians are paying the "cost."

If strip mining is banned in West Virginia a certain number of jobs will be phased out over a two-year period. This raises several important questions: How many workers will be affected, directly or indirectly, if surface mining is outlawed? What are the economic

grounds for proposing that strip mining be abolished? Who stands to gain and who stands to lose if surface mining is allowed to continue, or if it is banned entirely?

The latest figures reported by the West Virginia Department of Mines show an average of 2,904 persons employed in surface mining in West Virginia in 1970. And strip operators produced 26.9 million tons of coal last year. This represents an increase of almost 50 per cent in the production of surface mines over 1969. The National Coal Policy Conference expects strip mining to increase less this year than it did in 1970, since deep mine capacity in West Virginia will increase by almost 40 million tons this year. To be on the safe side, however, we may assume that surface mine production in West Virginia will increase by 30 per cent this year. If surface mine production should reach 35 million tons direct employment in strip mining will increase to 3,378. This is the number of workers who would definitely lose their jobs over a period of two years.

Employment impacts are not, of course, limited to the workers directly employed by an industry. If production in one industry goes down suppliers to that industry are also affected. Thus any estimate of the economic effects of a ban on strip mining in West Virginia should include the indirect as well as the direct effects. Indirect effects can be measured using what economists call an input-output model. Such a model, which consists of a set of highly detailed statistical tables, has been constructed for the State of West Virginia by the Regional Research Institute at WVU. From this model employment multipliers have been calculated for each industry in West Virginia. In the case of surface mining the employment multiplier is 2.07. When all the direct and indirect effects have been worked out, the initial job losses due to a ban on strip mining could be 2.07 times the number of strip miners directly affected. The maximum number of jobs that could be lost in West Virginia, over a two-year period, is 7,820.

But one important point must be made about employment multipliers. The employment multiplier is a static concept. It provides an estimate of job losses on the assumption that everything else in the economy remains unchanged. If an economy is declining the employment multiplier will understate the true impact of job losses. If the economy is expanding, the employment multiplier will overstate actual job losses. The actual economic effects of a ban on strip mining in West Virginia will thus depend to a large extent on the timing of the ban, and on the state of the economy at that time.

One good indicator of the state of an economy is the amount of personal income received by its residents. For more than 20 years, personal income in West Virginia increased more slowly than that of the nation as a whole. But in 1970—for the first time in more than two decades—personal income in West Virginia increased at a faster rate, by 7.5 per cent while the increase for the nation was only 6.1 per cent. Largely because of a strong increase in the demand for coal, the West Virginia economy has enjoyed a modest boom at the same time that the national economy was in a modest recession. This does not mean, of course, that West Virginia's economic problems have been "solved." Problems engendered by long-term economic decline are not solved in a year or two. The important point is that West Virginia's economy is now expanding, and this expansion will cushion the impact of job losses due to a ban on strip mining.

Some of the workers employed in strip mining—tipple operators for example—can find jobs with deep mines, and many deep mines are now aggressively recruiting work-

ers. But the skills of most workers employed in strip mining are more closely related to the skills of engineering construction workers than they are to the skills of underground miners. This is significant since West Virginia is now in the midst of an extensive highway construction program. Because strip mine employees and highway workers belong to the same "job family," it would be possible for many strip miners to find jobs with road construction companies.

When the current state of the West Virginia economy, and the availability of job alternatives, are taken into account, the job losses estimated by the use of static multipliers are probably too high. One cannot be precise about the actual number of jobs that would be lost as a result of a strip mine ban, but it would be a smaller number than the one obtained from a mechanical application of the static multiplier.

It would be misleading to imply that a ban on strip mining would be entirely painless either from the point of view of the West Virginia economy or of individual workers. Job dislocations are never a simple matter for the workers affected. Even if the workers are lucky enough to find other jobs immediately, they and their families must often go through a difficult period of adjustment.

But economic policy cannot be decided entirely on the grounds that some individuals will be adversely affected. Many public policies have adverse effects on specific individuals, but they are adopted by lawmakers because society as a whole stands to gain. This is true, for example, when Congress refuses to impose quotas on imported products. Workers in the industries affected may lose their jobs as a result of rising imports, but all consumers gain as a result of lower prices. It would be easy to provide other illustrations of public policy decisions that result in economic injury to a few in the short run, but which provide economic gains for society as a whole in the long run.

From an economic point of view, strip mining in West Virginia should be banned only if the gains to society as a result of this action will be greater than the social losses. Clearly, those who advocate an end to strip mining believe that this will be the case. They believe that the social costs of strip mining are greater than the social benefits. The social benefits of strip mining are very small, although private benefits to operators and employees may be substantial. But the social costs of strip mining are very high. This is because all of the gains from strip mining—whether to individuals or to society—are of a short-run nature while the costs may be borne by several generations.

If surface-mined land could be restored to its original state, the coal industry would gain and society would not lose. The Surface Mining Act of 1967 requires operators to post a bond on land that is strip mined until the land is reclaimed. But the reclamation provisions of this law have not been adequately enforced. Although the law specifies that the directors of the Department of Natural Resources may deny permits on land that cannot be successfully reclaimed, there is no record of such denials. There are not enough inspectors to cover the more than 32,000 acres that were strip mined last year. And with a few notable exceptions—such as the well-publicized reclamation activities of Tracy Hylton in Nicholas county—strip miners leave behind them land that is devastated rather than "reclaimed." The costs of this devastation in terms of acid drainage, siltation, erosion and other forms of ecological damage can only be estimated. But these estimates tend to run high.

Estimates of the cost of acceptable reclamation of strip mined land run from \$1,200

to well over \$2,000 an acre. These figures may be used as rough benchmarks of the short-run social cost of strip mining. If this cost is not met on an annual basis it would have to be compounded, using an appropriate interest rate, to obtain an estimate of long-run social costs.

Using the estimates given above, it would have cost between \$38 and \$64 million to reclaim the land strip mined last year. Who should bear this cost?

Increasingly, economists have accepted the view that businesses engaged in economic activity which results in environmental damage should pay the cost of that damage. These are "external" costs. They are not part of the internal costs of production of the business establishment. But many economists now argue that these external costs should be "internalized." Why should society pay these costs, they ask, when the benefits of the economic activity go to a limited few? Those who accept this view would argue that surface mine operators in West Virginia should be taxed at rates ranging from \$1,200 to \$2,000 per acre. This would transfer the "external" costs of environmental damage to the internal costs of the firm. If the market price of coal would permit the operators to pay this tax and still earn a profit, the total cost of strip mining—private and social—would be covered.

If we assume that the 26.9 million tons of surface coal sold at an average price of \$7.00 per ton last year, the total revenue of the industry would have been \$188.3 million. Thus the cost of acceptable reclamation would have ranged from 20 to 34 per cent of the surface mining industry's total income last year. Clearly, the industry could not have paid even the smaller of these amounts in taxes and remained in business. Yet this is what it should have paid if the external costs had been "internalized."

It is difficult to avoid the conclusion that the social costs of strip mining far exceed any social gains. Tinkering with the Surface Mining Act of 1967 is not the answer to the problem. There can be no acceptable compromise between the short-run private interests of strip mine operators and their employees and the long-run social interests of the citizens of West Virginia.

Mr. Speaker, one of the prime movers in the abolition movement in West Virginia is West Virginia's Secretary of State, the Honorable John D. Rockefeller IV. Mr. Rockefeller's view on strip mining is ably set forth in the enclosed article from the March 1971 issue of Pathway magazine:

#### MY POSITION ON STRIP MINING

(By John D. Rockefeller IV, Secretary of State)

The simple truth is that I genuinely love West Virginia's tremendous natural beauty. And I enjoy that beauty by being an outdoorsman of sorts—a hiker.

So it was that nearly two years ago my wife, Sharon, and I were hiking along Otter Creek in Randolph and Tucker Counties. We both agreed that with the area's majestic trees, its lush undergrowth and its crystal clear mountain streams, Otter Creek is one of the most beautiful areas in the eastern United States.

But then I heard bad news for that beauty. First, there was talk of logging. And next, there was prospecting for coal.

With the talk of prospecting for coal, I thought about what the devastation of strip mining might do to an area so beautiful as Otter Creek, and what it was already doing elsewhere in West Virginia.

As a consequence, late last summer I set

out to assess as thoroughly and reasonably as possible the effects of continued strip mining of coal in West Virginia. My purpose was to develop a position on strip mining for this session of the Legislature.

I spent hundreds of hours making a variety of field trips—by car, on foot, and by helicopter. I went to strip mining operations both north and south of the Kanawha River. I listened to the views of operators, conservation groups, unions, state government officials, federal and state reclamation people, Corps of Engineer experts, water experts, and soil experts. I read the literature, studied our laws and other states' laws, did research on the economic and job significance of the industry. I saw the new and the old, the bad and the better.

I considered the difference between the northern coal industry and the southern; the possibilities of reclamation research; the consequences of tightening the laws or of leaving the laws alone, of reducing the slope levels to 25 or 20 degrees, and of abolishing strip mining altogether.

I saw the reclamation of operators who care, and the work of those who don't.

The dilemma is a classic one: West Virginia needs both its job opportunities and its natural beauty. State policy should try to preserve both. But I am convinced—reluctantly but strongly—that strip mining of coal in West Virginia must be prohibited by law, completely and forever. That's why I decided to work for statutory prohibition in this session of the Legislature.

Clearly, the industry has tried to do a better job since the 1967 strip-mining law. It has worked on seeding spoil banks, sloping benches, planting, water impoundments, and covering toxic materials. I saw a few operators, who had been conscientious and somewhat successful. I saw many more operations that were neither conscientious nor successful.

Even the best efforts fell short of preventing slides, acid drainage and other stream pollution. And I saw no solution to the most glaring problem of all—the highwall. This is the fatal flaw of reclamation. The highwall is the signature of the strip miner. Wherever he goes, he leaves it there. Bleak rock circles, often two or three tiered and semi-permanent, shatter the contoured beauty of our hills. The effect is devastating and humiliating.

Frankly, I think of those highwalls as a cancer, spreading out from hill to hill, on and on, into more and more areas. Why should Grant, Raleigh and Upshur Counties, for example, all with ample strip coal reserves and quiet scenic landscapes, fall prey to this cancer?

Our state's natural beauty is a great resource now, and will become more so. But it is a fragile beauty, highly personal, easily destroyed, and a beauty that depends on space and isolation and mood. In other words, a frontier beauty.

We still have it, but we are losing it. *The highwall is like a knife slash through a painting; you can patch it up, but somehow it is always there, and the beauty and mood, the closeness, are never the same again.*

The industry says it needs time for research. I say it is too late for additional research. The damage to large sections of our state is already beyond repair.

There is a special urgency to act now. The energy crisis has made the demand for coal so great that the next few years will see a fury of stripping. Huge new equipment has been developed to speed the job.

Too much of West Virginia is already a tangle of ugly highwalls and eroded spoilbanks. The damage is grotesque.

Despite the efforts of the Reclamation Di-

vision, I am convinced stronger enforcement is not the answer.

Our enforcement history in West Virginia has not been a distinguished one, and there is no reason to expect it to show any marked improvement now. In any event, the Reclamation Division will be needed to work on the tens of thousands of acres of presently unreclaimed strip-mined land.

I am, of course, deeply concerned about the number of jobs—both direct and indirect—involved in prohibiting strip mining. But even the immediate labor impact should not be insuperable. Only one-half of one percent of the work force in West Virginia is directly engaged in stripping. The bulk of these men are highly skilled workers—tippie operators, mechanics and heavy equipment operators whose services are definitely marketable. Nearly all of these men will be able to find good work. Services and businesses dependent on strip mining may not be able to adjust as well and as quickly. Nevertheless, the public interest must assert itself at some point. It rarely has in West Virginia.

It is argued that America faces an energy crisis and that strip mining is part of West Virginia's obligation toward meeting the national demand for coal. But other less destructive methods can be employed to extract West Virginia coal. Stripped coal is mined at a high benefit to a few but at too great a cost to all West Virginians.

Neither America nor West Virginia will always be able to have it both ways—all the energy they want and all the beauty and tranquility they want. It isn't often, particularly in West Virginia, that anything as intangible and basic as beauty and the quality of life can stand their ground against economic and political interests. But in this case, the political process must function in behalf of this and future generations, in order that they may have beauty and tranquility.

One of the fallacies of our state's environmental efforts became clear to me as I studied the strip mining problem—that oil and gas well sites and deep-mining sites, as well as our own state highway building efforts show a basic disregard for the responsibility of reclamation. Some of the worst highways and spoilbanks in the state are direct results of our roadbuilding program.

Strip mining, however, is the problem with first priority. Each citizen loses each time any of our hills are permanently scarred and disfigured by strip mining. The loss diminishes the state as a whole, while stream pollution and sedimentation are specific losses. Most important, such damage limits future alternatives for our state. We become less attractive to industry, to tourists, to retaining our own citizens.

For all these reasons, I decided to strongly support legislation now before the Legislature to end strip mining.

Because of the economic effects brought about by abolition, there will be, of course, a certain winding-down period necessary. Displaced workers must have time to find jobs; strip mine operators have major capital investments in equipment and heavy machinery. Power plants utilizing strip coal must find other fuel supplies.

But West Virginia's economy is on the upswing and there has never been a better time during the past 30 years for the adjustment required by abolition to be made than now.

Even more importantly, if West Virginia doesn't make this adjustment now, it will be tremendously more difficult to do so in some future year when the necessity for abolition becomes increasingly clear.

Finally, I feel it is fitting and a matter of pride that West Virginia, a state most richly blessed by natural beauty and a state

most cruelly devastated by strip mining operators, should take the lead in historic environmental legislation. I sincerely believe the most responsible, the most significant, and the most generous contribution this 60th Legislature can make to all our people is to abolish strip mining.

Mr. Speaker, I include a statement which I made on April 12, 1971, as well as a statement which I made on April 22, 1971, at a briefing for Members of Congress and their staffs. Present and participating in this briefing were Hon. John D. Rockefeller IV, secretary of state of West Virginia; Hon. JOHN SEIBERLING, of Ohio; and West Virginia coal miners Clarence Pauley, of Van; Ivan White, of Madison; and Arnold Miller, of Ohley. Because of the eloquence and importance of the statement by Arnold Miller, I am including the entire text of his remarks on that occasion:

STATEMENT BY REP. KEN HECHLER,  
APRIL 12, 1971

I raise my voice today in a cry of agony and anguish for the land of Appalachia, where Mother Earth is being nailed to the cross by the strip mining of coal.

In the past week, I have visited strip-mined areas of eastern Ohio, Kentucky and my own state of West Virginia, and the devastation by the strippers is escalating by the hour. Billions of tons of valuable topsoil, trees, rocks, the habitat for wildlife and the hills themselves are being chewed and churned up because it's so cheap to make a quick killing when you can pass the environmental costs on to future generations.

Next week is Earth Week, and no doubt many administration spokesmen will be out with their best-polished rhetoric on the importance of the environment.

But I charge that the leaders of this nation are apathetic, stagnant and insensitive toward the national crisis affecting our land which has resulted from the pell-mell race of the strip miners to rip out the coal before Congress acts to put a stop to this environmental hara-kiri.

The fact is that President Nixon's own people are undercutting his professed desire to protect the environment. The credibility gap is growing wider every day.

Just before Easter, two press statements were made by the Department of the Interior. One release summarized a significant study by the U.S. Geological Survey, indicating that in the Beaver Creek basin in south central Kentucky "strip mining of coal in the basin has significantly increased the acidity and mineralization of surface and ground water, and increased the sediment of streams below the mined area. These changes in water quality, in turn, have adversely affected aquatic life in the stream." The study is a damning and documented indictment of the seriously adverse environmental effects of strip mining.

The second press release contains the text of a speech by Hollis M. Dole, Assistant Secretary of Interior for Mineral Resources before the Pacific Northwest Metals and Minerals Conference in Portland, Oregon. In the entire 7-page speech entitled "Energy, Environment and the Economy," Secretary Dole has one slim sentence about strip mining, and all he says is that "strip mining, without proper land reclamation, is particularly offensive to esthetic values." He says nothing about acid mine drainage, as documented in the report of his own Department. He says nothing about the millions of tons of sediment from strip-mined spoil banks, washed into the streams by the spring rains. He says nothing about the human beings

whose homes are shaken by blasting, whose lawns are covered by muck, and whose water from the tap has turned black and undrinkable. He says nothing about the Gem of Egypt, and other ten-story power machines that every day are making huge new acreage look like the surface of the moon. To listen to Secretary Dole, you would think those who are concerned about strip mining are just a bunch of nuts who love to go out and gaze at the scenery.

Both the President and Secretary of the Interior Morton have sounded the trumpet for action, the President in his Environmental Message of February 8, 1971, and Secretary Morton in his letter to the Vice-President and Speaker dated February 10, 1970. Secretary Morton predicted that by 1980 5 million acres, an area the size of the State of New Jersey, will be disturbed if surface mining continues at the same rate.

What good does it do to make speeches against strip mining, if you have a man like Assistant Secretary Dole who apparently does not believe in the recommended legislation? How effectively will such a law be enforced by a man who is obsessed with production like Secretary Dole? I personally feel the bill being recommended by the Nixon Administration is pretty toothless to begin with, but apparently even that is too strong for Secretary Dole.

In his State of the Union message, the President observed that "most Americans today are simply fed up with government at all levels." The President said in his March 25 message to Congress that "the major cause of the ineffectiveness of government is not a matter of men or of money. It is principally a matter of machinery." The President then attacked the scattering of responsibility among many different bureaus and agencies, and said he was going to bring some organizational sense into government by streamlining its organization.

I listened carefully to the President, and to Governor Connally when he briefed Democratic Congressmen over scrambled eggs at a White House breakfast. But what good does it do to re-structure the organization of government when you have high officials like Secretary Dole, who either don't believe in or are decidedly unenthusiastic about a policy like regulating strip mining?

Furthermore, if you put the Bureau of Mines into a new Department of Natural Resources, and bury it in a new subdivision headed "Energy and Minerals Resources", you're not only taking the human factors out of coal mine safety, but you are subordinating the need to protect the environment against strip mining to the all-out drive for production of more and more energy.

Easter is the season when we herald the spiritual rebirth of all mankind. The awakening and renewal of life which accompanies the Easter spirit will never be realized as long as we continue to plunder and scar the earth, decapitate the hills and poison the waters of the earth which are God's handiwork.

EARTH DAY BRIEFING FOR CONGRESSMEN ON  
STRIP MINING OF COAL, APRIL 22, 1971

(Statement by Representative KEN HECHLER)

On Earth Day 1971, there is a surge of public support for legislation to ban the strip mining of coal. There are now 73 Members of the House of Representatives from 24 states co-sponsoring H.R. 4556 and companion bills, introduced in the Senate as S. 1498 by Senators Gaylor Nelson (D-Wis.) and George McGovern (D-S.D.).

At the same time, a well-financed lobbying and advertising campaign has been launched by the National Coal Association

and its allies to stave off this legislation long enough to enable the strippers to make some quick killings. The strip-miners are racing to rip out more coal with their giant gouging machines, decapitating hills, ruining topsoil, destroying the habitat for wild life, pouring acid and sediment into streams, laying waste huge areas of valuable timber, causing floods and landslides, and even where reclamation has been attempted the land has been drained of its productiveness, value, resources, and beauty.

Strip mining produces a high profit margin because the damage to the environment is not figured in the present costs; these environmental costs are simply passed on to future generations. They cry "energy crisis" and "job losses" in the face of efforts to protect the soil, hills, forests and streams. Coal can and must be obtained from the billions of tons available through deep mining, and a start must be made immediately to prepare for opening those deep mines needed in the coming years, with due protection against environmental damages. Congress is now passing an accelerated public works act which, along with construction, housing and other constructive jobs should assist in providing employment. We can no longer afford to assault the environment in order to provide either energy or jobs. We can no longer afford to allow technology to be our master, rather than our servant.

In West Virginia, the fight to abolish strip mining received a tremendous boost through the strong support of Secretary of State John D. Rockefeller IV. The path to power in West Virginia can be transparently simple: go along with the coal barons and their powerful economic allies, and also work closely with those political leaders some of whom follow the example of the extractive industries in taking out more than they put in. Thus, "Jay" Rockefeller displayed a special brand of courage in West Virginia when in the closing days of 1970, he publicly announced that he favored an outright ban on the strip mining of coal in our beautiful mountain state. He may have lost a battle in the State Legislature, but he won the war on the side of the people.

Mr. Rockefeller is here today to talk exclusively about the West Virginia situation, and he is taking no position on the Federal legislation co-sponsored by Rep. John Seiberling (D-Ohio) and myself, among others.

I am impressed by the tremendous public support from both coal mining states, and those areas where there is no coal mining, in favor of a ban on strip mining. The people are determined that this assault on the environment and this insult to God's handiwork must cease. A halt to strip mining will be a valuable investment in the future productivity of the soil, protection of our water supply, the saving of forests and streams, prevention of floods, the saving of the property of home-owners and, above all, the preservation of the total environment.

STATEMENT BY ARNOLD MILLER,  
OHLEY, W. VA.  
APRIL 22, 1971

West Virginia is made up of rugged but beautiful mountains. I was born in a narrow valley between two mountains where there were about fourteen deep mines in operation. The stream of Cabin Creek in my boyhood days had many species of fish and didn't appear to be bothered by acid mine water, along about 1950 strip mining increased rapidly and our problems began, our stream was polluted, the stream channel began to fill with silt and debris, all life in the stream ceased. Today there is little stream channel if any and we are under the constant threat of flooding, our roads are being destroyed by heavy coal hauling trucks.

For years most people who lived in mining communities enjoyed hunting and fishing as their main form of recreation, now this is being systematically destroyed along with the water supply for our people. After living with these problems I have decided to speak out on strip mining. Strip mining has become a very serious problem in the United States in general and West Virginia in particular, strip mining became a raging controversy during the last session of the West Virginia legislature, there was much debate on the pro's and con's and I for one feel there was some important facts left out, I will attempt to cover most of these as impartial as I can.

There are three basic methods of mining coal in West Virginia, drift mining, slope mining, and shaft mining. Drift mining is a method where the coal seam is above ground level, slope mining is where the coal seam is below ground level, but close enough to the ground level that it is easier to enter on a gradual slope than to put a shaft down, and shaft mining is where the coal seam is too far below ground level to enter into except by putting down a shaft. For this article we can put aside shaft mining as it has no bearing on strip mining. Slope mining for the most part in relation to strip mining except where thick seams prevail can be discounted. Drift mining conflicts with strip mining as the coal seams in this type mining are vulnerable to both types of mining and this is where the controversy arose, strip mine supporters say that strip miners produce coal that can't be recovered by deep miners, one labor leader made a statement that the only time deep miners would drive entries outside were for ventilation, having been a deep miner most of my life I know that is about as far from the truth as anyone could get. The controlling factor in deep mining in regards to mining coal on the out crop is the market for coal as the coal seam close to the out crop is of poor quality in relation to the deeper part of the seam, if the market is good for the coal that strip miners mine then it can be mined by deep miners.

Another factor in strip mining is the thickness of the coal seam, when the coal seam is under 36" it is more difficult to mine and keep production high with deep mining, at the same time where the coal seam is under 36" it is less feasible for strip mining as there is a standard among strip miners that they can move a certain amount of over burden for each inch of coal, a mountain cannot be moved profitably for the thin seams by strip mining. The same labor leader referred to earlier made another statement that I believe should be reversed, he said that the deep miners had to have the strip mined coal in order to operate, the truth is that in order to raise the market value of strip mined coal it has to be mixed with deep mined coal to raise the B.T.U.

There have been a number of reasons advanced in support of strip mining, such as a fuel shortage, safety factor, length of time in developing deep mines. I firmly believe these reasons have been created for the sole purpose of profit, first I recognize the lack of much development in deep mining in the past several years. A serious shortage of labor for deep mining has been allowed to grow and any real effort to promote safety had to be forced on the coal operators.

In an effort to be as objective as I can I see no justification for strip mining other than for profit, we are asked to tolerate an industry that does more damage by far in relation to the product it produces and creates more problems for a state that is plagued with many.

Finally, Mr. Speaker, I include a complete list of the 82 House and four Sen-

ate cosponsors of the legislation, as of May 10, 1971:

ENVIRONMENTAL PROTECTION AND ENHANCEMENT ACT OF 1971 (TO ABOLISH STRIP-MINING OF COAL IN THE UNITED STATES)—H.R. 4556, H.R. 4557, H.R. 6484, H.R. 6485, S. 1498

COSPONSORS BY STATE

May 10, 1971

Arkansas: Rep. David Pryor (D).  
California: Rep. Glenn M. Anderson (D), Rep. Phillip Burton (D), Rep. James Corman (D), Rep. George Danielson (D), Rep. Ronald Dellums (D), Rep. Don Edwards (D), Rep. Augustus Hawkins (D), Rep. Robert Leggett (D), Rep. Paul N. McCloskey, Jr. (R), Rep. John Moss (D), Rep. Thomas Rees (D), Rep. Lionel Van Deerlin (D).  
Connecticut: Rep. William R. Cotter (D), Rep. Ella T. Grasso (D).  
Florida: Rep. Claude Pepper (D).  
Georgia: Rep. John Davis (D).  
Hawaii: Rep. Pasty Mink (D).  
Illinois: Rep. Ralph Metcalfe (D), Rep. Abner Mikva (D), Rep. Sidney R. Yates (D).  
Indiana: Rep. John Brademas (D), Rep. Ray Madden (D), Rep. J. Edward Roush (D).  
Iowa: Rep. Fred Schwengel (R).  
Louisiana: Rep. Edwin Edwards (D).  
Maine: Rep. William D. Hathaway (D), Rep. Peter Kyros (D).  
Maryland: Rep. Clarence Long (D), Rep. Parren Mitchell (D), Rep. Paul Sarbanes (D).  
Massachusetts: Rep. James Burke (D), Rep. Silvio Conte (R), Rep. Robert F. Drinan (D), Rep. Harold D. Donohue (D), Rep. Michael Harrington (D), Sen. Edward Kennedy (D), Rep. F. Bradford Morse (R), Rep. Thomas O'Neill (D).  
Michigan: Rep. John Dingell (D), Rep. William Ford (D), Rep. Lucien Nedzi (D), Rep. Guy Vander Jagt (R).  
Minnesota: Rep. Joseph Karth (D).  
New Jersey: Sen. Clifford Case (R), Rep. Cornelius Gallagher (D), Rep. Henry Helstoski (D), Rep. Peter Rodino (D), Rep. Robert Roe (D), Rep. Charles W. Sandman, Jr. (R).  
New York: Rep. Bella Abzug (D), Rep. Herman Badillo (D), Rep. Mario Biaggi (D), Rep. Jonathan Bingham (D), Rep. Hugh Carey (D), Rep. John Dow (D), Rep. Seymour Halpern (R), Rep. Edward Koch (D), Rep. Peter A. Peyser (R), Rep. Otis Pike (D), Rep. Bertram Podell (D), Rep. Ogden Reid (R), Rep. Benjamin Rosenthal (D), Rep. William Fitts Ryan (D), Rep. Lester Wolff (D).  
North Carolina: Rep. Nick Galifianakis (D), Rep. Richardson Preyer (D).  
Ohio: Rep. John Selberling (D), Rep. James V. Stanton (D), Rep. Louis Stokes (D), Rep. Charles A. Vanik (D), Rep. Charles W. Whalen, Jr. (R).  
Pennsylvania: Rep. William A. Barrett (D), Rep. Edward G. Biester (R), Rep. William Moorhead (D), Rep. Joseph Vigorito (D), Rep. Lawrence Williams (R).  
South Dakota: Sen. George McGovern (D).  
Texas: Rep. Robert Eckhardt (D), Rep. Henry Gonzalez (D).  
Washington: Rep. Tom Foley (D), Rep. Thomas Pelly (R).  
West Virginia: Rep. Ken Hechler (D).  
Wisconsin: Rep. Robert Kastenmeier (D), Sen. Gaylord Nelson (D), Rep. David Obey (D).

NATIONAL HOLIDAY OF THE  
RUMANIAN PEOPLE

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

Mr. FASCELL. Mr. Speaker, today, the 10th of May, is the national holiday of the Rumanian people. Although currently a member of the Communist bloc of nations, Rumania has a cherished national history, and Rumanians continue to celebrate the anniversary of three significant historical events on May 10.

On May 10, 1866, the Rumanian dynasty was founded when Charles, Prince of Hohenzollern-Sigmaringen, was proclaimed Prince of Rumania.

On May 10, 1877, the Principality of Rumania declared her independence from the Ottoman Empire.

On May 10, 1881, Rumania became a kingdom when Charles I was crowned King of Rumania.

Despite the attempts of the current regime in Rumania to shift the celebrations to May 9, the anniversary of the Soviet victory, Rumanian-Americans and Rumanian nationals continue to mark this date, May 10, as their national holiday.

Mr. Speaker, I am proud to call attention to the significance of this date for our Rumanian friends, and to take this timely opportunity to remember the great historical events which cause them to celebrate.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HUTCHINSON (at the request of Mr. GERALD R. FORD), for May 11, on account of official business in attendance at funeral of Edson V. Root, a State representative of Michigan.

Mr. HOGAN (at the request of Mr. GERALD R. FORD), for today, on account of official business as a member of the House Committee on Post Office and Civil Service.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. ROBINSON of Virginia), to revise and extend their remarks and include extraneous matter:)

Mr. MILLER of Ohio, for 5 minutes, today.

Mr. BRAY, for 10 minutes, today.

Mr. HOGAN, for 5 minutes, today.

(The following Members (at the request of Mr. FAUNTROY), to revise and extend their remarks and include extraneous matter:)

Mr. HAMILTON, for 30 minutes, today.

Mr. RARICK, for 15 minutes, today.

Mr. GONZALEZ, for 10 minutes, today.

Mr. RANGEL, for 60 minutes, on May 11.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the re-

quest of Mr. ROBINSON of Virginia) and to include extraneous matter:)

Mr. BROOMFIELD.  
Mr. KEATING.  
Mr. MILLER of Ohio.  
Mr. WHALEN.  
Mr. MORSE.  
Mr. WYATT  
Mr. DICKINSON.  
Mr. CARTER.  
Mr. KING in five instances.  
Mr. NELSEN in two instances.  
Mr. DUNCAN in two instances.  
Mr. DERWINSKI in two instances.  
Mr. SCHMITZ in two instances.  
Mr. ZWACH in two instances.  
Mr. LLOYD.  
Mr. HOSMER in two instances.  
Mr. GOLDWATER.  
Mr. ROBISON of New York in two instances.  
Mr. QUILLEN in four instances.  
Mr. SEBELIUS.  
Mr. KEMP in two instances.  
Mr. MICHEL in two instances.  
(The following Members (at the request of Mr. FAUNTROY) and to include extraneous matter:)  
Mr. GARMATZ.  
Mr. HARRINGTON.  
Mr. CARNEY.  
Mr. DANIELSON.  
Mr. HAMILTON.  
Mr. DRINAN in five instances.  
Mr. JOHNSON of California in two instances.  
Mr. HUNGATE in three instances.  
Mr. RYAN in four instances.  
Mr. GIALMO in 10 instances.  
Mr. MAHON.  
Mr. DELANEY in two instances.  
Mr. RARICK in four instances.  
Mr. GONZALEZ in three instances.  
Mr. BENNETT.  
Mr. FASCELL.  
Mr. ICHORD.  
Mr. O'NEILL in two instances.  
Mr. BYRNE of Pennsylvania.

#### BILL PRESENTED TO THE PRESIDENT

Mr. HAYS, from the Committee on House Administration, reported that that committee did on May 6, 1971, present to the President, for his approval, a bill of the House of the following title:

H.R. 4246. An act to extend certain laws relating to the payment of interest on time and savings deposits and economic stabilization, and for other purposes.

#### ADJOURNMENT

Mr. FAUNTROY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 15 minutes p.m.), the House adjourned until tomorrow, Tuesday, May 11, 1971, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

691. A communication from the President of the United States, transmitting amendments to the request for appropriations transmitted in the budget for fiscal year 1972 for the legislative branch and the General Services Administration (H. Doc. No. 92-108); to the Committee on Appropriations and ordered to be printed.

692. A letter from the General Counsel of the Department of Defense, transmitting a draft of proposed legislation to amend title 37, United States Code, to provide for the retention of judge advocates and law specialist officers for the Armed Forces; to the Committee on Armed Services.

693. A letter from the Secretary of Health, Education, and Welfare, transmitting a report of actual procurement receipts for medical stockpile of civil defense emergency supplies and equipment purposes, for the quarter ended March 31, 1971, pursuant to section 201(h) of the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

694. A letter from the Chairman of the Board of Governors, Federal Reserve System, transmitting a report on State and local taxation of banks, pursuant to Public Law 91-156; to the Committee on Banking and Currency.

695. A letter from the Chairman, Indian Claims Commission, transmitting a report on the final conclusion of judicial proceedings in docket No. 190, *The Cherokee Nation, Plaintiff, v. The United States of America, Defendant*, pursuant to 60 Stat. 1055; to the Committee on Interior and Insular Affairs.

696. A letter from the Chairman, U.S. Atomic Energy Commission, transmitting an amendment to H.R. 5522, a bill authorizing appropriations to the Atomic Energy Commission for fiscal year 1972; to the Joint Committee on Atomic Energy.

#### RECEIVED FROM THE COMPTROLLER GENERAL

697. A letter from the Comptroller General of the United States, transmitting a report on the examination of financial statements pertaining to insurance operations of the Federal Housing Administration for fiscal year 1970. Department of Housing and Urban Development (H. Doc. No. 92-107); to the Committee on Government Operations and Ordered to be printed.

698. A letter from the Comptroller General of the United States, transmitting a report on savings available through reduced use of air parcel post shipments by the Department of Defense; to the Committee on Government Operations.

699. A letter from the Comptroller General of the United States, transmitting a report on the savings available under the program for relocating roads and bridges at the Auburn Dam and Reservoir in California, as administered by the Bureau of Reclamation, Department of the Interior; to the Committee on Government Operations.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DANIELSON: Committee on the Judiciary. H.R. 1907. A bill for the relief of Arnold D. Smith (Rept. 92-188). Referred to the Committee of the Whole House.

Mr. SMITH of New York: Committee on the Judiciary. H.R. 4042. A bill for the relief of John A. Martinkosky; with amendments (Rept. 92-189). Referred to the Committee of the Whole House.

Mr. DANIELSON: Committee on the Judiciary. H.R. 6666. A bill for the relief of Maj. Michael M. Mills, U.S. Air Force; with amendments (Rept. No. 92-190). Referred to the Committee of the Whole House.

Mr. SMITH of New York: Committee on the Judiciary. H.R. 7085. A bill for the relief of Eugene M. Sims, Sr.; (Rept. No. 92-191). Referred to the Committee of the Whole House.

Mr. MANN: Committee on the Judiciary. H.R. 7569. A bill for the relief of Mrs. Eleanor D. Morgan; (Rept. No. 92-192). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary. H.R. 2846. A bill for the relief of Roy E. Carroll; with an amendment (Rept. No. 92-193). Referred to the Committee of the Whole House.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANNUNZIO:

H.R. 8191. A bill to amend the Railroad Retirement Act of 1937 and the Railroad Retirement Tax Act to revise the eligibility conditions for annuities, to change the railroad retirement tax rates, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BROOMFIELD:

H.R. 8192. A bill to amend title 13, United States Code, to provide for a mid-decade census of population in 1975 and every 10 years thereafter, to prescribe February 1 as the census date for the 1975 and later censuses of population, to limit the categories of questions to be answered in mid-decade censuses, to provide for census recounts of population, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BYRNES of Wisconsin:

H.R. 8193. A bill to allow a 20-percent credit against the Federal individual income tax for State and local income taxes, and to increase substantially the credit against the Federal estate tax for State death taxes; to the Committee on Ways and Means.

By Mr. CELLER:

H.R. 8194. A bill to amend title 18, United States Code, to provide for the protection of U.S. probation officers; to the Committee on the Judiciary.

By Mr. CLANCY:

H.R. 8195. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. COLLIER:

H.R. 8196. A bill to name the new Federal Bureau of Investigation Building the J. Edgar Hoover Building; to the Committee on Public Works.

By Mr. COUGHLIN (for himself, Mr. McCloskey, and Mr. Veysey):

H.R. 8197. A bill to prohibit assaults on State law enforcement officers, firemen, and judicial officers; to the Committee on the Judiciary.

By Mr. DANIELS of New Jersey:

H.R. 8198. A bill making an appropriation to provide support for the Neighborhood Youth Corps summer support program for the summer of 1971; to the Committee on Appropriations.

H.R. 8199. A bill for the relief of Soviet Jews; to the Committee on the Judiciary.

H.R. 8200. A bill to extend to all unmarried individuals the full tax benefits of income splitting now enjoyed by married individuals filing joint returns; to the Committee on Ways and Means.

By Mr. DOWNING (for himself and Mr. MOSHER):

H.R. 8201. A bill to amend the Merchant Marine Act, 1936, as amended, by inserting a new title X to authorize aid in developing, constructing, and operating privately owned nuclear-powered merchant ships; to the Committee on Merchant Marine and Fisheries.

By Mr. GONZALEZ:

H.R. 8202. A bill to improve education by increasing the freedom of the Nation's teachers to change employment across State lines without substantial loss of retirement benefits through establishment of a Federal-State program; to the Committee on Education and Labor.

H.R. 8203. A bill to assure an opportunity for employment to every American seeking work; to the Committee on Education and Labor.

H.R. 8204. A bill to amend the Federal Hazardous Substances Act to authorize the Secretary of Health, Education, and Welfare to ban glue and paint products containing toxic solvents; to the Committee on Interstate and Foreign Commerce.

By Mr. GUBSER:

H.R. 8205. A bill to create regional seed-money corporations; to the Committee on Banking and Currency.

H.R. 8206. A bill to amend title II of the Social Security Act to provide wage credits under the old-age, survivors, and disability insurance program for Japanese Americans who were detained or interned during World War II and performed compensated service during the detention or internment; to the Committee on Ways and Means.

By Mr. HAMMERSCHMIDT:

H.R. 8207. A bill to further provide for the farmer-owned cooperative system of making credit available to farmers and ranchers and their cooperatives, for rural residences, and to associations and other entities upon which farming operations are dependent, to provide for an adequate and flexible flow of money into rural areas, and to modernize and consolidate existing farm credit law to meet current and future rural credit needs, and for other purposes; to the Committee on Agriculture.

By Mr. HATHAWAY:

H.R. 8208. A bill to amend the Federal-State Extended Unemployment Compensation Act of 1970 to provide federally financed emergency unemployment compensation for up to 26 weeks in addition to the extended compensation now available under such act; to the Committee on Ways and Means.

By Mr. HEBERT (for himself and Mr. ARENDS):

H.R. 8209. A bill to amend and extend for a temporary period the act of November 9, 1966, permitting persons from countries friendly to the United States to receive instruction at the U.S. Military Academy, the U.S. Naval Academy, and the U.S. Air Force Academy, and for other purposes; to the Committee on Armed Services.

By Mr. HELSTOSKI:

H.R. 8210. A bill to establish a Department of Education; to the Committee on Government Operations.

By Mr. KING:

H.R. 8211. A bill to create a National Agricultural Bargaining Board, to provide standards for the qualification of associations of producers, to define the mutual obligation of handlers and associations of producers to negotiate regarding agricultural products, and for other purposes; to the Committee on Agriculture.

By Mr. McDADE:

H.R. 8212. A bill to restore the investment tax credit and to liberalize the credit available for used machine tools; to the Committee on Ways and Means.

By Mr. McKAY:

H.R. 8213. A bill to establish the Capitol Reef National Park in the State of Utah; to the Committee on Interior and Insular Affairs.

H.R. 8214. A bill to establish the Glen Canyon National Recreation Area in the States of Arizona and Utah; to the Committee on Interior and Insular Affairs.

By Mr. MATSUNAGA:

H.R. 8215. A bill to provide relief for certain prewar Japanese bank claimants; to the Committee on Interstate and Foreign Commerce.

By Mr. MONAGAN:

H.R. 8216. A bill to establish drug abuse control organizations in the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. NATCHER:

H.R. 8217. A bill to extend to all unmarried individuals the full tax benefits of income splitting now enjoyed by married individuals filing joint returns; to the Committee on Ways and Means.

By Mr. PATMAN:

H.R. 8218. A bill to amend chapter 55 of title 10 of the United States Code to provide medical and maternity care in service facilities for certain members of the uniformed services and their dependents after such members are separated from active duty; to the Committee on Armed Services.

H.R. 8219. A bill to provide for the establishment of a national cemetery within the boundaries of the Red River Army Depot, Bowie County, Tex.; to the Committee on Veterans' Affairs.

By Mr. PELLY:

H.R. 8220. A bill to amend the act of December 27, 1950 (64 Stat. 1120), authorizing the waiver of the navigation and vessel-inspection laws; to the Committee on Merchant Marine and Fisheries.

By Mr. REID of New York:

H.R. 8221. A bill for the relief of Soviet Jews; to the Committee on the Judiciary.

By Mr. ROBISON of New York:

H.R. 8222. A bill to provide that expenses incurred in the construction of the Elmira Psychiatric Center in the city of Elmira, N.Y., shall be eligible as local grants-in-aid for purposes of title I of the Housing Act of 1949; to the Committee on Banking and Currency.

By Mr. VANIK:

H.R. 8223. A bill to extend to all unmarried individuals the full tax benefits of income splitting now enjoyed by married individuals filing joint returns; to the Committee on Ways and Means.

By Mr. WHALEN:

H.R. 8224. A bill to amend the Internal Revenue Code of 1954 to modify the definition of "student" under section 151; to the Committee on Ways and Means.

By Mr. WHALLEY:

H.R. 8225. A bill to amend the Military Selective Service Act of 1967 to broaden the sole-surviving-son exemption to include all sons of a family; to the Committee on Armed Services.

H.R. 8226. A bill to change the definition of "ammunition" for purposes of chapter 44 of title 18 of the United States Code; to the Committee on the Judiciary.

By Mr. WINN:

H.R. 8227. A bill to regulate the dumping of material in the oceans, coastal, and other waters, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. HAMILTON (for himself, Mr. BRADEMAS, Mr. JACOBS, Mr. MADDEN, and Mr. ROUSH):

H.J. Res. 623. Joint resolution to instruct the President of the United States to release certain appropriated funds; to the Committee on Government Operations.

By Mr. O'NEILL (for himself, Mr. FRASER, Mr. GALIFIANAKIS, and Mr. HOWARD):

H.J. Res. 624. Joint resolution to instruct the President of the United States to release certain appropriated funds; to the Committee on Government Operations.

By Mr. SNYDER:

H.J. Res. 625. Joint resolution authorizing the President to proclaim May 19, 1971, as "Dr. Culbertson Day"; to the Committee on the Judiciary.

By Mr. WRIGHT (for himself, Mr. BROOKS, Mr. ECKHARDT, and Mr. KAZEN):

H.J. Res. 626. Joint resolution to instruct the President of the United States to release certain appropriated funds; to the Committee on Government Operations.

By Mr. PERKINS:

H. Res. 434. Resolution to authorize additional investigative authority to the Committee on Education and Labor; to the Committee on Rules.

## MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

163. By the SPEAKER: Memorial of the Legislature of the State of New York, relative to the use of the island of Culebra for target practice; to the Committee on Armed Services.

164. Also, memorial of the Senate of the State of Hawaii, relative to national parks in Hawaii; to the Committee on Interior and Insular Affairs.

165. Also, memorial of the Legislature of the State of Nevada, relative to railroad passenger service for the city of Las Vegas; to the Committee on Interstate and Foreign Commerce.

166. Also, memorial of the Legislature of the State of Hawaii, relative to Federal financing of public assistance; to the Committee on Ways and Means.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURTON:

H.R. 8228. A bill for the relief of Juana C. Gonzales; to the Committee on the Judiciary.

H.R. 8229. A bill for the relief of Bong Ja Park; to the Committee on the Judiciary.

By Mr. CLARK:

H.R. 8230. A bill for the relief of Kudret Gonlualcak; to the Committee on the Judiciary.

By Mr. DELLUMS:

H.R. 8231. A bill for the relief of Col. John H. Sherman; to the Committee on the Judiciary.

By Mr. KEMP:

H.R. 8232. A bill for the relief of Rosa Vaccarco and her daughters; to the Committee on the Judiciary.

By Mr. O'NEILL:

H.R. 8233. A bill for the relief of James J. O'Connor; to the Committee on the Judiciary.

H.R. 8234. A bill for the relief of Irving M. Sobin Co., Inc., and/or Irving M. Sobin Chemical Co., Inc., and/or Sobin Chemicals, Inc., and/or Daniel M. Hicks (incorporated); to the Committee on the Judiciary.

By Mr. DOWNING:

H.J. Res. 627. Resolution restoring citizenship posthumously to Gen. R. E. Lee; to the Committee on the Judiciary.