

## HOUSE OF REPRESENTATIVES—Wednesday, May 26, 1971

The House met at 12 o'clock noon.

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

*The Lord shall guide thee continually, and thou shalt be like a spring of water whose waters do not fail.*—Isaiah 58: 11.

O God of truth and love, grant unto us a creative awareness of Thy presence and a confident assurance of Thy power as we live through these days which try men's souls.

Give us to see, as never before, that if we are to live triumphantly in these troubled times we must cultivate the larger life of love, the higher hope of happiness, and learn to be more obedient to the leading of Thy holy spirit.

Grant that our President, our Speaker, and the Members of Congress may face their perplexing problems with courage, carry their heavy burdens with confidence, and by Thy grace continue to work for a world where men shall live together in peace.

In Thy holy name we pray. 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 joint resolution of the Senate of the following title:

S.J. Res. 29. Joint resolution to provide for the designation of the calendar week beginning on May 30, 1971, and ending on June 5, 1971, as "National Peace Corps Week," and for other purposes.

### A GREAT DAY FOR EVERYONE BUT THE NEWS MEDIA

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

Mr. ABERNETHY. Mr. Speaker, yesterday President Nixon appeared in Mobile to participate in a program inaugurating construction of the Tennessee-Tombigbee Waterway. It was a wonderful day. The rains let up. The sun came out and shone brightly on the large and enthusiastic assemblage of many thousands. The President was well received.

Even so, the image of the meeting as portrayed by the CBS network and the media in general was quite the opposite and most disgraceful.

I might say, Mr. Speaker, that not one single antiwar banner was lifted or even seen. No demonstrators were on the scene. There were no peaceniks and no beatniks. There were no insulting shouts

from the President's listeners. And in the crowd of thousands I did not see one single long-haired or long-bearded, or blue-jeans-dressed punk. Not one. Oh yes, there was one and he was a CBS cameraman. His hair was hanging on his shoulders and chest.

The President was in a fine humor and fine fettle. So was the crowd. His speech was excellent, frequently applauded and well received. In all it was a great day for him, for the large assemblage of listeners and for America.

It is too bad the biased television networks, especially CBS, and the up-country segment of the news media seem unable to report the facts.

### CREATING A SELECT COMMITTEE TO INVESTIGATE ENERGY RESOURCES

Mr. ANDERSON of Tennessee. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 155 and ask for its immediate consideration.

The Clerk read the resolution as follows:

#### H. Res. 155

*Resolved*, That there is hereby created a select committee to be composed of seven Members of the House of Representatives to be appointed by the Speaker, one of whom he shall designate as chairman. Any vacancy occurring in the membership of the committee shall be filled in the same manner in which the original appointment was made.

The committee is authorized and directed to conduct a full and complete investigation of all aspects of the energy resources in the United States, including (1) the availability of oil, gas, coal, and nuclear energy reserves; (2) the identification of the ownership of such reserves; (3) the reasons and possible solutions for the delay in new starts of fossil fueled powerplants; (4) the effect of pricing practices by the owners of energy reserves; (5) the effect of the import of low sulfur fuels; (6) measures to increase the availability of pipelines, railways, barges, and ships needed to transport fuel materials; (7) measures to close the gap between the supply and demand for electric energy; and (8) the identification of the environmental effects of the electricity industry.

For the purpose of carrying out this resolution the committee, or any subcommittee thereof authorized by the committee to hold hearings, is authorized to sit and act during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

The committee shall report to the House as soon as practicable during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable. Any such report which

is made when the House is not in session shall be filed with the Clerk of the House.

### CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

Mr. ANDERSON of Tennessee. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

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

[Roll No. 109]

|                |                 |                |
|----------------|-----------------|----------------|
| Abourezk       | Gibbons         | Purcell        |
| Adams          | Gray            | Rangel         |
| Alexander      | Griffiths       | Rees           |
| Anderson, Ill. | Halpern         | Reuss          |
| Ashley         | Hastings        | Riegler        |
| Baring         | Hawkins         | Roberts        |
| Barrett        | Hays            | Roe            |
| Belcher        | Hogan           | Rooney, N.Y.   |
| Bell           | Ichord          | Rostenkowski   |
| Betts          | Johnson, Pa.    | Rousset        |
| Biaggi         | Karth           | Roy            |
| Brooks         | Kee             | Roybal         |
| Brown, Mich.   | Keith           | Runnels        |
| Broyhill, Va.  | Landrum         | Ruppe          |
| Burke, Fla.    | Latta           | Scherle        |
| Cabell         | Leggett         | Scheuer        |
| Camp           | Long, La.       | Slack          |
| Chisholm       | McCloskey       | Smith, Calif.  |
| Clark          | McCulloch       | Smith, Iowa    |
| Clay           | Mann            | Spence         |
| Cotter         | Martin          | Steele         |
| de la Garza    | Mathias, Calif. | Steiger, Ariz. |
| Dent           | Mayne           | Stubblefield   |
| Devine         | Metcalfe        | Stuckey        |
| Diggs          | Mikva           | Taylor         |
| Dwyer          | Miller, Calif.  | Thompson, N.J. |
| Edwards, Ala.  | Mills           | Thone          |
| Edwards, La.   | Mink            | Ullman         |
| Evins, Tenn.   | Minshall        | Waggonner      |
| Fisher         | Monagan         | Watts          |
| Flowers        | Moorhead        | Whalley        |
| Flynt          | O'Neill         | Wilson,        |
| Frenzel        | Passman         | Charles H.     |
| Frey           | Patman          | Winn           |
| Gallagher      | Pirnie          | Wyder          |
| Gettys         | Podell          | Wyman          |
| Giaimo         | Price, Tex.     |                |

The SPEAKER. On this rollcall 323 Members have answered to their names, a quorum.

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

### PERMISSION FOR COMMITTEE ON ARMED SERVICES TO FILE A REPORT ON H.R. 8687

Mr. HÉBERT. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services have until midnight tonight, May 26, to file a report on H.R. 8687, a bill to authorize appropriations during the fiscal year 1972 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluations for the Armed Forces, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

The SPEAKER. Is there objection to

the request of the gentleman from Louisiana?

There was no objection.

#### CREATING A SELECT COMMITTEE TO INVESTIGATE ENERGY RESOURCES

The SPEAKER. The gentleman from Tennessee (Mr. ANDERSON), is recognized for 1 hour.

Mr. ANDERSON of Tennessee. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from Tennessee (Mr. QUILLEN), pending which I yield myself such time as I may consume.

Mr. Speaker, the resolution before us, House Resolution 155, is to create a select committee to be composed of seven Members to be appointed by the Speaker.

The responsibility of the committee shall be to investigate all aspects of the energy resources in the United States, including the availability of oil, gas, coal, and nuclear energy reserves; the identification of the ownership of such reserves; the reasons and possible solutions for the delay in new starts of fossil-fueled powerplants; the effect of pricing practices by the owners of energy reserves; the effect of the import of low sulfur fuels; measures to increase the availability of pipelines, railways, barges, and ships needed to transport fuel materials; measures to close the gap between the supply and demand for electric energy; and the identification of the environmental effects of the electricity industry.

What we are talking about is the future of mankind and the survival of life on this planet.

This Nation—indeed the entire world—must reach out in many new directions and dimensions in the field of energy resources and applications.

If energy consumption trends continue in the United States and other highly industrialized nations, it will not be long before we face an energy crisis of truly enormous proportions.

The time has come when we must start thinking about conservation of energy resources. There is some finite amount of oil, gas, coal, and uranium available. The United States has never had a national energy policy. It is time that we start to form one.

As international power politics grow in intensity, and as emerging nations seek to industrialize, our call on foreign oil and gas is likely to become more precarious, not less.

We are fortunately blessed with several centuries of coal reserves. But here we must think about increasing costs, the demands, present and future, of the chemical industry, the impact of stringent new pollution laws, and the ramifications of the monopolization of coal by the oil industry.

Controlled fusion, in which the raw energy source would be virtually inexhaustible, is a possibility, but only that. No one knows when, if ever, such a process will be technically and economically practicable. It is my understanding that the Soviets are pursuing this objective

with a great deal more vigor than are we. A national energy policy should evaluate our efforts and most likely call for an acceleration.

If we are to give due thought to the future of our planet and to the generations that will live on it, it is best that we consider that the energy crisis exists now—and that our energy resources are priceless. We need a national policy designed to conserve that which we have, while aggressively developing means of tapping new resources by controlled fusion, sophisticated biochemical cycles, the direct harnessing of solar energy, and so forth.

I would suggest these steps as part of a national energy policy:

First. A program of research designed to increase B.t.u. efficiencies of generating plants and distribution systems.

Second. Mandatory measurement and publication to consumers of the energy efficiency of all electric appliances and machinery.

Third. Now research into office and dwelling designs that require minimum power to maintain temperature, humidity, and airflow.

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

Mr. ANDERSON of Tennessee. I am delighted to yield to the gentleman.

Mr. GROSS. Mr. Speaker, it seems to me that this resolution creating still another commission in Government is more notable for what it does not contain than for what it contains. Would the gentleman care to put a price tag on this proposed commission, just to start a few questions?

Mr. ANDERSON of Tennessee. Of course, the appropriations for the proposed select committee would be submitted to this current Congress. It is my understanding that the expenditure would be approximately \$½ million within the next year and one-half.

Mr. GROSS. What about the invasion of the jurisdiction of the standing committees that are already in existence with staffs sufficient to go into the matters included in the resolution? It seems to me in reading this list that the proposed new commission would be invading the jurisdiction of a half dozen regularly established committees in the House of Representatives.

Mr. ANDERSON of Tennessee. Of course, as the gentleman well understands, this committee would not have any legislative powers. One of the problems at the present time is that there is such a great fragmentation in the regular committee structure regarding the various aspects of the energy problems.

I visualize this committee as being an aid to the other House committees in terms of a full-time study of a very, very vital national problem and being of assistance to the other committees rather than being an infringement on their character and the rules that they operate under.

Mr. GROSS. This is more than aid on one vital matter. There are several matters involved in the proposal.

Do I understand that the staff direc-

tor of this proposed commission has already been selected? Does the gentleman know the identity of the person who is going to head the staff of this commission?

Mr. ANDERSON of Tennessee. I cannot answer that, that would be entirely up to the Speaker of the House.

Mr. GROSS. And the gentleman says it is going to cost one-half million dollars?

Mr. ANDERSON of Tennessee. That is my understanding. That is the estimate at this point.

Mr. GROSS. There is another question I would like to ask the gentleman.

Where is it proposed to house this new commission and park the cars that will have to be accommodated? We have run out of space in the various parking garages. Where are we going to park the cars of the staff director, the assistant director, and the assistants to the assistants?

Mr. ANDERSON of Tennessee. I understand that all of the particulars have been worked out by the gentleman who is the author of the resolution.

Mr. GROSS. Who is the author? Does the gentleman say it has all been worked out?

Mr. ANDERSON of Tennessee. The author of the resolution is my distinguished colleague, the gentleman from Tennessee (Mr. FULTON).

Mr. GROSS. All these details have been worked out?

Mr. ANDERSON of Tennessee. He will be speaking later, but my understanding is they have been worked out.

Mr. GROSS. I will be very interested in getting the answer to that question for the information is not provided in the resolution.

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

Mr. ANDERSON of Tennessee. I am delighted to yield to the gentleman from New York.

Mr. CELLER. Does the gentleman know that presently there are 58 special groupings of Members constituting special and select committees, boards, commissions, and joint commissions of the House, committees of the House and the Senate, and that the proposed committee would make the 59th special entity? Does the gentleman understand that, and does he not think it is time that we should stop creating special groups and leave the matters in the hands of the general standing committees which have jurisdiction? What does the gentleman have to say about the proliferation of all these special groups? Are they not like barnacles on the legislative ship? Also they are difficult to remove.

Mr. ANDERSON of Tennessee. I can appreciate what the gentleman has said. The committees to which the gentleman has referred were all created by the Congress. The subject area of the proposed Select Committee would be such as not to be merely a matter of creating an additional committee, but it would be an additional tool that will help to give some full-time thought to a serious problem. I wonder how many total days

of attention to this specific matter in the past couple of years all of these committees combined may have given to it. I know it has been appreciable. But we are talking about a full-time, properly staffed committee effort, which I think is needed.

Mr. CELLER. Mr. Speaker, will the gentleman yield further briefly?

Mr. ANDERSON of Tennessee. I am happy to yield to the distinguished gentleman from New York.

Mr. CELLER. For example, under the language of the bill for the establishment of this special group there is listed "the effect of pricing practices by the owners of energy reserves." We have now pending in the Judiciary Committee a number of bills with reference to pricing practices concerning those who manufacture energy. Am I going to run a race with you to conduct the hearings in my committee while you conduct hearings in your committee on pricing practices, predatory practices, reciprocal relations between various companies, all of which are embodied in the provisions in the pending resolution? Am I to conduct a contest with you? I can assure you that if this resolution is adopted, I am going to conduct hearings immediately on the bills before my committee, and they will be in competition with your efforts. Do you think that is proper procedure? Frankly, the Standing Committee should have preference.

Mr. ANDERSON of Tennessee. The author of the resolution, of course, can speak much more in detail to that subject. He will be speaking later. But at this point I will say to the gentleman in the well that the idea is not competition but cooperation and assistance, sir, with your committee and what you have planned. It would be a tool of assistance rather than a matter of competition or running a race.

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

Mr. ANDERSON of Tennessee. I yield to the gentleman from Massachusetts.

Mr. MACDONALD of Massachusetts. The gentleman from New York has raised a point that I believe goes to the heart of the matter. There is a grave problem in these fields. I agree with the gentleman wholeheartedly because there is a grave problem. The subcommittee of which I have the honor to be chairman has been conducting since May 4 and currently, just before the call of the House, was still conducting—I left the hearings—on the subject that the gentleman suggested there should be a special committee to consider. Are we doing something wrong in our special way of handling the problem so that we need another committee to do what we are currently doing with staff, with interested people? We have been holding these hearings since May 4. So I would like to know from the gentleman why he thinks another committee is necessary to do a job that we are currently doing. It is not an idea that we have; it is something that we are currently doing.

Mr. ANDERSON of Tennessee. I have every respect for the distinguished gentleman from Massachusetts and his very

excellent committee. I know the gentleman is doing a superb job. But may I ask you this: Are you looking into new energy fields? Are you looking into biochemicals? I wonder if the gentleman's committee has within its jurisdiction and is looking into such matters as what our total energy resources are. Are we doing enough to go into the biochemical field, which shows some prospect? Are we doing enough research to conserve what we have in terms of creating more efficient electrical machinery and equipment?

Mr. MACDONALD of Massachusetts. Mr. Speaker, if the gentleman will yield further, I should like to call the attention of the House and of the gentleman to the fact that three measures set out in the subparagraphs here are currently being considered by the Committee on Interstate and Foreign Commerce. We are doing it; we are not talking about it.

I have with me, if the gentleman will yield me time later, the whole record of what we have done up to this time.

I ask the gentleman: Does he believe there should be another select committee to oversee what we are doing? If we are doing something wrong, what are we doing wrong? I should like to hear the gentleman's opinion.

Mr. ANDERSON of Tennessee. I see it not as overseeing what the gentleman is doing, but as a study which can be of valuable assistance to his committee. Undoubtedly it is going to take some time.

Mr. MACDONALD of Massachusetts. I am sure the gentleman will hear from the distinguished gentleman from California (Mr. HOLIFIELD), later, if he will grant him any time, under this rather closed rule procedure.

I should think, when this whole matter came up, consideration should have been given to it. Nobody from any committee which could be adversely affected was invited to testify before the Rules Committee. I believe in my own mind if we had been invited this measure would not be here today.

Frankly, I should like to have the gentleman justify why the measure is here, inasmuch as we are doing all that is physically and mentally possible to cure the problem that is the problem.

What is the thinking? Is it that the Committee on Interstate and Foreign Commerce and my subcommittee in particular are not doing what we should be doing?

Mr. ANDERSON of Tennessee. I will let the author of the measure speak to that.

Mr. MACDONALD of Massachusetts. I point out to the gentleman that there are three subparagraphs involved:

(7) measures to close the gap between the supply and demand for electric energy; and (8) the identification of the environmental effects of the electricity industry.

Frankly, we are doing that right now. If the gentleman is not aware of it I am sorry for him, because we have been holding hearings since May 4.

Mr. ANDERSON of Tennessee. I do not want to cut the gentleman off, but I do have a time problem.

Mr. MACDONALD of Massachusetts. I thank the gentleman.

Mr. ANDERSON of Tennessee. There were published in the CONGRESSIONAL RECORD four different notices of these hearings. The Rules Committee always operates with an open door. Our chairman will hear any Member on any subject.

Mr. CELLER. Mr. Speaker, will the gentleman yield briefly?

Mr. ANDERSON of Tennessee. I yield to the gentleman from New York.

Mr. CELLER. The Judiciary Committee at the present time has a special committee concerning the sources of energy along the Continental Shelf. Under the auspices of a former Member of the House, Ed Willis from Louisiana, very important reports were rendered. We are continuing that study, particularly with reference to the Gulf of Mexico, the shores of Texas and Florida and other States.

Is this going to mean that our inquiry will have to recede and your inquiry take precedence?

Mr. ANDERSON of Tennessee. No. Mr. CELLER. Are we going forward with our inquiry while you go forward with yours on the same subject? I do not see the efficacy of that at all.

Mr. ANDERSON of Tennessee. Mr. Speaker, I am sure it would not interfere with or impede or reduce the urgency of what you are doing in that area.

I do have a time problem.

Mr. CELLER. I thank the gentleman. Mr. ADDABBO. Mr. Speaker, I rise in support of House Resolution 155 to create a Select Committee on Energy Resources in the House of Representatives. I am proud to be a cosponsor of this important legislation and I want to commend our colleague, the gentleman from Tennessee (Mr. FULTON), for his leadership in the introduction of the resolution.

The subject of the Nation's energy resources is a complex one, requiring scientific expertise as well as careful consideration of the environmental questions which inevitably arise. As a nation I believe we are far behind in identifying the extent of existing resources and we have not even begun to estimate with any real accuracy the future needs in this area.

That is the purpose of House Resolution 155—to establish the machinery for a full and complete investigation of all aspects of the energy resources in the United States. This involves a study of the availability of oil, gas, coal, and nuclear energy reserves. It involves pricing practices by those who own and control energy reserves and the effect of importation and transportation policies. Perhaps the most important aspect of the energy problem and the most urgent task of the proposed select committee will be to recommend ways to close the gap between supply and demand for electric energy while at the same time meeting the environmental dangers inherent in many proposed expansion programs of private and public utility companies.

The energy crisis in New York City has

frightened the entire Nation and placed this question in the forefront of the public spotlight and well that it has. The gap between supply and demand in electric energy is now a subject of discussion among concerned citizens and the public is ready to consider well reasoned proposals for closing that gap.

In my opinion and in the opinion of the other cosponsors of this resolution, those carefully researched recommendations should come from a select committee of this House which can provide a forum for the leading experts in energy resources to debate and discuss the issues we have outlined above. House Resolution 155 would create a seven-member committee charged with the responsibility for conducting an investigation into these questions and with a goal for reporting its recommendations to the House during this Congress.

I urge you to support and vote for House Resolution 155.

Mr. JONES of Alabama. Mr. Speaker, we have under consideration a resolution to create a select committee to conduct a full and complete investigation of all aspects the energy industry.

The energy industry is of basic importance to all segments of our economy. Without sufficient electricity our industries will not be able to provide the jobs needed if we are to solve unemployment problems. If the cost of electricity goes up, then the prices of products made with that electricity—from aluminum and steel, to automobiles and dishwashers—go up.

To examine all the facts about availability and price of power we must look at more than just the electric utilities. Electricity is generated by water, coal, oil, gas, or uranium. Undeveloped hydroelectric sites are relatively scarce and will not play a major role in providing additional generating capacity.

Therefore, we must find out the facts about the fossil and nuclear fuel resources. How much of a supply do we have, and who owns it?

These facts seem simple enough—but the truth is that there is no place in government that you can go to find them out. For instance, we know that there has been an accelerated consolidation of ownership in the coal industry during the last 5 years. And we know that large oil companies were very active in this consolidation through acquisition of coal companies. These facts came out mainly because of Securities and Exchange Commission disclosure regulations.

What we do not know, because nobody is entrusted with finding out, is how much of the Nation's coal reserves are held by the large companies. We also know that companies with oil and coal interests have purchased or acquired uranium reserves, and in some instances, uranium processing plants. But we do not know the full extent of such acquisitions.

The responsibility for gathering information of this type is either scattered among several agencies, or nonexistent. For example, the Federal Power Commission, which has authority over elec-

trical utilities, also has some regulatory authority over the natural gas industry. However, it is not concerned with coal, oil, or uranium, the other basic fuels for generation of electricity.

The Bureau of Mines has some authority in the coal area, but evidently is not charged with keeping track of resource ownership. The Office of Emergency Preparedness has a role to play in keeping track of supplies of basic fuels, but it is apparently a relatively limited authority.

What we need in order to plan for the future are the full facts about the Nation's energy supplies—their amount, their location, their ownership, their transportation, and their use. It is my belief that the select committee proposed in House Resolution 155 will have the mandate to develop these facts.

With such facts we can determine whether or not the ownership of basic energy resources is becoming too concentrated for the best interests of the Nation. If such a decision is made, then the facts will enable us to decide what legislative steps would be appropriate to deal with the problem.

In my remarks today I have dealt mainly with the question of ownership of the raw materials of energy—coal, oil, natural gas, and uranium. I have done this because I feel that the Nation benefits from the competition among these various fuels. Thus if the price of oil rises too much there is opportunity for some of its users to shift to coal, thereby creating pressure against unrestrained price increases.

If interfuel competition is reduced or eliminated the pressure is relaxed or removed, to the detriment of the country. I want to know, and the select committee will be able to find out, if a monopoly situation is developing which threatens this interfuel competition.

However, by emphasizing this aspect of the work of the proposed select committee, I do not wish to slight the importance of the other roles set forth in House Resolution 155. Questions concerning importation of low-sulfur fuels, transportation facilities, electric energy supply and demand, and environmental effects of electricity production all require searching examination.

These questions are all matters of legitimate congressional concern. If we are to fulfill our responsibility we need complete information about all aspects of them. The proposed select committee will be able to fill that need. Therefore, I urge passage of House Resolution 155.

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

Mr. Speaker, I yield 2 minutes to the distinguished minority leader, the gentleman from Michigan (Mr. GERALD R. FORD), and I ask unanimous consent that he be allowed to speak out of order.

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

There was no objection.

MEMBER-ELECT BILL MILLS

Mr. GERALD R. FORD. Mr. Speaker, it is most gratifying to Members on this

side of the aisle that we will soon have another Republican colleague in BILL MILLS, who has just won a solid victory in the First Congressional District of Maryland. He will succeed our former colleague, the distinguished Secretary of the Interior, Rogers C. B. Morton, with whom he served for 8 years here on Capitol Hill as administrative assistant.

The Member-elect from Maryland, Mr. MILLS, overcame a 2-to-1 Democratic edge in registration with a comfortable majority—according to unofficial returns, of approximately 4,500 votes. His Democrat opponent, a popular State senator, campaigned on the theme that this special election was a chance for Eastern Shore voters to repudiate the Nixon administration's domestic record, and he had the strong backing of Governor Mandel and former Governor Tawes and other prominent Maryland Democrats.

Of course, we had some prominent Maryland Republicans working for BILL MILLS—Vice President SPIRO AGNEW, Secretary Morton, and our former colleagues who are now Maryland's U.S. Senators. But if the Democrats wanted to turn this into a Nixon referendum, as I seem to remember they did in the last special election in South Carolina, I sincerely hope and trust they will be consistent now that the voters have spoken decisively in favor of the President and the President's party. I congratulate BILL MILLS on his personal achievement and I also congratulate him on his stalwart support of President Nixon's program.

I understand Mr. MILLS was once a Democrat himself, and to this I can only say that there is more rejoicing in Heaven over one sinner that repents than over 99 who have never strayed. We welcome conversions and pray for more.

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

Mr. Speaker, the purpose of House Resolution 155 is to create a select committee charged with studying all aspects of the energy resources situation in the United States.

The Speaker will appoint seven members, naming one as chairman. No party breakdown is assigned.

The committee is to study such matters as: First, the availability of various energy reserves and their ownership; second, why fossil fuel powerplants are not being built more rapidly; third, effects of imports of low-sulfur fuels; fourth, how to increase electrical power output and its effect on the environment; and, fifth, how to increase pipeline, railroad, and other transport facilities for fuels.

The usual investigative authority is granted the committee. It shall report its findings during the 92d Congress.

Mr. Speaker, like the weather, there is a lot of talk and complaining about the Nation's energy problems, but no one seems to be doing much about them.

However, I believe today here in the House of Representatives we are going to have an opportunity to do something very important about these problems by establishing a House Select Committee on Energy Resources.

When the idea of this select committee was first broached to me, I was very much impressed and pleased to join in its sponsorship.

Those of us cosponsoring this resolution are doing so far a variety of reasons.

I would venture to guess that the most prevalent among these reasons was our concern over the predicted power blackouts and brownouts for the past winter, blackouts and brownouts which, fortunately, did not occur for the most part.

However, it is important that the failure of these predictions to come to pass not be interpreted as indicating that we have come to grips with our power problems and solved them.

This simply is not the case.

The fact is that we were given a reprieve of sorts this past winter and the Nation's energy demands simply did not rise to predicted expectations.

In reality, the energy shortage prediction has not so much been averted as postponed; nature and circumstance simply combined to give us a little extra time.

It is up to us to use this time and not fritter it away as we have tended to do in the past because the threat of power shortage is very much with us still and could bring a national crisis at anytime during the late spring or summer if an unseasonal hot spell of any duration strikes.

Therefore, we must use the time which is still available to us to commence work on some form of coherent national energy policy to evaluate our future needs and insure that these needs are adequately met.

It is my conviction that the Congress should have a strong voice and firm hand in the formulation of such a policy.

It seems to me that a select House committee to study the energy resources would give us the information and data necessary to help in this task.

In this connection I was particularly pleased to note the emphasis placed on environmental problems as they relate to energy production by the gentleman from Tennessee (Mr. FULTON).

Certainly it was my understanding in cosponsoring this resolution that its intent was not confined simply to the production aspects of the Nation's energy problems but, rather, to the overall picture including the very sobering environmental concerns which are related directly and indirectly to energy production.

Any proposed solution to our energy problems must consider fully and resolve to the greatest degree possible these legitimate and urgent environmental concerns.

We have gained some time in the effort to anticipate our energy needs of the immediate and long-range future; to deal with these needs on an anticipated, rather than an emergency basis.

The establishment of this Select Committee on Energy Resources would be a valuable tool to employ in this effort.

The information and data collected and compiled by this select body could give us the information which we so

vitality need to play the role that the Congress must play in the establishment of any national energy policy.

At the same time, it is not my desire or purpose to take away any authority from any standing committee of the House.

Mr. CARTER. Mr. Speaker, the bill under consideration today would create a seven-member committee to investigate all aspects of the energy resources of the United States. As we view the tremendous increase in demand for power resources relative to the available supply, it becomes evident that the United States faces a serious power problem. The time has come to coordinate our efforts in order to find a solution to this problem, and I believe that the creation of such a committee will aid in the coordination of the myriad activities in this regard.

Compared with 10 years ago, 1969 energy consumption represents a 51.2-percent increase, at an average growth rate of 4.2 percent annually during this period.

Over the past decade, consumption of dry natural gas increased 75.4 percent; waterpower, 55.8 percent; petroleum and natural gas liquids, 44.4 percent; and bituminous coal and lignite, 37.7 percent. Anthracite consumption declined 49.8 percent. The use of nuclear energy, which was negligible 10 years ago, has jumped to 141 trillion B.t.u.'s.

The largest energy increase of 1969, in terms of consumption, was in electric utility power, 12.1 percent; followed by energy for household and commercial needs, 6.9 percent; industrial uses, 5.2 percent; and transportation, 4 percent.

Petroleum, continuing as the dominant fuel, supplied 43.2 percent of all energy demands in the United States in 1969. Other energy sources include: natural gas, which supplies 32.1 percent of total energy needs; bituminous coal and lignite, supplying 20.1 percent; waterpower, furnishing 4 percent; anthracite, which supplies 0.4 percent; and nuclear energy, furnishing 0.02 percent.

In 1969, coal was still the major fuel for generating electric power and the domestic demand for it rose 1.1 percent to 505 million tons.

The mining of coal represents a major industry in Kentucky, particularly in the southeastern portion which I represent. Since 1968, coal production has increased from 101,156,000 tons to 126,000,000—a preliminary estimate—an increase of approximately 25 percent. At the same time, the price of coal sold under contract has increased from \$3.91 per ton to an estimated \$5 per ton, approximately 30 percent. For many special types of coal or coal not mined under contract, prices are often much greater than the above amounts. During 1969, the price of high grade metallurgical coal was approximately \$12 to \$13.

Given this dynamic, changing pattern in energy demand and supply, it is easy to understand the different opinions about the future of the energy market in the United States as shown by various forecasters. Although nuclear power supplies only a minute part of present energy

demands, some forecasters expect uranium and thorium will become the largest single source of energy for the Nation within the next 3 decades. However, given our larger resources of coal and oil shale, and the technological prospects for converting them into fluid fuels, the dominance of the petroleum-like fuels is thought likely to continue for the rest of this century. For the most distant future, there are hopes that certain forms of hydrogen atoms, which are present in nature, can be used as fuel in the fusion process, which in essence could provide an inexhaustible supply.

Although Federal activities in this field are numerous, as yet no effort has been made to coordinate them through comprehensive planning and the development of policy guidelines. Increased sources of power are being demanded, while at the same time, many sources of fuel are in short supply. Antipollution laws, as well as those for mine health and safety, also exert upward pressure on the cost of extracting, refining, and consuming fuel.

The economic well-being of our Nation depends on an adequate supply of low-cost energy. Providing fuel to generate such quantities of energy will pose a substantial problem for the energy industries and necessitates the formulation of a comprehensive national energy policy. I submit that the select committee, to be created by House Resolution 155, is an excellent means by which to begin such policy formulation, as well as to encourage the coordination of the myriad activities presently carried out by the Federal Government. It is my feeling that such a committee is essential to the well-being of our Nation.

Mr. ANDERSON of Tennessee. Mr. Speaker, I yield 8 minutes to the author of the resolution, the gentleman from Tennessee (Mr. FULTON).

Mr. FULTON of Tennessee. Mr. Speaker, I am pleased to explain House Resolution 155, which was approved overwhelmingly by the Rules Committee on May 18.

This resolution, sponsored by more than 100 Members of the House, would create a Select Committee on Energy Resources.

The sponsors of this resolution come from all geographical areas of the country and include many of my colleagues of the Republican Party.

I would like the House to indulge me for a moment while I cite a few of the statements from experts in the energy field.

From a recent speech by a member of the Federal Power Commission, I quote:

It is almost impossible to pick up any metropolitan newspaper on any given day without finding some reference to a national energy crisis or a local or regional power shortage or the problems of getting new or additional natural gas service for some community or other.

Increasingly, these accounts reflect some direct tie to the economic welfare of the community—a housing project stalled for lack of gas, a plant shut down or prevented from expanding for lack of industrial fuel,

general commercial slowdown resulting from voltage reductions.

Time magazine's business section for April 19 features an article called "getting more power to the people." Its conclusion:

Whatever the specifics, the prime essential of a national energy policy is that all pieces fit into a sensible pattern of fuel production and use.

The present lack of policy is leading to a combination of intermittent shortages and soaring prices.

If it continues, the nation may find itself starving for energy in the midst of potential plenty, and paying an exorbitant price as a result.

Mr. NEAL SMITH, chairman of the Small Business Subcommittee of the House which has looked into this situation, had this to say on March 25, 1971:

There is no question that energy problems, including periodic blackouts, will be a continuing serious problem and that small businesses as well as individual customers are greatly affected by any shortage of energy.

They are affected by increases in prices, inconvenience, and even lay-offs and need to know what possibility there is that there will be any kind of energy shortage in the future and whether it is advisable to depend heavily upon a particular fuel source.

In addition to that, we need to continue to develop national policies which will assure overcoming the shortages which will exist for at least 5 years.

Senator RANDOLPH, of West Virginia, member of the Senate Interior Committee, made the following statement in February 1971:

Some policy must be established which will permit the managers of the fuel industries to plan nationally for the critical years ahead.

Present public policies toward energy are so fragmented and inconsistent and administered by so many different agencies of government that it might truthfully be said that this country has no energy policy at all.

From the CONGRESSIONAL RECORD of February 11, 1971, Congressman ROBISON said:

Mr. Speaker, at the moment I do not see much chance existing that any inquiry of this sort might develop on its own—either downtown in the executive branch, or here on Capitol Hill.

This is because, in both instances, there is a confusing jumble of overlapping responsibilities, whether one is referring to those carried by different departments, agencies, or bureaus within the administration, or to legislative committees within the Congress.

The U.S. News & World Report of February 15, 1971, summarized the situation as follows:

A midwinter wave of numbing cold has caused a crisis and sounded a warning in large areas of this country.

The crisis: widespread shortages of electrical energy developed as power demands soared with dropping temperatures and some major generators broke down.

The shortages came close to paralyzing the lives of more than fifty million people in the Northeast and around Chicago.

The warning: more, and perhaps worse, crises are possible during the continued cold and stormy weather that forecasters see ahead.

Said John A. Carver, Jr., a member of the Federal Power Commission, on February 3:

"The way our demand for energy is growing faster than our ability to supply that energy, any year we don't have a problem will be a lucky year.

"I've never seen cutbacks like we're seeing now, whatever else it might mean at the present time, it means we're going to have to live with this for the foreseeable future unless the good Lord sees fit to change the weather—and I don't think that will happen."

The outlook for the remainder of February, according to the long-range forecasts of the National Weather Service, is for temperatures to continue averaging well below normal throughout the area from the Great Plains eastward to the Atlantic Ocean and from Canada deep into the Southwest.

The Northeast was where the winter power crisis hit hardest.

The Chief of the Office of Emergency Preparedness said:

The energy problems facing the Nation require the formulation of a National Energy Policy. Lead times for solving the problems are long, and time is running out.

General Lincoln, who is also Chairman of the President's Oil Policy Committee said:

All our mental efforts should be directed to developing policies and building programs which will maintain adequacy during the next few years and give assurance of secure and sufficient energy for the last half of the decade and beyond.

Dr. Wilson M. Laird, Director of Interior's Office of Oil and Gas, said last week:

The Nation, facing a major energy gap, should elect to develop its domestic fuel resources rather than drift into greater dependence on foreign energy sources.

The Federal Trade Commission, in a report dated May 14, said this:

It is essential that these areas be fully explored—either by the Congress or by an agency or institution designated and funded by the Congress.

From a recent report by the National Coal Policy Conference:

Energy is a vital ingredient in our national life.

Without it, nearly everything stops—as we discovered in the Northeast blackout years ago.

Energy consumption is growing five times as fast as population, and countless industrial processes depend on increasing amounts of fuels and electric power.

Our affluent society has come to depend upon energy-consuming conveniences to a degree unknown a few decades ago.

Also, I would like to insert in the RECORD a letter I addressed on April 29 to the Speaker supporting the need for the creation of the select committee, outlining the number of people needed and my pledge to complete the study during the 92d Congress.

Mr. Speaker, we are all aware that man's ability to convert the earth's finite store of energy, coal, petroleum, natural gas, and uranium, into such useful forms of energy, transportation, heat and useful, beneficial byproducts has steadily grown from the time usefulness of coal was recognized 800 years ago, until the present time.

The pattern of growth continues, but

as I have said, storm warnings are with us.

The consumption of energy, which required millions of years to accumulate, has proceeded at a pace which can best be illustrated by reminding ourselves that half of man's total energy consumption has taken place in the last 30 years—as much in 30 years as in the preceding entire history of man.

Just as energy consumption measures the extent of our industrial progress, so it also measures the extent of the degradation of the environment.

The cheapness of energy is the basis of our affluence.

Our affluence is the basis of our wastefulness and our insatiable demand for more and more of everything, puts a bigger and bigger load on our diminishing resources.

The result is what we call the energy crisis and the environmental crisis, two sides of the same coin.

The purpose of this resolution for the creation of a House select committee is to lay the foundation for the House of Representatives and the Congress itself to assume its proper role in charting the course for the American people in the difficult task of reconciling our goals of economic expansion and growth and our goals of a livable environment.

That reconciliation, Mr. Speaker, will involve choices and compromises so fundamental in nature that only the Congress should make them.

It is inconceivable to me that the Congress should wish to abrogate to the executive branch or to the judicial branch or to the so-called fourth branch of Government, the regulatory agencies, all of which play an increasingly vital role in decisionmaking energy matters, the responsibility for making the kinds of choices and compromises which are continually being made.

The basis for the reassertion of congressional prerogatives has to be knowledge of the situation and the gathering of that knowledge for the benefit of the House, the Congress, and the people.

That is our objective.

The National Coal Association in a recent statement supporting a Department of National Resources called attention to the fact that decisionmaking powers are now spread over a number of Federal agencies and suggested that Congress set up a Committee on Energy to take over from the 14 congressional committees that now deal with energy.

Mr. Speaker, I have no quarrel with the fact that many committees of the House, such as Interstate and Foreign Commerce, Interior, and Public Works, and others have partial jurisdiction and responsibility in this area, but I believe that we are faced with a national crisis of such proportions that the creation of a select committee that would concentrate in this field only is urgently needed.

We envision an active committee whose first task would be to lay out an investigative program to ferret from this bureaucracy where we now stand as outlined in the resolution itself.

This would require a professional staff

carefully supervised to see that the end product of its work would be instructive and useful to the Members of Congress and to the public.

We know that this report cannot be encyclopedic either factually or in cataloging policy choices.

Five-foot stacks of books are not that useful to busy Members, but a fair and balanced picture can be assembled which would be helpful to the Congress and its committees.

Badly needed perspective can be achieved and a select committee is the right mechanism.

The committee would be authorized to investigate all aspects of the energy resources in the United States, including, first, the availability of oil, gas, coal, and nuclear energy reserves; second, the identification of the ownership of such reserves; third, the reasons and possible solutions for the delay in new starts of fossil-fueled powerplants; fourth, the effect of pricing practices by the owners of energy reserves; fifth, the effect of the import of low-sulfur fuels; sixth, measures to increase the availability of pipelines, railways, barges, and ships needed to transport fuel materials; seventh, measures to close the gap between the supply and demand for energy; and, eighth, the identification of the environmental effects of the production and transmission of energy.

Under the select committee's supervision, the staff would answer questions such as these:

Where are we really in our resource inventory, particularly in the matter of present deliberability?

The people are not adequately informed as to where we stand now and where we will likely be, given present trends.

How can they be made so?

What institutional mechanism should be created?

How can they be kept responsive to the Congress and to the people?

These may seem very broad, but if what we want is a compendium of bureaucratic answers, we can get these by addressing a questionnaire to the executive and regulatory agencies.

I want to say to my colleagues in the House that time is fast running out.

I know of no legislation pending that is more urgently needed and I ask your support.

Mr. HECHLER of West Virginia. Mr. Speaker, will the gentleman yield?

Mr. FULTON of Tennessee. I am glad to yield to the gentleman from West Virginia.

Mr. HECHLER of West Virginia. With reference to page 2, line 1, of the resolution authorizing the investigation of "the effect of pricing practices," will this include a study on environmental costs in their relation to pricing practices?

Mr. FULTON of Tennessee. Yes; it will.

Mr. HECHLER of West Virginia. With reference to page 2, line 7, of the resolution, will the investigation and "identification of the environmental effects of

the electricity industry" include the environmental effects of strip mining?

Mr. FULTON of Tennessee. My answer is definitely "Yes."

Mr. HECHLER of West Virginia. I thank the gentleman from Tennessee for his frank answers, and although I feel there have been too many energy studies undertaken without action, I shall probably support this resolution in the hope that it will bring more balance and objectivity into discussions which have been based on preconceived conclusions. There is absolutely no reason why, whenever efforts are made to protect the environment, industrial and some Government sources rush in and charge that such protection would create an "energy crisis" and stunt our economic growth.

I am pleased to learn that this investigation contemplates a study of the relation of environmental costs to the price of electricity. One of our problems has been that damaging practices like strip mining have been so inexpensive because environmental costs have not been cranked in. Dr. Lee A. DuBridge, at that time science adviser to the President, made a very thoughtful observation on this point on February 3, 1970, when he testified before the Senate Government Operations Committee, as follows:

Whether the doubling of power every 10 years will or should be continued as a trend in the next 20 years is a subject that calls for careful examination. While population growth is responsible for about one-third of this growth, the fact is that per capita consumption of electric power has been increasing roughly three times as fast as population growth. This increase in per capita consumption of electric power results from a higher standard of living and greater mechanization but to some extent it is influenced by the pricing policies followed by the electric power industry—the notion that power should be priced to consumers under promotional rate structures that encourage greater and greater usage. Power has become cheaper and cheaper and therefore more attractive. It also results from longstanding Federal policies that also stress the lowest possible price for electricity.

It may be that energy consumption is growing so fast in part because the price does not include the full cost to society of producing and delivering it. I believe that efficient power production is just as important as ever to our economic growth, but we delude ourselves and perhaps shortchange future generations when the price of electricity does not include the cost of the damaging impact its production imposes on the air, water, and land. If the total social cost of electricity or other products are included in its price, consumers will have the inherent ability to consider the effect of their decisions on the environment.

Also, electric growth historically has been encouraged by vigorous promotional activity on the part of the electric utilities. This is illustrated by the advertising campaign of Edison Electric Institute in Life magazine for September 4, 1970, as follows:

The electricity that lights your home is the cleanest form of energy known. It's absolutely flameless, absolutely without combustion. So it follows that flameless electric heat is the cleanest, purest home comfort you can buy.

But the fuels that generate this electric energy pollute the air with smoke, fly ash and sulfur dioxide and pollute our waters with acid and other wastes. Just as important is the fact that "the all-electric living" concept promoted by the electric industry causes a severe drain on our needed fuel resources.

Only in the latter half of the sixties has this Nation begun to be aroused by the threat to our environment from the onrush of technological progress. Public opinion has forced government at all levels to exert greater pressure on industry and municipalities to take effective steps to improve the quality of our environment. At the same time, we must find new ways to conserve our resources for future generations of Americans. But, we must do this now, even though all information is not yet in—and never will be.

It is with mixed emotions that I shall probably support this resolution. Environmental control technology has not kept pace with production technology and advertising budgets. The time is here when we must act instead of studying. With the fervent and optimistic hope that this resolution might result in a balanced and objective investigation, I shall somewhat reluctantly vote for the resolution.

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

Mr. FULTON of Tennessee. I yield to the gentleman from Tennessee.

Mr. ANDERSON of Tennessee. In view of the shortage of time, the gentleman recalls this morning that we discussed several questions and answers that relate to the environmental areas.

Mr. Speaker, I ask unanimous consent that I may place those questions and answers at this point in the RECORD.

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

There was no objection.

The material referred to follows:

QUESTIONS AND ANSWERS ON HOUSE RESOLUTION 155

Q. Item 3, in the second paragraph of the resolution, indicates that the committee would study "the reasons for and possible solutions for the delay in new starts of fossil fueled powerplants." Can the gentleman assure us that the committee would not necessarily consider these delays unwarranted? Is it not possible that these delays are, in many cases, desirable to allow time for studies of social and environmental impact of the proposed powerplants?

A. I am happy to assure the gentleman that the committee will have no preconceived notion, overall, as to the merits or demerits of these delays. Indeed, it could be that the delays result from inadequate advance planning by the utilities. We are going to look at this question from all sides.

Q. Item 6 specifies that the committee investigate "measures to increase the availability of pipelines, railways, barges, and ships needed to transport fuel materials." Does this imply that the committee would regard these particular modes of fuel transportation as necessarily required to solve the current energy problem?

A. No, it does not. The committee will examine all means of transporting fuel ma-

terials and transmitting energy. It may prove unnecessary to move more rapidly into pipelines or ships. As my colleagues know, each form of transportation and transmission has its drawbacks. Pipelines and tankers especially involve major safety problems. Each form, and its implicit problems, will be given due consideration in the committee's studies.

Q. Item 7 indicates that the committee will examine "measures to close the gap between the supply and demand for electric energy." Will the gentleman assure us that this does not imply an assumption that we have to continue at the present rate of increasing demand for energy?

A. Yes, as my colleague knows, we have a continuing increase in energy consumption which is clearly one of the root causes of the present problems. One of the committee's chief objectives will be to examine ways of reducing the demand for energy.

Mr. EVANS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. FULTON of Tennessee. I yield to the gentleman from Colorado.

Mr. EVANS of Colorado. Mr. Speaker, according to studies by the Department of Interior, in 1980 the United States will be consuming more than 88 quadrillion B.t.u.'s of energy on an annual basis. This compares to a use of 59 quadrillion B.t.u.'s in 1967.

This is such a vast amount of energy it boggles the mind, but perhaps a breakdown of where this energy will come from will be even more amazing.

To have and use 88 quadrillion B.t.u.'s of energy in 1980, just 8½ years from now, we will consume 6½ billion barrels of oil, nearly 25 trillion cubic feet of natural gas, and 665 million tons of coal. But that is not all. In addition, we will consume 725 billion kilowatt-hours of electricity from nuclear-powered generation and an additional 340 billion kilowatt-hours from water generated electricity.

For something like the past 50 years, the rivalry between suppliers of energy for their share of the market, encouraged by Government policy, has been more vigorous at times and has led to some great improvements in the efficiency of energy production, processing and transportation, as well as a revolution in use.

The question is, have these Government policies provided the impetus and the certainty that we will have the 88 quadrillion B.t.u.'s of energy to use in 1980.

There is a clear-cut Government responsibility involved. The Federal Government has, by law, controlled energy development, production, transportation and consumption, and the question now is, are our laws adequate to assure sufficient and properly balanced development and use of energy in the years ahead?

Economic studies prove the gross national product and consumption of energy are closely related. This is in addition to the obvious energy requirements for the comfort, health, and safety of the more than 200 million people. Further, the very security of this Nation is totally dependent upon our assured ability to produce needed energy.

These facts are not only true for today but also underpin our security, standard of living, and economic growth in the years ahead. We must be assured of an adequate supply and reserves of energy not only to 1980 at the staggering level anticipated, but on into the future. We must know that we can stay ahead of huge amounts of energy we shall consume.

As every barrel has a bottom, so too do most of our sources of energy have limits. We must anticipate, well in advance of our approach to the bottom of any such barrel, the development of new energy sources. The development of these new sources of energy must be given sufficient leadtime so that their availability is assured before current sources of energy are depleted.

As we move on into this era of staggering energy consumption we must be certain, beyond question, that satisfying our increased needs of tomorrow will not result in a staggering destruction of our environment. Unless we anticipate, unless we know, unless we plan years in advance, we may find that we will have neither the required energy nor a desirable environment.

I submit that these facts make it imperative that a select committee be authorized to assist this House and the Nation to secure the inventorying, planning, studies, and recommendations that will assure us of timely and adequate supplies of energy in the future, developed in a fashion that assures a healthful environment.

Mr. Speaker, I yield back the balance of my time.

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

Mr. FULTON of Tennessee. Mr. Speaker, I cannot yield to the gentleman since I have already yielded back the balance of my time.

Mr. QUILLEN. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. COUGHLIN).

Mr. COUGHLIN. Mr. Speaker, as co-sponsor of the resolution to create a select committee to investigate all aspects of energy resources in our country and to present recommendations, I cannot emphasize too strongly how desperately we need a total commitment in the field of energy resources.

I believe that the most critical problem we face in terms of pollution as well as in terms of need is an adequate and pollution-free source of energy to heat, cool, and light our homes and industries, power our equipment, and drive our transportation of all sorts.

The key to developing our energy resources to meet demands of coming decades is a national energy policy. Thus far, we have taken only minuscule steps toward this; we need a crash program.

The national energy policy would evaluate for the near-term future our needs for energy, our potential sources of energy, the best sources of that energy, and would seek to channel development into the best sources. It should consider establishing a national system,

into which every supplier of energy is integrated, to meet the shifting energy requirements to avert blackouts and brownouts, and to cope with crisis situations.

This policy is necessary for planning and program purposes, but I think we must embark immediately on an all-out program to develop a pollution-free source of unlimited energy by the end of the decade. This is within our grasp technologically if we are willing to make the kind of commitment we did in splitting and harnessing the atom, and in putting a man on the moon.

Creation of a select committee, it seems to me, is a logical and practical approach to a monumental problem that has received minor attention. I feel it is well within the province of the Congress to provide the leadership in ending the fragmentation, mixed jurisdictions and uncoordinated operations that mark our means of supplying energy throughout this country.

This action is vital in the present Congress, because we for too long have been ignoring the peril of present policies—or more precisely, the lack of them. I am certain that a select committee can accomplish its objectives in this Congress and provide the basis for a new, coordinated national program that recognizes the scope of our energy problems and prepares to meet it.

Mr. QUILLEN. Mr. Speaker, I yield 10 minutes to the distinguished gentleman from Illinois (Mr. SPRINGER).

Mr. SPRINGER. Mr. Speaker, and my colleagues, I will admit that when I saw this resolution after it had come from the distinguished Committee on Rules, and never having seen it before, that I was somewhat shocked. Now, why should I be in that state? Merely because we have jurisdiction of those matters? No, I do not think that is important. I think it is because they have put this resolution out here without any of us ever having been heard in committee on it.

We were never invited to comment on this, and in our discussion with the chairman he never heard of the resolution until it came out. And we have not suffered any great pride of authorship, but it is a simple matter that these matters are already subject to the jurisdiction of a subcommittee which now exists and which is under the able chairmanship of the distinguished gentleman from Massachusetts (Mr. MACDONALD) and that is the Subcommittee on Communications and Federal Power. You talk about hearings, why, please listen to this:

May 4, four witnesses. May 6, four witnesses. May 7, three witnesses; May 11, three witnesses; May 12, five witnesses; May 13, four witnesses; May 25, eight witnesses, and the committee heard four witnesses this morning, and the final six witnesses are scheduled for tomorrow.

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

Mr. SPRINGER. Not at this time, I would like to get through with my statement, and I think I can clarify this to the point where I believe the House can

get an understanding about what was done up to now by the Subcommittee on Communications and Federal Power, and that is that they have reached the very heart of this resolution.

Now, let me comment a bit about what is contained in this resolution. The proposed study would involve most of the jurisdiction of the committee, which pertains to oil, gas, electric power, and some transportation matters.

Three of the items that have been mentioned here, if you pick up this resolution and look at it, items 3, 7, and 8 are presently the subject of hearings, which I just mentioned to you a minute ago.

If you want to talk about item No. 1, there is a record of that in the Federal Power Commission at the present time, the availability, the identification and the ownership of such reserves are practically all known. There may be some small reserves that are not known, but all of that which passes in interstate commerce, which is 95 percent of the oil and gas power produced in this country, goes through the Federal Power Commission, and is regulated by it, so we know what there is.

What about world supply? I am not talking about electricity because we do not get electricity from abroad, but I am talking about gas and oil. We know where all the gas and oil supplies are in the world. It has already been discovered, and we also know the potential of what the remainder is, and I am talking about a very substantial portion, let me tell you that, because the scientists do know approximately what there is in various parts of the world. So the identification of the owner is already known, and we have inquired into that matter I do not know how many times.

You ask me if these hearings on electric reliability are extensive? May I say to the Members that this 9-pound package on the table is just the testimony of Mr. Nassikas, who is the Chairman of the Federal Power Commission. This is only one. So this gives you some idea that actually what we are talking about here is being covered in these hearings. So if we accept this resolution there will be a duplication of the efforts of one which is going on already.

So that there can be no misunderstanding about any of the things mentioned here, let me refer to item 3, the reasons and possible solutions for the delay in new starts of fossil-fueled powerplants; items 7 and 7 measures to close the gap between the supply and demand for electric energy, and the identification of the environmental effects of the electricity industry.

The identification of the environmental problems of the electric power industry is in the siting bill and the whole question is being covered.

I happen to have a plant which will probably be \$100 million in my own district. It is going to be nuclear we think, if the environmental question is ever cleared for us. But under this siting bill, all of this would be done. So when you got down to placing a plant someplace,

the whole question of environment would be already determined and construction could proceed expeditiously.

What you are trying to do—most of what this subcommittee is to do is exactly what the gentleman from Tennessee seeks to do. I think if he had a chance to talk with either the chairman of the committee or the chairman of the subcommittee, he would have known of these matters which he is so anxious about and which concerns us just as it does the distinguished gentleman from Tennessee. I do not know of any reason why he would want to go out and just get another committee formed, which I suppose would have at least seven and one or two from our committee, one on each side, to duplicate what our committee is doing or has done already.

I note that some parts of this with reference to monopoly is being covered by the distinguished chairman of the Committee on the Judiciary, the gentleman from New York (Mr. CELLER). So that is a part which I know the gentleman is interested in which goes into the question of the pricing practices by owners of the energy resources.

What the gentleman wants done is exactly what the committee wants done and the chairman of the full committee as well as the chairman of the subcommittee.

I do not know of anything that has been gone into more intensely by any subcommittee or full committee of the Committee on Interstate and Foreign Commerce than this subject. I know his answer for it because I got it in my mail the other day.

This siting bill is of the utmost importance and is going to be brought up on the floor sometime soon. The whole effect of it is to clear the way so that we can get some of these energy plants built and get the energy we must have in the next 10 years if this country is going to be heated and we are going to supply industry and business and so that the country can continue to grow.

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

Mr. SPRINGER. I yield to the gentleman.

Mr. MOSS. As the gentleman knows, contrary to the general requirement of the Committee on Rules in all of the resolutions passed this year authorizing studies and investigations in these instances, on this select committee the language is:

However, the committee shall not undertake any investigation of any subject which is being investigated for the same purpose by any other committee of the House.

That language is not included.

Mr. SPRINGER. Yes.

Mr. MOSS. That language which I just read is from the committee resolution for the Interstate and Foreign Commerce.

Mr. SPRINGER. That is right.

Mr. MOSS. It is not in this resolution.

Mr. SPRINGER. So you then have to act and give them that.

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

Mr. SPRINGER. I yield to the gentleman.

Mr. CELLER. The Committee on the Judiciary has before it a number of bills concerned with oil, coal, and uranium, particularly with reference to the sources of supply of these energy producing materials.

In addition, there are bills that provide for the investigation of companies that are manufacturing energy from fossil fuels and uranium to see that they do not unite and merge so that a coal company cannot control an oil company or vice versa and also so that a uranium company cannot control a coal or oil company and vice versa.

Now what is the Committee on the Judiciary going to do with reference to these matters if this committee has the same jurisdiction? What, I ask you, shall be my duty in that regard?

Mr. SPRINGER. I understand the position of the distinguished gentleman. It is the same as ours. I do not see that we can move on those bills, at least to the credibility of this House as long as the same matters are under investigation by another committee. I just do not think it is beneficial for one thing and I think it is bad legislation for another thing.

Mr. Speaker, in view of the shortage of time, I am going to yield back the balance of my time, but because of the time used over there I had hoped to be able to yield to a member on this side.

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

Mr. SPRINGER. I yield to the distinguished gentleman from Louisiana.

Mr. HÉBERT. I thank the gentleman for yielding.

Mr. Speaker, I just wanted the gentleman to yield to say that I am completely in accord with the gentleman and I associate with the comments he has made. It seems to me that we may as well abolish all committees of the House if we adopt this procedure.

Mr. SPRINGER. I thank the gentleman.

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

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

Mr. BROTZMAN. I thank the gentleman for yielding. I, too, would like to associate myself with the tenor of the gentleman's remarks. Having served as a member of that particular Subcommittee on Communications and Power that is dealing with this problem currently, I also well recollect how thoroughly we went into this particular problem on at least two or three prior occasions attempting to bring forth some legislation. So I feel that the inquiry has been thorough and, of course, there is no more critical area to be looking at than this. As the gentleman has said, hearings were currently underway. So I would like to add my voice as a former member of that committee in support of the gentleman's position.

Mr. QUILLEN. Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr.

GOODLING), for a unanimous-consent request.

Mr. GOODLING. Mr. Speaker, I rise in strong opposition to House Resolution 155, a resolution which would establish a select committee of seven Members of the House of Representatives. These Members would be appointed by the Speaker and would be authorized to investigate all aspects of energy resources in the United States.

To put the matter bluntly, the establishment of such a select committee would be a wasted effort, a duplication of a subcommittee that presently is constituted to perform precisely the responsibility that would be assigned the select committee provided for under the provisions of House Resolution 155.

The House Subcommittee on Communication and Power is the subcommittee to which I refer. This is a subcommittee of the House Committee on Interstate and Foreign Commerce, and its chairman is the Honorable TORBERT H. MACDONALD of Massachusetts.

It is my understanding that Mr. MACDONALD's subcommittee came into being in the 1965-67 period, in that time when the eastern sector of the United States was plagued with electric power failures. This subcommittee has been functional and it is, at present, holding hearings on the power reliability and similar bills that have been introduced to this body.

The historical data sheet issued by the House Committee on Interstate and Foreign Commerce informs us that the jurisdiction of the House Subcommittee on Communications and Power extends to: First, Interstate and foreign communications, second, Weather Bureau, and, I call your special attention to these last two items, third, petroleum and natural gas—including interstate oil compact—and fourth, interstate electric power.

It seems quite apparent, then, that House Resolution 155 is superfluous. We have too much duplication in our legislative process already, and there is no point in approving legislation that would compound the problem. Toward the end of greater legislative efficiency, I strongly urge that House Resolution 155 be defeated.

Mr. QUILLEN. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. CONTE).

Mr. CONTE. Mr. Speaker, as a cosponsor of an identical proposal, House Resolution 328, I am pleased to join the distinguished gentlemen from Tennessee (Mr. FULTON and Mr. QUILLEN) in urging the adoption of this resolution to create a sorely needed Select Committee on Energy Resources.

In recent months nearly everyone has been talking about the now well-publicized energy crisis. Few, however, have come up with plans to meet it.

The studies, reports, and hearing records on the subject would fill this Chamber.

Various offices in the Department of the Interior are concerned with the methods used and the rates at which we deplete our natural resources: The Office

of Science and Technology is concerned with new methods of extraction and transmission; the Federal Power Commission has a responsibility to see to it that consumers receive adequate supplies of energy at reasonable prices; the Environmental Protection Agency has the responsibility of formulating standards to make sure that the generation, delivery, and consumption of energy are done in a manner consistent with the Nation's requirements for clean air and water; and the Office of Emergency Preparedness is charged with seeing that our Nation receives adequate power in the event of disaster or attack.

Even State and local public utility commissions have some authority over various parts of the problem.

There has been a proliferation of responsibility, but a disturbing lack of solutions.

Everyone has a "piece of the action," but no one has overall responsibility for a national energy policy.

All of these various agencies in the executive department and independent offices are dedicated to fulfilling their own particularly defined responsibilities.

They are "mission oriented," and limited by statute and regulation to considering only one aspect of a highly complex picture.

But this will no longer do.

It is we in the Congress, not the unelected technicians and bureaucrats downtown, who have the major responsibility to give direction to these reports toward a national solution to our energy needs.

We have the duty of defining a rational, orderly, environmentally safe, and economically sound national policy for utilizing our resources to create the energy we have too long taken for granted.

I am convinced that this proposed committee is the proper vehicle to inform the House, and enable us to develop this national policy.

To say this is not to ignore the proper role of other committees concerned with the problem. Many have indeed already been working in this field. To take just one example, a subcommittee of the Small Business Committee, under the direction of its able chairman, the gentleman from Iowa (Mr. SMITH) began hearings last fall on the fuel and energy crisis. We produced a committee report, which I commend to the attention of my colleagues, that I believe is helpful in sketching the dimensions of the problem, and in recommending steps toward improving the situation.

In particular, one of our committee's recommendations is that legislation should be considered "to designate a single Federal agency with responsibility, authority, and jurisdiction for establishing a national energy policy." I believe that this proposed new select committee will be in the best position to examine this proposal.

Our Small Business Subcommittee will be continuing its investigations with hearings in July, paying special attention to the alarming trend toward con-

centration of ownership in the energy field. This concentration—particularly the expansion of control by our major oil companies over other energy resources, such as coal and uranium—poses a serious threat of lessening competition to the detriment of all consumers, as well as small businessmen. In my opinion, it should concern all of us here, and I for one intend to intensify my efforts to investigate this development.

This matter of concentration is another matter which this new committee must examine.

For, despite the efforts of our Small Business Committee and other committees, it is only by the creation of a single committee, charged exclusively with the responsibility "to conduct a full and complete investigation of all aspects of the energy resources in the United States," that we can be sure of getting the most complete picture.

And I am pleased to note, Mr. Speaker, that this investigation will take full cognizance of the needs of all consumers, and the rightful demand of all Americans that the environmental consequences of energy policy be fully appreciated, and planned for.

Finally, I endorse this proposed committee, because of its vital importance to my own New England region.

This is not the time, Mr. Speaker, to launch into a recital of the long history of neglect of our fuel and energy needs that we have suffered. It is well known that we pay the highest prices in the Nation for electric power, and for the heating oil which produces that power, as well as heats our homes, our schools, our hospitals, and our factories. Let me simply say that, in my view, this new committee should have representation from all regions, including my own. With that kind of representation, I am confident that New England's interests will receive a fair hearing.

Again, I commend the gentlemen from Tennessee for their leadership and initiative, and I urge all my colleagues to vote for this resolution.

Mr. QUILLEN. Mr. Speaker, I yield such time as he may consume to the gentleman from Connecticut (Mr. MCKINNEY).

Mr. MCKINNEY. Mr. Speaker, the inconvertible fact is that we face an energy crisis that will only deepen in the next decade unless we commit ourselves to the task of aggressively seeking to meet our energy needs. The topic is mundane and perhaps boring. It does not generate the sense of urgency surrounding the problems of war and peace, health, or education. And yet, gentlemen, electricity is the life blood of our technological society and without an adequate supply, some parts of this Nation will in fact either wither or not fulfill their potential for growth and development.

The problem, as we know, is not simply a matter of throwing away your electric toothbrush or sweating through a hot summer without the air-conditioner. We have built an electric society—a society which has moved beyond the candle, a society whose creative industrial genius

has been inspired by the potential uses of electric power. To stifle that innovative genius because we have failed to produce adequate energy would contravene the American tradition of technological leadership.

Two items in this morning's New York Times put the extent of the power crisis in a frightening perspective. An editorial entitled "Disaster Plan for Power" commented on New York State Public Service Commissioner's startling proposal that the power crisis in New York can only be met if electricity is withheld from all buildings started or rehabilitated after July 1. The consequences of such an action are beyond the scope of understanding for a nation which, since the days of Edison, has held an unquestioning faith in the limitless power of the wall socket.

Beyond the problems of New York City the paper carried another article, "Power Rise Urged for the Needs of Poor." It is in the area of the underdeveloped parts of our country that the consequences of a power crisis are in the long run most devastating.

Our efforts to provide the benefits of the "age of affluence" to all Americans cannot succeed unless we can supply the basic component for industrial growth—electric power.

While our need for additional sources of power is urgent and demands immediate congressional action, we face the related complication of environmental integrity and pollution as they relate to the production and use of electric power. It would be the final absurdity that in our rush to produce power we destroy our environment.

Concern with the effects of technology on the environment is not a moot question. The polluting effects of nuclear powerplants and the stringing of high voltage powerlines across the countryside should give us pause for thought. In this whole area we need guarantees that the methods we employ to supply power are the ones which effect the best possible compromise between technology and the environment.

For these reasons I urge your support of the establishment of a select committee to investigate the energy resources of the United States.

In addition, over the next 20 years our electric energy requirements will expand by 248 percent. By 1980 it is projected that we will spend \$90 billion to meet these requirements. This monumental sum of money alone demands that we have a clear picture of how our national energy capabilities must be expanded, shaped, and modernized.

We can no longer afford to treat this issue in a haphazard, splintered fashion. Today, we have the opportunity to enact legislation that will put us on the road toward a coordinated approach toward achieving both low-cost energy and a high-quality environment.

Mr. QUILLEN. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Tennessee (Mr. BAKER).

Mr. BAKER. Mr. Speaker, as one of the cosponsors of this legislation to establish

a select House committee to study the Nation's energy problems, I rise in support of the resolution before us today and respectfully urge adoption of the measure.

The inadequate capacity of our energy resources threatens to cause power shortages in all parts of our Nation during peakload periods this summer. I feel it is essential to the national welfare for a short-term select committee to conduct an in-depth investigation of the Nation's energy resources and our future requirements for these resources.

Such an investigation can provide pertinent information on how we can meet our power needs and perhaps prevent an energy crisis during the coming summer months.

According to the Federal Power Commission, the anticipated demands on our Nation's electric power generating capacity are most likely going to be greater than our present supply can provide. Even if there are no breakdowns, no more supply shortages nor unexpected eventualities, most of the Nation will barely be able to squeak by this summer.

The FPC reports in all probability there may be blackouts, brownouts, power cutbacks, and reductions such as were experienced this past winter in New York, simply because everything did not go well and eventualities did occur.

A prolonged energy shortage could seriously impede our national security and jeopardize our very existence. While I hope such an energy shortage will never occur, we must admit there is a possibility. Therefore, we must take immediate action to avoid any kind of an energy crisis.

Mr. Speaker, ever since the 1965 power disruption that plunged much of the Northeast section of the United States into darkness, the residents of most of the larger urban centers have been wondering when such blackouts would re-occur. Unfortunately, blackouts and brownouts have become a fact of urban living. In 1970, for example, over 50 power shortages occurred across the Nation and the Federal Power Commission warns that almost every section of the country could experience them again this summer.

The threat of major power shortages is enough to warrant serious congressional attention. However, this is just one of the many problems which plague the supply of energy in America; it is, so to speak, the tip of the iceberg.

In the years ahead we will have to face many problems in the energy field and these problems will grow more complex as time passes. For example, there is the problem of environmental pollution and its relationship to the production of energy and relationship of energy supplies to environmental quality.

Adequate and dependable supplies of energy must be obtained to meet the criteria of low-cost and long-term energy supplies. The means and methods of transporting this energy with dependability must also be obtained.

We must insure that the interests of the consuming public are protected, in-

cluding such factors as an adequate supply of energy and fuel at reasonable prices and the maintenance of a sound competitive structure in the supply and distribution of energy to provide consumers with the widest possible choices at reasonable prices.

Finally there is the problem of financing the necessary research required to assure the continued supply of energy at low cost with the maximum protection of the environment.

At the present time there are numerous energy studies underway by industry, Government, and private groups to find solutions to these and other energy problems. But most of these studies or investigations are narrow in scope, focusing on specific problems of interest only to the group making the study. No attempt has been made to comprehensively analyze the entire spectrum of our energy policy.

To fill this void, my colleagues and I recommend the adoption of this resolution. This measure will create a select committee to investigate the energy resources of the United States. The major purpose of this investigation is to seek a clear picture of the condition of our national energy capabilities and to seek ways in which our present and future energy resources can be expanded, reshaped, and modernized to meet future energy needs. The investigation proposed by House Resolution 155 will also examine such problems as availability of oil, gas, coal, and nuclear energy; reasons and possible solutions for delays in new fossil fuel powerplants; the effect of pricing practices by owners of energy reserves; and measures to close the gap between the supply and demand for energy.

If we are to meet future demands for energy we must take steps now to insure the availability of energy supplies, while at the same time, preserving the quality of our environment. This resolution is a good beginning toward achieving this goal.

Mr. QUILLEN. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Iowa (Mr. KYL).

Mr. KYL. Mr. Speaker, I have but 2 minutes, which is sufficient time for me to get myself in deep trouble by speaking the truth, and somebody has to say it.

We know how to produce energy from atomic plants. We have plants ready to operate; they are not operating. The magic word is "environmental concern." We have an Alaskan oil deposit which is ready to tap, but we do not tap it. What prevents it? The magic word "environment." We have shale oil deposits in Utah and Colorado—a source of oil larger than the combined original deposits in Texas and Oklahoma and Kansas. We are working on the technology, but what lurks in the background as the big impediment? Environmental concern. We are building a powerplant on the Navajo reservation. What is wrong with that? That plant will burn coal, and that is bad. Not that we do not have coal, but burning coal is bad for the environment. You get letters just like I do. "Do not

dam one more river for hydroelectric power because you will ruin the environment." That is just as foolish as saying that we should dam every stream in the country.

Today we are working on trying to develop geothermal power. We are talking about generation by biochemicals and talking about techniques involved in trapping solar energy for utilization.

Members of the House, you have to realize that if we are going to solve the problems we face, we have to solve them with the tools we have and not with some dream for the future. All of us are environmentalists, but let us bite this bullet and put the matter in proper perspective.

We must be concerned with every element of the environment. But we must never fear facing facts because an emotional climate creates potential political hazard.

Mr. ANDERSON of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it should be made very, very clear that notice of the hearings was put on the calendar twice and printed in the RECORD four times, and not a single witness appeared before the Committee on Rules in opposition to the resolution. It was reported out without a dissenting vote from the Committee on Rules.

Mr. Speaker, I yield the balance of my time to the distinguished gentleman from West Virginia (Mr. STAGGERS).

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

Mr. MACDONALD of Massachusetts. Mr. Speaker, will the gentleman yield to me?

Mr. STAGGERS. I yield 1 minute of my time to the gentleman from Massachusetts.

Mr. MACDONALD of Massachusetts. Mr. Speaker, I would like to point out the fact that the reason no one appeared before the Rules Committee was the fact that no affected committees were notified that hearings were being held. I can guarantee that many committees would have appeared had there been proper notification.

I would like to point out further that the very purpose that this bill purports to have, which is to hurry up the solution to this problem—and there is no one here in the House who does not agree it is a problem—the very reason for this resolution really would be to defeat what we are doing currently in the Committee on Interstate and Foreign Commerce.

Mr. Speaker, I rise to express my strong opposition to House Resolution 155. I do so not because I do not share many of the same concerns which the measure's sponsor, Mr. FULTON, has expressed—but rather because I do share those concerns. And as chairman of the Subcommittee on Communications and Power, I have done more than express my concern. I have held extensive hearings in the past; I am in the middle of 3 weeks of hearings at the present time; and I have committed our subcommittee

to reporting out legislation in this session of Congress.

These efforts on the part of our subcommittee will be greatly impaired should the House adopt the resolution before it today.

Before I deal with the specific points in the resolution to which I object, I would like to bring to the attention of my colleagues a matter of general concern.

It is my understanding that the Rules Committee held hearings on the resolution on Tuesday, May 18. Despite the fact that our subcommittee's jurisdiction is directly affected, I received no notification of these hearings. I might add that May 18 also happened to be the day that the Commerce Committee was tied up in dealing with the railroad strike settlement. I understand that despite all the support in the way of cosponsors which Congressman FULTON had picked up for this measure, he was the only witness to appear before the Rules Committee. The committee acted the same day to report out the bill on a nonrecord vote. I take the word of my colleague from Tennessee that this nonrecord vote was in fact "unanimous."

I understand that I am not alone with regard to the lack of notification. The chairman of our full committee, Congressman STAGGERS, had no word of the hearing, Chairman ASPINALL, whose committee's jurisdiction is also affected by the resolution, received no notice. Neither did Congressman HOLIFIELD in his capacity as chairman of the Joint Committee on Atomic Energy.

I will not attempt to speak for these gentlemen since they are present today and prepared to speak for themselves against this resolution. However, I will speak for myself and for the subcommittee of which I am privileged to be the chairman.

I am proud of our record in that area of the Nation's energy picture over which we have jurisdiction. I refer specifically to two of the eight problems with which the proposed select committee would deal. They are items 7 and 8, and I quote:

Number seven: measures to close the gap between the supply and demand for electric energy; number eight: the identification of the environmental effects of the electric industry.

In March and then again in July of 1969, our subcommittee held hearings on electric power reliability. These hearings were resumed in May of last year. On May 4 of this year, the subcommittee began its final round of hearings, dealing with the questions of powerplant siting and environmental protection. The focus of these hearings is H.R. 6970 which I introduced. Let me state once again, so that there cannot be any misunderstanding, that I hope to have electric power reliability and availability legislation on the House floor before the end of this session. Our record is nearly complete. In the area of electric power, the informational needs which Mr. FULTON speaks about have already been met. I see no need whatsoever to go back over the

same ground. It is a waste of the Congress time and of the taxpayers' money.

I note with interest the action of the Rules Committee itself on March 2 of this year when it reported out the various investigatory resolutions of each of the standing committees. The Rules Committee at that time amended the resolutions to read that:

The committee shall not undertake any investigation of any subject which is being investigated for the same purpose by any other committee of the House.

I can certainly understand the concern expressed herein, and if this principle is applied to the resolution before us today, it would seem to eliminate the need for such a select committee altogether.

There is another reason for caution here. The creation of a select committee would, I believe, greatly impair the chances for meaningful legislation in the area of electric power. Frankly, there are those who would welcome the opportunity to avoid the responsibility of facing the cold, hard facts of the present electric power crisis with which we are faced. While I certainly do not suggest that this is the intent of those who propose this select committee, I fear that such a committee could become the vehicle for circumventing the jurisdiction of our subcommittee.

It is my feeling that the creation of this select committee will add nothing to the efforts to clarify the admittedly complicated energy problems which plague this country. Our subcommittee has developed a good working expertise in the area of electric power especially and is now ready to act decisively in the public interest. Frankly, I would be careful not to lend my vote to any measure which might serve to thwart that public interest.

I ask my colleagues to defeat House Resolution 155 so that the progress which has been made will not be impaired.

Mr. HOLIFIELD. Mr. Speaker, will the gentleman yield to me at this point?

Mr. STAGGERS. I am delighted to yield to the distinguished gentleman from California (Mr. HOLIFIELD).

Mr. HOLIFIELD. Mr. Speaker, I do not think I need to take but one-half minute.

Mr. Speaker, this bill should be defeated. It encroaches upon the jurisdiction of several committees of the House.

Here is the work that we did on energy—a study of energy, not nuclear energy alone, but coal, oil, and gas energy—in the last 2 years in the Joint Committee.

These six volumes have more information in them than any special committee could gather together in 1 year, and I will give it to them if they will face the realities of the situation.

Mr. Speaker, I do not think I need any more time. But the proliferation of special committee without any rooms to house their staffs is getting to be ridiculous around here. The standing committees trying to do their job are being

interfered with by this type of proposed legislation.

Mr. ANDREWS of Alabama. Mr. Speaker, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Alabama.

Mr. ANDREWS of Alabama. I want to say in line with what the gentleman from California has said, that as chairman of the Subcommittee for the Legislative Branch of Government we cannot hardly fund the special committees. We have no place to house them.

Mr. HOLIFIELD. You have no place to hide them?

Mr. ANDREWS of Alabama. House them.

Mr. HOLIFIELD. That is the point I just made—we are short of committee hearing rooms. Every time we make a new committee, whether it be a standing committee, a special committee, or any other official House committee, we create an impossible housing problem.

Mr. Speaker, House Resolution 155 would create a select committee composed of seven Members of this body appointed by the Speaker. The select committee would have the task of investigating the Nation's energy resources and providing this body with a full, factual, and fair report upon which the various standing committees could draw in working toward a common goal for the future to insure and assure that this Nation will have the energy capacity and energy resources required to meet our power needs of tomorrow and achieve our dual objective of low-cost energy and high-quality environment.

Mr. Speaker, I am in complete agreement with the objectives of the resolution and I do not question for a moment the sincerity of the distinguished sponsor and cosponsors of the resolution in the approach recommended. I have serious reservations in my mind whether yet another committee to conduct yet another study is needed to inform this body of anything which is not already well known or is readily available.

For example, the committee's task would include a study of the availability of nuclear energy reserves, the identification of the ownership of such reserves, measures to close the gap between the supply and demand for electric energy and the identification of environmental effects of the electric energy. These are matters which have been studied over the years by the Joint Committee on Atomic Energy. These studies have resulted in voluminous printed volumes such as I have here—which are available to Members of this body as well as to the public. For years the Joint Committee has been doing its job of developing a public record regarding uranium reserves, reactor development programs, and all aspects of the development of nuclear power. In 1969 and 1970, the Joint Committee held extensive hearings which are recorded in a four-volume "Environmental Effects of Producing Electric Power." As far as I am aware, Mr. Speaker, the Joint Committee's volumes on the environmental effects of producing electric power—regardless of the fuel source—are by far the most

comprehensive treatment of that subject anywhere—within this body, the executive branch, industry or in the academic world.

So I must ask, Mr. Speaker, what is to be gained by having these matters explored again by the select committee proposed by the resolution?

Mr. Speaker, the areas to which I have already referred to do not give the full picture of information which is already available to other committees of this body and which would be duplicated by the proposed study—if indeed all of the efforts could ever be duplicated within the time period which the resolution calls for.

The proposed select committee would be authorized and directed to conduct a full and complete investigation of the reasons and possible solutions for the delay in new starts of fossil-fueled powerplants. This subject—for all types of powerplants—was explored at length during the last session by the Subcommittee on Communications and Power of the Committee on Interstate and Foreign Commerce. That subcommittee, under the leadership of my distinguished colleague, Mr. MACDONALD, is again this session holding extensive hearings on bills relating to powerplant siting and environmental protection.

Mr. Speaker, I am informed that numerous studies are underway at many levels of Government to reexamine the energy supply/demand situation—many of these studies were initiated as a result of the sudden—to some—realization that the superabundance of energy resources which has heretofore characterized the U.S. economy might no longer be available to meet even near-term needs. Examples of some of these studies are:

The administration established an energy subcommittee of the Domestic Affairs Council to study and recommend ways to alleviate fuel shortages and to insure an adequate supply in future years.

The Office of Emergency Preparedness monitors the energy situation and its Director monitors the President's Oil Policy Committee.

The Federal Power Commission is updating its 1964 "National Power Survey." The revision will include an analysis of the electric power industry's probable patterns of development through 1990, including projections of power loads, fuel requirements, and sources of fuel supply to meet these expected loads.

The Department of the Interior has several studies underway for the purpose of surveying energy problems for both the shorter range and onward to the year 2000.

That Department has asked the National Petroleum Council to study the needs for oil and gas and to submit a report by January 1972.

The National Science Foundation is conducting several studies in the energy field.

In addition to these studies sponsored at the Federal level, there is continuing surveillance of the energy field by the Office of Science and Technology, the Atomic Energy Commission, the Federal Power Commission, the Tennessee Val-

ley Authority, the Bureau of Reclamation, et cetera.

Mr. Speaker, I submit that there is no need for any additional study to demonstrate that this Nation faces an energy crisis. The warnings from Chairman Nassikas of the Federal Power Commission and others concerning this situation should come through loud and clear—there is no time or need for further study—action is what is required if an already bad situation is not allowed to become even worse.

Mr. Speaker, I have repeatedly warned of power shortages, as has been evidenced by blackouts and brownouts, and have called for our Nation's electric utilities and appropriate agencies of Government at all levels to redouble their efforts and join forces to establish realistic, long-range plans for the selection and utilization of sites for large generating facilities so as to best meet the dual public demand for electric power and environmental protection. In this regard, words in the Joint Committee on Atomic Energy's report on the AEC's fiscal year 1970 authorization bill issued on June 17, 1970, are almost prophetic. I would like to place those words in the RECORD at this point:

EXCERPTS FROM HOUSE REPORT NO. 91-314

The Committee has noted with concern in the past year the increased public opposition, not a little of it wholly unreasoning, to the construction of all electrical generating sources and their transmission systems. While a preponderance of this opposition has of late been concentrated on nuclear powerplants, coal and other fossil-fueled plants, hydro-electric projects and pumped storage facilities also have experienced significant difficulties in this regard. *It seems that what should be a genuine, legitimate, and quite understandable concern about the effects on the environment of large powerplants has been transformed in many instances into an insistence on pristine purity that will brook no balancing of two worthwhile but somewhat competing values; namely, the goal of clean air and water and natural beauty, on the one hand, and the objective of abundant, economical, and reliable electric power on the other.*

*Neither of these goals can be achieved without some impact on the other.* The task confronting the responsible and the informed is to harmonize these contending goals and, to the greatest extent possible, minimize the effects on the environment that inevitably flow from industrial growth. As the chairman of this Committee observed recently (Representative Chet Holifield, D-California), unless the demands for clean air and clean water are kept in perspective—that is, unless there is a reasonable and fruitful union between industry and the environment—the anti-technologists and single-minded environmentalists may find themselves conducting their work by the light of a flickering candle.

*Unfortunately, it may require several serious electrical "brownouts," or even worse one or more blackouts on the order of the Great Northeast Blackout of 1965 before the full realization dawns on the average homeowner and businessman, and on the community wishing to attract new industry through assurances of plentiful electric power, that the price to be paid in environmental effects from a new powerplant in the area may be quite small in relation to the price to be paid in other ways for not making adequate provisions for accepting that plant. The latter price may include the well-being of the community concerned—a loss at least*

as direct and adverse as any that might have accompanied continued progress in the community in terms of its standard of living as well as in its industrial growth.

Moreover, one fundamental factor often overlooked is that once a shortage of electrical energy is permitted to exist, corrective action to eliminate the shortage and accommodate the normal growth in demand of power would in all likelihood consume the major portion of a decade. *The serious implications for our national welfare of such a sustained period of shortage of energy are manifest.* Accordingly, sufficient advance planning to take into account the long lead times which exist in the electrical utility business is required if adequate capacity is to be available when and as needed. Irresponsible actions of a few persons cannot be permitted to interfere with installation of such capacity after being properly planned.

In too many instances the Committee believes that data concerning the relative impact of the various types of thermal powerplants on the environment are not being conveyed to the public despite the fact that these data are well documented, particularly in the Committee's published hearing records. Where this has been the case it has often led to concerted opposition to construction of the facility in question and, in turn, to intervention in the AEC's licensing proceedings, which, since they are required by law to be held in the local community, offer—as they were designed to offer—a convenient forum for intervenors.

Inevitably this has led to licensing delays, many of them unnecessary, which seriously threaten the scheduled operational availability of such facilities. The cumulative effect of the delayed availability of a number of these powerplants could have very serious consequences on the reliability of this Nation's electrical energy supply. This seems particularly true considering that, quite apart from delays in licensing, there has been in several cases and there can be expected in other cases significant slippage in the on-line availability of a number of large-sized nuclear powerplants due to technical problems encountered during construction.

The problem is exacerbated by the fact that large-scale fossil-fueled plants, particularly those incorporating new concepts, are also experiencing startup and reliability difficulties. *If these problems continue and possibly multiply, their conjunction at a time of spiraling energy demands could lead to an energy crisis in this country that would recognize no geographical or regional boundaries.*

*As suggested above, current conflicts between production and distribution of electricity and protection of the environment—regardless of the fuel employed—are a prelude to larger long-term problems.* The seriousness of the siting situation has been reviewed by the Committee during recent hearings. Also, it is emphasized by recent reports noting that the United States will require more than three times its existing generating capacity within the next 20 years. An interdepartmental study, "Considerations Affecting Steam Powerplant Site Selection," sponsored by the Office of Science and Technology, pointed out last year that "The need for coordinated planning to identify the prime sites that will best satisfy the many economic and environmental requirements for future plants is rather obvious."

The industry trade magazine, *Electrical World*, has asserted that—

"One of the utility industry's most pressing needs is for a long-term policy approach that will assure the availability of generation plant sites in the decades ahead.

"The pinch is already being felt. Hardly a region in the Nation has escaped some kind of hassle over powerplant siting. At the moment, two or three of the larger utilities are in a bind either because they are being restrained from using the sites they have acquired, or because the sites they have considered do not satisfy certain requirements.

"There are several reasons why the problem of plant siting promises to become more critical in the years ahead. First, the expanding population with its increasing industrial and recreational needs is preempting land areas suitable for siting. Second, the geometric expansion of power generation, involving single units in the 1,000-megawatt range, greatly escalates the physical requirements—particularly the water requirements—for sites. Third, society's increasing sensitivity to environmental values is already greatly reducing the availability of sites."

The magazine cited site identification surveys, State-sponsored reservations or zoning, and advance utility purchases as means of overcoming the problem, and concluded:

"But whatever approach is taken, we think that the public interest will be served by reserving, designating, or acquiring plant sites as far ahead as possible. Further, we think much is to be gained by informing the public as far in advance as possible of the planned uses of such sites. Unless some thoughtful, constructive approach is worked out, this problem of plant siting will go from worrisome, to critical, to disastrous in the years ahead."

*In the eyes of the Joint Committee the problem of electric generating plant siting has already passed the "unrisky" stage—it is becoming critical.* Intense and strengthened followup actions are essential to the initial efforts on the Interdepartmental Steam Power Plant Siting Study. *Therefore, the Committee urges that the Nation's electric utilities and appropriate agencies of government at all levels redouble their efforts and join forces to establish realistic, long-range plans for the selection and utilization of sites for large generating facilities so as to best meet the dual public demand for electric power and environmental protection.*

A half century ago, procedures were initiated for rational, regional development of the power potential of our Nation's rivers. Now more meaningful efforts should be directed toward applying similar comprehensive planning principles to systematic solution of siting difficulties associated with the burgeoning number of thermal stations and their power transmission systems. *Reliance on ad hoc, plant-by-plant arrangements has already proved inadequate; a bold new approach is long overdue.*

Mr. Speaker, despite clear indications for at least half a decade that this Nation would be facing serious power shortages if reasonable provision was not made for our clearly foreseeable needs, we are now confronted with an energy crisis of serious proportions. The old adage "forewarned is forearmed," which I have always particularly liked because it is an acknowledgment of man's reasoning faculties, is apparently no longer operative.

Mr. Speaker, the need for an effective, comprehensive energy program administered by a governmental body which would realistically weigh both energy needs and environmental considerations is painfully obvious. No additional studies are needed to justify that need. The select committee which would be created by House Resolution 155 would neither satisfy that need nor result in any significant progress toward that need.

With all due respects to my distinguished colleagues who joined in sponsoring this resolution, I urge that the resolution not be passed.

Mr. QUILLEN. Mr. Speaker, I would like to yield to the gentleman from West Virginia 3 minutes of my time.

Mr. STAGGERS. I thank the gentleman.

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

Mr. STAGGERS. I yield to the gentleman from Texas.

Mr. PICKLE. Mr. Speaker, I thank the gentleman from West Virginia, chairman of the Committee on Interstate and Foreign Commerce, for yielding.

Mr. Speaker, as laudatory as the objectives of this resolution may be, it is not needed unless there is no action by our committees. Our committees are at work on it now. At this point I do not think it is the proper time for this House to pass this type of legislation.

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

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

Mr. ASPINALL. Mr. Speaker, as I oppose House Resolution 155, I wish to advise my colleagues that there are certain aspects of House Resolution 155 that are of grave concern to me and I want to comment on them.

First, I wish to make it clear that I am aware of the energy problems facing this Nation and I also firmly believe that vigorous and decisive action must be taken at once if we are to avoid an energy shortage this summer or next winter and in the years ahead. In hearings held before our committee during the last year the fact that we are fast approaching an energy crisis was made abundantly clear time and again.

Last year our committee, as a first step to establish an overall mining and minerals policy, handled legislation which was subsequently approved by Congress and was signed into law by the President. This was the Mining and Minerals Policy Act of 1970. This act for the first time established a national minerals policy. It specifically includes all the fuel minerals, oil, gas, coal, oil shale, and uranium. Briefly, this act requires the Secretary of the Interior to report annually to Congress on the state of the domestic minerals industries and to recommend appropriate legislation when necessary. This act is not a total solution to either our minerals or our energy problems, but it is a good foundation on which to build. It brings together for the first time all policies relating to minerals and mineral fuels. It is an orderly and considered first step to our minerals problems.

I cite this act merely as a recent example of the Interior and Insular Affairs Committee's activities in the minerals fuels and energy field.

In my opinion House Resolution 155 will raise serious jurisdictional questions with existing House committees. For example, item (1) of House Resolution 155,

the availability of oil, gas, coal, and nuclear energy reserves, is clearly within the jurisdiction of the Interior and Insular Affairs Committee. The House rules assign to the Committee on Interior and Insular Affairs of the House—and I cite only pertinent sections of those rules—responsibility for mineral reserves on the public lands; mining interests generally; and petroleum conservation on the public lands and conservation of the radium supply in the United States.

The conflicts with item (2), the identification of the ownership of reserves, is less clear but where those minerals occur on the public lands of this Nation, which incidentally make up about one-third of our total land area, I am convinced that again the responsibility lies with the House Committee on Interior and Insular Affairs.

I will not make a detailed comparison of the remaining five items in House Resolution 155 with the present jurisdictional responsibility of the Committee on Interior and Insular Affairs. I am convinced, however, that there are substantial areas of conflict or duplication that would raise serious jurisdictional questions.

For these reasons I must oppose House Resolution 155.

Mr. Speaker, I again want to emphasize that I am not minimizing the seriousness of our energy problem, but I am not convinced that House Resolution 155 offers a solution. This resolution would set up another investigative body to conduct studies and prepare reports on the energy situation. At the present time I know that there are at least five or six ongoing studies in this area. The field is fast becoming overcrowded with these investigations. I have heard it said, and it may well become a near truth, that if all the energy studies and reports were burned we would not have an energy shortage. However, in all seriousness I must state, in my opinion, that House Resolution 155 does not afford a solution to our admittedly grave energy problem.

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

Mr. STAGGERS. I yield to the gentleman from Kentucky, chairman of the Committee on Education and Labor.

Mr. PERKINS. Mr. Speaker, in my judgment the legislative jurisdiction with regard to the subject matter before us happens to be that of the House Committee on Interstate and Foreign Commerce. I, personally, have faith in the chairman and membership of that committee. They will see to it that we will have an effective energy policy in the future. Therefore, I oppose the resolution.

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

Mr. STAGGERS. Very briefly.

Mr. GROSS. I will make it brief. I cannot think of a better way to save one-half million dollars than to vote down this resolution, and I am ready to vote.

Mr. STAGGERS. I thank the gentleman from Iowa.

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

Mr. STAGGERS. I yield to the distinguished chairman of the Committee on Merchant Marine and Fisheries.

Mr. GARMATZ. Mr. Speaker, I oppose the resolution. In fact, I think it encroaches upon the jurisdiction of the Committee on Merchant Marine and Fisheries, plus the fact that on page 2, line 3, it states: "Measures to increase the availability of pipelines, railways, barges, and ships needed to transport fuel materials".

Therefore, I am opposed to the resolution.

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

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

Mr. MOSS. Mr. Speaker, I am rising in opposition to House Resolution 155 on the grounds that the creation of a Select Committee To Study Energy Resources in the United States is highly inappropriate and contrary to the public interest.

Mr. Speaker, the resolution lists a number of specific aspects which the Select Committee is expected to study. Among these aspects are:

(7) Measures to close the gap between the supply and demand for electric energy; and

(8) The identification of the environmental effects of the electricity industry.

Mr. Speaker, the Subcommittee on Communications and Power under the able chairmanship of the gentleman from Massachusetts (Mr. MACDONALD) has been conducting hearings since May 4 on a number of bills dealing exactly with these particular subjects. These bills, and among them is one of my own—H.R. 3838—seek to expedite procedures involving the siting of bulk powerplants and of high voltage transmission lines. They also seek to extend additional protection for our environment so that adverse impacts on the environment will be minimized.

Mr. Speaker, to establish a select committee at this very moment which cuts across the jurisdiction of the Communications and Power Subcommittee of the Committee on Interstate and Foreign Commerce can only serve further to delay badly needed powerplant siting legislation.

As a matter of fact, enactment of this legislation is being urgently asked for by the President of the United States, and the administration has submitted to the Congress a bill now pending before the subcommittee—H.R. 5277—which was introduced jointly by the chairman of our full committee, the gentleman from West Virginia (Mr. STAGGERS), and the ranking minority member, the gentleman from Illinois (Mr. SPRINGER).

I might observe that I have introduced similar legislation during the preceding Congress and I regret to say that at that time the administration did not see any urgent need for this legislation and therefore did not support the enactment of such legislation.

Now, however, that voltage reductions, brownouts, and blackouts have become regular events in parts of the country any delay in the enactment of this

urgently needed legislation would be inexcusable.

Of course the power industry has been opposing—at least up to now—enactment of any legislation dealing with power reliability and power adequacy. Under these circumstances, the establishment of a select committee to study many aspects of our energy resources would only furnish the industry with an additional argument favoring delay. Their argument to the Congress would be: Let us not do anything until the proposed select committee has completed its study and made its recommendations.

Mr. Speaker, it is not only the jurisdiction of the Interstate and Foreign Commerce Committee which the proposed select committee would infringe upon. The same is true of the jurisdiction of the Public Works Committee, the Ways and Means Committee, the Merchant Marine and Fisheries Committee, and the Joint Committee on Atomic Energy. All of these committees have legislative jurisdiction with regard to particular aspects of energy resources and environmental protection, and the establishment of a new select committee would tend to hinder rather than further the legislative output of these committees.

Mr. Speaker, there is another reason why I think that consideration should not be given at this time to House Resolution 155. While this resolution was introduced on January 26, 1971, by the gentleman from Tennessee, (Mr. FULTON), it lay dormant in the Rules Committee until that committee decided to report this resolution to the floor without advising the affected standing committees of its intention to do so. The standing committees were not given an opportunity to present their views to the Rules Committee and I for one find such procedure not in keeping with the usually courteous consideration given the committees by the Committee on Rules. It has, if my memory is correct, been their policy to require notification of affected committees so that the members of the Rules Committee as well as the Members of this body would have available to them the entire picture before voting on a resolution calling for the establishment of a select committee which cuts across the jurisdiction of several standing committees.

Mr. Speaker, for these reasons, I object to the adoption of House Resolution 155 on principle and as a matter of sound congressional practice.

Mr. STAGGERS. Mr. Speaker, I would like very briefly to say this: I think the argument that has been made here for this resolution is the best argument against it: the proponents of the resolution want action, and they want it now. That is exactly what our committee is doing. We have conducted these hearings, as the distinguished gentleman from Illinois (Mr. SPRINGER) stated, and we are working hard on reporting legislation in this area to the House. Mr. SPRINGER pointed to the volume of the testimony which just a single witness has submitted.

The volumes that I have in my hand

is the testimony taken this year. These two volumes here represent testimony taken last year, all on this very subject of energy. Now, the proponents of this resolution want us to duplicate the whole thing which has taken us so many, many hours, days, and weeks to do.

Mr. FULTON of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. STAGGERS. Not at this point, because I want to complete my statement. I have great admiration for the gentleman from Tennessee, and I am sure he was diligent in proposing this resolution. I regret, however, that I must oppose it, because, Mr. Speaker, this resolution cuts across the jurisdiction of about six committees in this House. We have in our resolution authorizing investigations a clause providing that we will not trespass on any other committee's jurisdiction. But here is a select committee that wants to conduct our investigation and that would cut across the jurisdiction of six committees, and the select committee would be without any legislative authority whatsoever. When that committee would have completed its hearings we would have to start hearings all over again. So I say that we might just as well handle them in the first place.

The gallant gentleman from Tennessee (Mr. ANDERSON), for whom I have great respect and who is handling the bill today, with great aptitude and fairness, stated that no one in opposition to the resolution appeared before the Rules Committee. I am certain he is correct. But I did not know about this resolution. Therefore, I did not appear. I do not think this House would want to pass any kind of legislation where the interested standing committees did not have an opportunity to appear in opposition to such legislation. That is the democratic process. I am not blaming the Committee on Rules a bit. I am sure the eminent chairman of that committee and its entire membership sought to do their duty. I merely say that we too have important responsibilities and they lie in the areas covered by the resolution; and we have the power to do the job.

Mr. FULTON of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. STAGGERS. Not at this point.

I say that, Mr. Speaker, if there was only one side presented on a question like this the Rules Committee should have an opportunity to hear arguments on the other side.

Therefore, let us send this resolution back to the Committee on Rules, and permit them to hear all sides. Then they can bring it back to the House if they still believe there is some merit to it.

This whole subject is being covered, as I have shown you here, by several standing committees. The gentleman from California (Mr. HOLIFIELD) made a study of some aspects of these problems in his committee. The gentleman from Maryland (Mr. GARMATZ) said the study would cut across the jurisdiction of his committee. Practically every committee chairman here realizes that if we are going to set up a select committee

which would cut across the jurisdiction of several standing committees in the House of Representatives then we might as well give up our regular standing committees and just have it all done by a select committee.

In 1946, we had a reorganization of the House. Before that we had a large number of select committees and at that time we eliminated them. And yet here we are going to set up another select committee to cut across the jurisdiction of several standing committees. I do not think that is the thing to do. If we do this we will be going back to where we were in 1946.

This resolution should be defeated.

The SPEAKER. The time of the gentleman from West Virginia has expired.

Mr. QUILLEN. Mr. Speaker, may I inquire how much time I have remaining?

The SPEAKER. The Chair will state that the minority side has 3 minutes remaining and that is all the time that is remaining.

Mr. QUILLEN. I thank the Speaker.

Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Pennsylvania (Mr. SAYLOR).

Mr. SAYLOR. Mr. Speaker, the best way to save a half million dollars is to defeat this resolution.

Very frankly, the House of Representatives, 7 years ago, authorized a committee, known as the Public Land Law Review Commission, to review the public lands of this country. We spent approximately \$7½ million on that Commission, and that committee or Commission has available for any Member of the House of Representatives, the Committee on Rules, the Committee on Atomic Energy, and any other committee, and anybody else, a complete study of all of the energy and fuel resources in this country, including the offshore areas of the Outer Continental Shelf.

We have already spent \$7.5 million to collect this information. There is absolutely no reason in the world to duplicate that effort now by creating a Select Committee on Energy Resources.

The distinguished gentleman from Colorado (Mr. ASPINALL) was Chairman of that Commission. It was appointed under President Johnson. It did its work. It completed its work. It made its report to the President, and that information is before the various committees of the Congress now for action.

The committees are now working on those recommendations.

All that will happen, if you set up this select committee, is to duplicate the work that is already available, and gathered from every agency of the Government, every source of private and public information.

All the reports are critical. All you have to do, all the Committee on Rules had to do, and all the gentleman from Tennessee had to do, if they wanted to, in order to find this information is just to ask for it. Of course, if the gentleman did not know about this—I realize he may not have been a Member of the Congress when the Commission was au-

thorized but he was a Member when it was reported. There is no reason to establish this select committee. I realize that it may cut across committee jurisdictions and that may be one reason to oppose it. But if the Congress has already done the job and has already printed the information that you are going to ask for or need, and has already paid for it, it certainly is about time to forget this business and defeat this resolution and get on with the regular business of the day.

Mr. FASCELL. Mr. Speaker, as a co-sponsor of the resolution to establish a Select Committee on Energy Resources, I rise in strong support of the principles which this proposal endorses.

Experience dictates that we must have a long-range energy needs study and close examination of all environmental factors.

This issue is familiar to all of us. From my own experience, I concluded some time ago that the following should be implemented:

One, a complete review of the power needs of the country now and for the next 10 years to determine the extent of the requirements on a total basis so that we can begin to get some public understanding and knowledge of the environmental disruption which will be involved and the cost that will be required to prevent it; and

Two, an appropriate interagency or other mechanism established at the Federal level so that there will be total coordination and cooperation among the Atomic Energy Commission, the Department of Interior, the Federal Power Commission, and State and local agencies.

I made these recommendations to the President, the Atomic Energy Commission, the Federal Power Commission and the Council on Environmental Quality, and was understandably encouraged to read the recommendations released last October in a report entitled "Electric Power and the Environment." The recommendations made in the report, which was prepared by the Energy Policy Staff of the Office of Science and Technology in the White House, fully integrated the suggestions I had made earlier in the year.

The study proposed in the resolution now pending before us is an integral part of our approach and solution to the whole question of our power needs. Questions have been raised by leading environmental groups concerning the emphasis of the resolution on power, and the deemphasis, in their judgment, on the important environmental factors. While I understand that many of the questions raised have been satisfactorily answered by the proposal's main sponsor, I would point out that we also have scheduled for consideration today a resolution to create a Joint Committee on the Environment. Included in the proposed committee's outline of duties is a continuing comprehensive study and review of the character and extent of environment changes that may occur in the future and their effects. Power supplies

are specifically recommended for study in the bill.

Although the joint committee would not have legislative jurisdiction, it is empowered to make reports to the appropriate standing committees of the Congress relative to the environmental impact of pending proposals. I would hope that this committee would closely monitor all legislative activities which might have potential environmental impact, and make the proper input and recommendations.

I would stress again the vital importance of developing and following comprehensive, long-range power needs studies in close coordination with potential environmental effects. We must know the probable environmental effects of increased power usage and fuel extraction and integrate the solutions to any possible detrimental effects into future power delivery proposals. We cannot continue, as we have in the past, to work on an ad hoc basis. The danger lies in reaching a critical stage where power demands dictate resource extraction and power-plant construction without regard to environmental considerations. We cannot allow that to happen.

I urge approval of our overall efforts to solve the combined problem we face.

Mr. DULSKI. Mr. Speaker, I am in complete support of the pending legislation, House Resolution 155, to create a Select Committee on Energy Resources.

As a Representative from the Niagara Frontier in western New York State, with the famous Niagara Falls in our backyard, I am well aware of the demands and the problems related to electrical energy.

Additionally, natural gas first was discovered and used from wells located in the western New York-Pennsylvania area. Indeed, we still have a few operating wells although most of them have been depleted of their original supply. Many have been converted to use as storage wells in order to meet peak demands.

Our area also has been dependent for years on oil and coal. In fact, coal has been the prime fuel for the generators to supplement the supply of electric power provided by hydroelectric plants.

Even though we have the world's greatest supply of hydroelectric power in our backyard, we on the Niagara Frontier still are very much aware—and indeed have been the victims—of blackouts and brownouts.

#### NO DEMAND PEAK IN SIGHT

The increased demand for energy of all kinds has overwhelmed the industry and the increase shows no sign of either peaking or tapering off.

As the demand continues to mount, the problems are manifold, including a shortage of production, inadequate transmission lines, weak interconnections to permit communities to help one another in emergencies, and a decline in exploration of new fields of supply.

New York State, because of its population density, has had many harrowing experiences as a result of power shortages. At first these usually came only in winter time when the intense cold over protracted periods imposed fantastic demands upon the various energy systems.

Today, we have the problem year around—in the heat of summer to meet the demand for power to operate air-conditioning units and in spring and fall because of the necessity for down time to permit maintenance and repair of operating and production facilities.

Mr. Speaker, in connection with this general subject, I recently directed an inquiry to Chairman Joseph C. Swidler, of the New York State Public Service Commission. Mr. Swidler, as many of you may remember, is a former Chairman of the Federal Power Commission and, indeed, held that office at the time of recent major power crises.

At this point I would like to quote from Chairman Swidler's letter regarding the natural gas situation:

As to natural gas the situation at the moment is bleak. Underground reserves are large but finite, and demand keeps growing against a constantly diminishing resource base. There is still a great deal of gas in the ground, but for a variety of reasons the ratio of reserves to annual production has declined year by year.

For the intermediate term, that is for the next decade or two, the problem is one of stimulating exploration and development by the oil companies and by the gas transmission pipelines which have acquired a stake in gas production. The most likely immediate prospects are offshore Louisiana and Texas in the Gulf of Mexico. This acreage is controlled by the Department of the Interior. Regular and frequent offerings of leases in the Federal domain by the Interior Department would be the largest single contribution to alleviation of gas supply shortages, but new drilling will not begin to improve supplies for a couple of years.

Finding a solution to the problem of bringing oil from the North Slope of Alaska would make possible a substantial improvement in gas supplies. A great deal of gas is entrained with the oil, and there is wide interest in a pipeline from the North Slope through Canada to the United States, but the gas cannot be produced until the oil can be marketed.

Chairman Swidler also has some strong views on the tax incentive picture as it relates to oil and gas. He feels it would be advantageous to limit some of the tax incentives which now apply to overseas production of petroleum so that the relative incentives would be increased for exploration at home.

With regard to domestic petroleum exploration and development, Mr. Swidler feels we must seek new sources for natural gas, including LNG. In this connection, he says that a close look should be taken at the offshore leasing policies of the Federal Government.

Mr. Swidler is in complete accord with the need for a basic review of the energy policies and the institutional framework in which they are demonstrated. He feels we need to determine their adequacy to assure a balanced and economical energy supply under present conditions as well as under the conditions to be anticipated in the future.

#### NEED FOR SINGLE AGENCY ON ENERGY

Mr. Swidler feels that one vitally needed change—and with this proposal I have great sympathy—is the creation of a single agency to oversee all of our energy minerals. He feels, as I do, that a single agency would be less susceptible to pressure from individual industries than the present system of specializing along commodity lines.

Turning to the problems in the power field, Chairman Swidler wrote me:

The problems in the power field are somewhat different. Here the basic problem is not a lack of fuel, although fuel supplies have been tight and increasingly expensive.

Rather, the problem lies in the difficulty faced by the public utilities in bringing new capacity on line. Some of the delay is due to licensing difficulties at the Federal level. Local objections on environmental grounds have also played a part.

Governor Rockefeller has submitted to the Legislature a proposal for a certification procedure for major utility facilities under which the Public Service Commission would attempt to reconcile energy needs and environmental interest in a so-called "one-stop" procedure.

As for Chairman Swidler's reference to the Governor's proposal for a new certification procedure, this proposal so far has not been acted upon by the legislature and the prospect at this juncture does not appear good.

Of course, State legislation would only deal with one State and would not in any way cure the administrative and procedural problems of the Federal licensing agencies—particularly the Atomic Energy Commission and the Federal Power Commission.

It is my hope that these matters will be among the prime items for investigation by the select committee.

The House Subcommittee on Communications and Power of the Committee on Interstate and Foreign Commerce has been holding hearings on the problem of power siting. This is a major factor in the dearth of new power projects throughout the Nation.

In my own State of New York, there has not been a major power project developed for the past 10 years, since the tandem development of the new hydroelectric plant at Niagara Falls and the hydroelectric facility at Massena on the St. Lawrence River.

I recognize fully the concern of our people about the danger to the environment caused by conventional and nuclear powerplants.

At some point, however, there must be a determination of how we are to proceed, and we must get moving on the construction of these plants because the time element is long range, whatever the decisions.

It will take a half dozen years to build the plants and put them into operation after the sites are chosen and the plans are developed. Adding construction and crank-up time, this means another decade before we can have major new plants on the line.

The public outcry already is mounting. Modern kitchens and laundries, modern heating and air conditioning are pretty useless conveniences without the energy to run them. A public accustomed to these conveniences is not going to tolerate repeated and increasingly severe shortages, brownouts, and breakdowns. Nor should it.

We in Congress must lead the way in bringing about some acceptable procedures for increasing the power energy capacity and utilization of our natural resources.

I am confident the proposed select committee can analyze the overall prob-

lem and make necessary and appropriate recommendations with dispatch.

Mr. DOW. Mr. Speaker, I rise in support of House Resolution 155 that creates a Select Committee on Energy Resources. The purpose of the committee is to investigate all aspects of energy in the United States.

Nothing could be more important to the progress of our society than the assurance that energy will be available for its growth over the coming years. This is just as basic as food for the human body.

The scope of the investigation is considerable and touches upon some of the most vital of our concerns for a sure and expanding source of energy. For example, one area for investigation is the availability of oil. We can suppose that that will include such factors as the shale oil reserves in the West. Coal is another consideration for the committee. It should consider new processes for liquifying coal and thereby increasing the value of our immense coal resources.

Another aspect is the critical matter of conversion from high- to low-sulfur fuels.

It is noteworthy that the resolution encompasses also a concern for the environmental effects of the electricity industry. Here we enter what is probably the most critical of all the controversies surrounding the field of energy resources. For there is a wide gap in the thinking of authorities on nuclear power regarding the safety of nuclear powerplants. On the one hand, there are those scientists who assert that modern nuclear facilities are almost completely safe, with the possible question about the effects of explosion within such a plant. On the other hand, there are responsible authorities who claim that the environs of nuclear plants are dangerous for humans. They point especially to claimed evidence that incidents of cancer are greater in areas downwind from nuclear powerplants. And, of course, they portray the vast damage that might result in the event of an explosion within such facilities.

It should be a grave concern to us that a critical matter such as the safety of nuclear facilities is a matter of dispute among scientific authorities. For the layman, the puzzle is all the more appalling since the mathematical language of radiological measurement is beyond comprehension by all but experts. This is well highlighted in the exchange of correspondence between myself and Dr. Seaborg, Commissioner of the Atomic Energy Commission, which appears in the CONGRESSIONAL RECORD of this year at pages 6786 and 16279. While Dr. Seaborg's reply, commencing on the latter page, serves to illuminate more fully the processes of measuring radioactivity, it also reveals how highly complex the problem is.

Considering the vast scope and range of these many major concerns about our energy sources, it is not only right but absolutely essential that the people's representatives shall provide a thorough airing of all aspects. Hopefully, the work of this select committee will bring to its recommendations a good judgment and commonsense, that will place the many conflicting concepts in proper perspective

and provide a practical evaluation of all that must be weighed in the entire field of energy resources.

Mr. BRASCO. Mr. Speaker, this Nation must admit the existence of, and confront the reality of, what amounts to a desperate national energy crisis. We have reached a point where lack of an adequate supply of power is hamstringing vital segments of our economy.

No industrial society can survive, much less grow, without an adequate supply of energy and power. If we do not guarantee this to America as soon as possible, we shall swiftly fade from the ranks of first-class industrial states.

We are becoming resource poor in a good many areas. Already, the United States must import vast quantities of first-class raw materials. Iron ore, oil, natural gas, chromium, bauxite, and tin immediately come to mind. Where would we be without foreign copper, and a dozen other raw materials that no modern manufacturing establishment can survive without? All the more reason for immediate attention to be paid to our power needs.

It is a fact that there have been increasing numbers of shortages of coal, oil, natural gas, and other fuels that make the wheels of society move; that heat homes and businesses; that make life tolerable.

Blackouts and brownouts of recent years are only forerunners of a crisis that now looms over us so massively that it can no longer be ignored. We have literally run out of time. It is imperative that we formulate and put into execution a national energy policy.

An immediate inventory is required of all sources of energy. Simultaneously, we need an intelligent assessment of what our immediate and foreseeable energy needs are going to be.

At the same time, we have to determine where our supplies of necessary fuels are going to come from. Will they be available here at home? Will we have to begin massive purchases abroad, and if so, from whom?

Who owns such reserves, abroad and domestically, that we may have to have access to? What are the environmental consequences of a national fuel policy? What about transport of them, once they are found and made available? How will these energy policies, if pursued abroad, affect our foreign policy? Above all, Congress must take a lead here, without allowing any other authority to break new ground.

Presently, our regulatory agency structure, or fourth level of government, has primary responsibility for energy policy. Yet this, of course, is diffused in a variety of agencies.

At the same time, there are a series of congressional committees who are all vitally concerned with various aspects of the energy problem we are touching upon today. Yet, no single committee has complete jurisdiction over what is transpiring in every area. This leads us to one inescapable conclusion.

A centrally located group, operating with congressional authority, must seek an end to fragmented, inconsistent and partially administered policies in this

area by a variety of agencies. This can never be forthcoming from the executive branch, especially from regulatory agencies, who have not shown any initiative or awareness of their responsibility to the public in recent times.

Overlapping responsibilities are also largely to blame. Whenever one or another group of authority seeks action, there is immediate conflict of spheres of influence among committees or agencies. The situation has reached emergency status and the luxury of delay is now out of the question.

When 50 million people face hardship because of power breakdowns or shortages, we must have more than whines from government and utilities to conserve power wherever possible. This devastating failure of both government and utilities highlights our danger.

Every major authority, from the Federal Power Commission and the Office of Emergency Preparedness to our mass media and the general public are demanding positive action. It is incumbent upon us to act.

Therefore, I support House Resolution 155, which would establish a Select Committee on Energy Resources, the fate of which we decide today. In this way, the Congress meets its responsibility while meeting the challenge head on. We assert prerogatives of the Congress while acting to solve the most pressing problem in this area.

Such a committee, adequately staffed would ascertain what energy sources are available, who owns them, pricing practices, environmental side effects of energy use, transportation, and a host of other answers we must have almost immediately.

It could recommend what we have in the way of resources, what the people should know about the situation, what institutional mechanisms are necessary, if at all, and what actions we must take immediately.

The urgency of this situation nullifies partisanship. Summer is a time of danger, just as well as winter. We must anticipate emergencies. This step would be justified in the fullest sense of the term. We have little time left, if any at all. Let us not waste a moment. Let us approve this special body and instruct it to move ahead with the greatest dispatch.

Mr. FUQUA. Mr. Speaker, as a cosponsor of this legislation I would like to commend my distinguished colleague from Tennessee (Mr. FULTON) for his leadership in bringing this measure to the floor.

The fuel crisis of recent years, manifested in brownouts and blackouts, has received a great deal of publicity. Johnny Carson scores the Con Edison Co. because of the power shortages in the Northeast. We make jokes about it, gripe about it, blame others for it, and do little about it. This body has an opportunity today to provide for a comprehensive study of the energy resources of this country, and I believe that it is essential that this is done.

We need a comprehensive national energy policy that will insure that this country has an adequate fuel supply. We

must develop this policy to insure adequate exploration, development, utilization and conservation of our energy resources or this country is headed for a serious fuel crisis.

In 1969, the electric power industry used more than 310 million tons of coal, 250 million barrels of oil, 3½ trillion cubic feet of gas, and 380 short-tons of uranium ore to produce 82.7 percent of the electric energy consumed in this country. The other 17.3 percent was produced by hydroelectric facilities. And yet, over the next 20 years, America is going to increase its electric energy consumption by 250 percent.

The long-term implications of our energy policies is necessary and I am convinced that this resolution will provide the best vehicle for such a study. The cost of fuel is rising rapidly and is becoming a real burden on our lower income citizens. We must address this problem before the cost becomes prohibitive.

There is a definite interrelationship between fuels and this must be realized before any comprehensive national energy policies can be established. Again, this resolution will provide the most logical vehicle to define this interrelationship and provide us with a workable energy policy.

This legislation is essential if we are ever to understand the problems that confront us in the area of national energy resources and I commend this resolution to this body.

An investigation of our national energy resources must be undertaken with full awareness of the need for prudent environmental techniques in the development and utilization of these resources. There is no reason why the investigation of our energy resources and the conservation of our environment should be mutually exclusive. Conversely, they go hand in hand and should be so considered by the select committee.

Mr. LLOYD. Mr. Speaker, as an original supporter and cosponsor of this resolution because of the overwhelming need for maximum effective study and research into the Nation's energy crisis, I now frankly state that chairmen of standing committees who have spoken today have changed my mind.

They have revealed that standing committees have in fact been conducting the research and have compiled the factual data which I consider to be necessary to the public interest, and are prepared to do the full job.

I have consistently opposed the proliferation of study commissions, committees, and administrative agencies. At the time I sponsored this resolution I was not advised of the essential work already being performed. This resolution was offered in good faith and with proper intent, but, Mr. Speaker, I believe standing committees are doing their work well and with dedicated intent in the best interests of this country. I, therefore, feel the resolution and the expenditure necessary thereto, to be unnecessary.

There has also been a very significant intervention. The gentleman from Tennessee (Mr. FULTON) advises today that

he has entered into agreement with the organization, Friends of the Earth, that any studies conducted by the select committee established by this resolution would conform to guidelines laid down by Friends of the Earth. While having no particular quarrel with Friends of the Earth, I do not believe this Congress should make special concessions to any special group.

Mr. JONES of Tennessee. Mr. Speaker, the time is approaching when we must recognize that our Nation's resources, which once seemed to exist in endless supply, are indeed limited. Every year, the demand on our resources is increased, as our population grows and as our industry expands.

Our energy resources are of particular concern, since virtually everyone in the country is dependent upon them for lighting, for heat, for the operation of numerous household appliances, and for transportation. The day has long since passed when we can assume that these energy sources will be available in abundance for the asking.

As our society has become more sophisticated, especially in its technology, things which once seemed to be luxuries have become necessities. Our society has become geared to the advances of science. A horse would still get us from one place to another, but we have become dependent upon the automobile, the train, and the airplane.

We could still go into the woods and chop firewood to heat our houses—if we were lucky enough not to be charged with trespassing—but we have become dependent upon oil, gas, coal, and electricity for heat.

In our hospitals, electric power has become literally a matter of life and death in such things as artificial lungs, kidney machines, electrocardiograms and such.

The point I want to make is this: we can no longer afford to deal with our energy resources in a haphazard fashion. We must employ some foresight and planning for the needs of future generations in respect to their needs for energy.

There is also an economic factor involved with our energy resources. Since virtually everyone in the country is a consumer of these resources, the energy industry is vital to our economic health. Price rate levels can have an enormous inflationary or depressing effect on our economy. Steps must be taken to insure that our economy does not fall victim to a lack of preparation on our part.

I urge the Members of this body to vote for the resolution to create a select committee to conduct a complete investigation of all aspects of the energy resources in the United States. We cannot continue to depend on blind faith to see us through.

I thank the gentleman for yielding.

Mrs. HECKLER of Massachusetts. Mr. Speaker, there are few issues before the Congress more complex and more important than the evaluation and development of energy resources.

Energy problems relate to a wide range of subjects such as mining, foreign policy, ecology, nuclear physics and

others. Unfortunately, the Congress has never had a way to take an overall look at energy.

Utilization of our energy resources urgently needs a comprehensive examination if we are going to solve existing and potential problems in a balanced, effective and comprehensive way. The very real need to balance increasing power requirements against the necessity for increasingly stringent environmental protection can only be achieved through a delicately planned approach to the issue. This requires a careful investigation of every relevant factor.

The New England States are among those which could most benefit from a thorough Congressional examination of our energy resources. Due to a variety of factors, New England pays the highest power rates in the country. Our area has suffered serious oil shortages that have deprived homes, schools and businesses of heating oil and have caused unconscionably large increases in the price of heating oil. Unless solutions are found soon, the New England situation promises to worsen. It is clear that other areas of the country will be likewise affected.

As one who has long been involved in the issue of improving energy policies, I am grateful to the efforts of the distinguished gentleman from Tennessee (Mr. FULTON) for his work in developing legislation to create a Select Committee on Energy Resources. I am pleased to be a cosponsor of the bill and I hope the committee can be organized as soon as possible in order that it can begin its investigations.

The enactment of House Resolution 155 is most important to Congressional understanding of energy problems and I urge this body to give it unanimous approval today.

#### GENERAL LEAVE TO EXTEND

Mr. ANDERSON of Tennessee. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of the resolution under consideration.

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

There was no objection.

The SPEAKER. There is no further time remaining.

Mr. ANDERSON of Tennessee. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The question was taken.

Mr. ANDERSON of Tennessee. 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 128, nays 218, not voting 86, as follows:

[Roll. No. 110]  
YEAS—128

|                  |                     |               |
|------------------|---------------------|---------------|
| Abernethy        | Drinan              | Minish        |
| Abzug            | Dulski              | Mitchell      |
| Addabbo          | Duncan              | Mollohan      |
| Anderson, Calif. | Edwards, Calif.     | Montgomery    |
| Anderson, Tenn.  | Ellberg             | Morse         |
| Andrews, N. Dak. | Evans, Colo.        | Murphy, Ill.  |
| Ashley           | Fascell             | Myers         |
| Aspin            | Fish                | Nichols       |
| Badillo          | Ford                | Obey          |
| Baker            | William D. Forsythe | O'Konksi      |
| Begich           | Fulton, Tenn.       | Pepper        |
| Belcher          | Pike                | Pike          |
| Bevill           | Fuqua               | Price, Ill.   |
| Biestler         | Gonzalez            | Pryor, Ark.   |
| Bingham          | Grasso              | Quillen       |
| Blanton          | Green, Pa.          | Randall       |
| Boggs            | Griffin             | Rees          |
| Boland           | Halpern             | Reid, N.Y.    |
| Bolling          | Hanna               | Robison, N.Y. |
| Brasco           | Harrington          | Roncallo      |
| Bray             | Hathaway            | Rosenthal     |
| Brinkley         | Hechler, W. Va.     | Roush         |
| Buchanan         | Heckler, Mass.      | Ryan          |
| Burke, Mass.     | Henderson           | St Germain    |
| Burlison, Mo.    | Hicks, Wash.        | Sarbanes      |
| Burton           | Howard              | Shipley       |
| Carey, N.Y.      | Ichord              | Sisk          |
| Carter           | Jacobs              | Stanton       |
| Chisholm         | Jones, Ala.         | J. William    |
| Clay             | Jones, N.C.         | Stephens      |
| Cleveland        | Jones, Tenn.        | Stokes        |
| Colmer           | Kastenmeier         | Thone         |
| Conte            | Koch                | Ullman        |
| Conyers          | Kuykendall          | Vander Jagt   |
| Corman           | Lennon              | Vanik         |
| Coughlin         | Link                | Vigorito      |
| Culver           | McCloskey           | Wampler       |
| Davis, Ga.       | McCormack           | Whitten       |
| Delaney          | McDade              | Wolff         |
| Dellums          | McFall              | Wyatt         |
| Denholm          | McKinney            | Young, Fla.   |
| Dow              | Mazzoli             | Zion          |
|                  | Meeds               | Zwach         |
|                  | Melcher             |               |
|                  | Mikva               |               |

NAYS—218

|                |                 |               |
|----------------|-----------------|---------------|
| Abbutt         | Edmondson       | Kyl           |
| Andrews, Ala.  | Edwards, Ala.   | Kyros         |
| Annunzio       | Erlenborn       | Landgrebe     |
| Archer         | Eshleman        | Lent          |
| Arends         | Findley         | Lloyd         |
| Ashbrook       | Flood           | Long, Md.     |
| Aspinall       | Foley           | McClure       |
| Bell           | Ford, Gerald R. | McCollister   |
| Bennett        | Fountain        | McDonald,     |
| Bergland       | Fraser          | Mich.         |
| Blackburn      | Frelinghuysen   | McEwen        |
| Blatnik        | Frenzel         | McKay         |
| Bow            | Fulton, Pa.     | McKevitt      |
| Brademas       | Galifianakis    | McMillan      |
| Broomfield     | Gallagher       | Macdonald,    |
| Brotzman       | Garmatz         | Mass.         |
| Brown, Mich.   | Gaydos          | Madden        |
| Brown, Ohio    | Goldwater       | Mahon         |
| Broyhill, N.C. | Goodling        | Malliard      |
| Burleson, Tex. | Green, Oreg.    | Mathis, Ga.   |
| Byrne, Pa.     | Gross           | Mayne         |
| Byrnes, Wis.   | Grover          | Michel        |
| Byron          | Gubser          | Miller, Ohio  |
| Caffery        | Gude            | Mizell        |
| Carney         | Hagan           | Moorhead      |
| Casey, Tex.    | Haley           | Morgan        |
| Cederberg      | Hall            | Mosher        |
| Celler         | Hamilton        | Moss          |
| Chamberlain    | Hammer-         | Murphy, N.Y.  |
| Chappell       | schmidt         | Natcher       |
| Clancy         | Hanley          | Nedzi         |
| Clausen,       | Hansen, Idaho   | Nelsen        |
| Don H.         | Harsha          | Nix           |
| Clawson, Del   | Harvey          | O'Hara        |
| Collier        | Hawkins         | Patman        |
| Collins, Ill.  | Hébert          | Patten        |
| Collins, Tex.  | Helstoski       | Pelly         |
| Conable        | Hicks, Mass.    | Perkins       |
| Crane          | Hogan           | Pettis        |
| Daniel, Va.    | Holifield       | Peyser        |
| Daniels, N.J.  | Horton          | Pickle        |
| Danielson      | Hosmer          | Poage         |
| Davis, S.C.    | Hull            | Poff          |
| Davis, Wis.    | Hungate         | Powell        |
| Dellenback     | Hunt            | Preyer, N.C.  |
| Dennis         | Hutchinson      | Pucinski      |
| Derwinski      | Jarman          | Quie          |
| Dickinson      | Johnson, Calif. | Rallsback     |
| Diggs          | Jonas           | Rarick        |
| Dingell        | Kazen           | Reid, Ill.    |
| Donohue        | Keating         | Rhodes        |
| Dowdy          | Keith           | Riegle        |
| Downing        | Kemp            | Robinson, Va. |
| du Pont        | King            | Rodino        |
| Eckhardt       | Kluczynski      |               |

|             |                |             |
|-------------|----------------|-------------|
| Rogers      | Springer       | Van Deerlin |
| Rooney, Pa. | Stafford       | Veysey      |
| Rousselot   | Staggers       | Waldie      |
| Ruth        | Stanton,       | Ware        |
| Sandman     | James V.       | Whalen      |
| Satterfield | Steed          | White       |
| Saylor      | Steiger, Ariz. | Whitehurst  |
| Scheuer     | Steiger, Wis.  | Widnall     |
| Schmitz     | Stratton       | Wiggins     |
| Schneebeli  | Sullivan       | Williams    |
| Schwengel   | Symington      | Wilson, Bob |
| Scott       | Talcott        | Wright      |
| Sebelius    | Taylor         | Wylder      |
| Seiberling  | Teague, Calif. | Wyllie      |
| Shoup       | Terry          | Yates       |
| Shriver     | Thompson, Ga.  | Yatron      |
| Sikes       | Thompson, N.J. | Young, Tex. |
| Skubitz     | Thomson, Wis.  | Zablocki    |
| Smith, N.Y. | Tiernan        |             |
| Snyder      | Udall          |             |

NOT VOTING—86

|                |                 |               |
|----------------|-----------------|---------------|
| Abourezk       | Gibbons         | Podell        |
| Adams          | Gray            | Price, Tex.   |
| Alexander      | Griffiths       | Purcell       |
| Anderson, Ill. | Hansen, Wash.   | Rangel        |
| Baring         | Hastings        | Reuss         |
| Barrett        | Hays            | Roberts       |
| Betts          | Hillis          | Roe           |
| Biaggi         | Johnson, Pa.    | Rooney, N.Y.  |
| Brooks         | Karth           | Rostenkowski  |
| Broyhill, Va.  | Kee             | Roy           |
| Burke, Fla.    | Landrum         | Royal         |
| Cabell         | Latta           | Runnels       |
| Camp           | Leggett         | Ruppe         |
| Clark          | Long, La.       | Scherle       |
| Cotter         | Lujan           | Slack         |
| de la Garza    | McCulloch       | Smith, Calif. |
| Dent           | Mann            | Smith, Iowa   |
| Devine         | Martin          | Spence        |
| Dorn           | Mathias, Calif. | Steele        |
| Dwyer          | Matsunaga       | Stubblefield  |
| Edwards, La.   | Metcalfe        | Stuckey       |
| Esch           | Miller, Calif.  | Teague, Tex.  |
| Evins, Tenn.   | Mills           | Waggonner     |
| Fisher         | Mink            | Watts         |
| Flowers        | Minshall        | Whalley       |
| Flynt          | Monagan         | Wilson,       |
| Frey           | O'Neill         | Charles H.    |
| Gettys         | Passman         | Winn          |
| Gialmo         | Pirnie          | Wyman         |

So the resolution was rejected.  
The Clerk announced the following pairs:

On this vote:  
Mr. Evins of Tennessee for, with Mr. Waggonner against.  
Mr. Stubblefield for, with Mr. Dent against.  
Mr. Biaggi for, with Mr. Hays against.

Until further notice:  
Mr. Rooney of New York with Mr. Anderson of Illinois.  
Mr. Rostenkowski with Mrs. Dwyer.  
Mr. Gialmo with Mr. Devine.  
Mr. O'Neill of Massachusetts with Mr. Price of Texas.

Mr. Miller of California with Mr. Martin.  
Mr. Charles H. Wilson with Mr. Smith of California.  
Mr. Barrett with Mr. Steele.  
Mr. Slack with Mr. Camp.  
Mr. Stuckey with Mr. Spence.  
Mr. Teague of Texas with Mr. Pirnie.  
Mr. Matsunaga with Mr. Wyman.  
Mr. Cotter with Mr. Whalley.  
Mr. Brooks with Mr. Johnson of Pennsylvania.  
Mr. Fisher with Mr. Broyhill of Virginia.  
Mr. Gettys with Mr. Esch.  
Mr. Roberts with Mr. Betts.  
Mr. Roe with Mr. Scherle.  
Mr. Leggett with Mr. Mathias of California.  
Mr. Karth with Mr. Latta.  
Mr. Alexander with Mr. Hillis.  
Mr. Clark with Mr. Ruppe.  
Mr. Dorn with Mr. Abourezk.  
Mr. Flowers with Mr. Minshall.  
Mr. Podell with Mr. Smith of Iowa.  
Mr. Passman with Mr. Burke of Florida.  
Mr. Monagan with Mr. Mann.  
Mr. Watts with Mr. Winn.  
Mr. Flynt with Mr. Frey.  
Mr. Roy with Mrs. Griffiths.  
Mr. Runnels with Mr. Gibbons.  
Mr. Purcell with Mr. Edwards of Louisiana.

Mr. Gray with Mr. Cabell.  
Mrs. Mink with Mr. Metcalfe.  
Mr. Mills with Mr. Lujan.  
Mr. Long of Louisiana with Mr. Landrum.  
Mrs. Hansen of Washington with Mr. Hastings.

Mr. Rangel with Mr. Reuss.  
Mr. Roybal with Mr. Baring.  
Mr. Kee with Mr. de la Garza.

Mr. VANDER JAGT changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

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

Mr. GERALD R. FORD. Mr. Speaker, I have asked for this time for the purpose of asking the distinguished majority leader about the program for the remainder of the week, if any, and the schedule for next week.

Mr. BOGGS. Mr. Speaker, will the distinguished minority leader yield?

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

Mr. BOGGS. Mr. Speaker, in response to the gentleman's inquiry, we have completed the legislative program for this week. It is my hope to ask that we will meet at 10 o'clock tomorrow morning for the purpose of permitting Members to have most of tomorrow off. Of course, there is no program on Monday as everybody knows, and the program after the Memorial Day recess is as follows:

For Tuesday and Wednesday, we have the Private Calendar to be followed by:

H.R. 3613, Emergency Employment Act of 1971 with 2 hours of general debate remaining on the bill since we have already consumed 1 hour of general debate.

That is to be followed by:  
House Resolution 449, Capitol Police expansion and overtime pay.

On Thursday, H.R. 7109, NASA authorization, open rule, 2 hours of debate.

H.R. 7960, National Science Foundation authorization, open rule, 1 hour of debate.

On Friday, the legislative appropriation bill for fiscal year 1972.

Conference reports may be brought up at any time, and any further program will be announced later.

Mr. GERALD R. FORD. Mr. Speaker, if the gentleman will permit me to ask a question at this point, I have heard that there was an agreement between the chairman and the ranking minority member of the Committee on Education and Labor that, although they would conclude debate on the Emergency Employment Act of 1971 on Tuesday, they would not start to read the bill until Wednesday. Is my understanding correct?

Mr. BOGGS. I am not privy to such an agreement, and therefore cannot answer the gentleman.

Mr. GERALD R. FORD. I see the gentleman from Minnesota (Mr. QUIE) on the floor.

Mr. BOGGS. Perhaps the gentleman could inquire of him as to whether there is any such agreement.

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

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

Mr. QUIE. I observe the gentleman from New Jersey (Mr. DANIELS) on the floor also. He and I have been talking about this matter, and I will express my understanding with the gentleman from New Jersey (Mr. DANIELS). Perhaps it would be better if I would ask the gentleman from Michigan to yield to him.

Mr. GERALD R. FORD. I yield to the gentleman from New Jersey.

Mr. DANIELS of New Jersey. It was my understanding earlier today with the gentleman from Minnesota (Mr. QUIE) that he would consume 1 hour of debate on Tuesday and carry over the balance of the debate for Wednesday, and then make every effort to complete consideration of the bill on Wednesday.

Mr. QUIE. That is the understanding.

Mr. GERALD R. FORD. If that is the case, could we take up and finish on Tuesday House Resolution 449 so we would have a clear calendar on Wednesday?

Mr. BOGGS. I am afraid we cannot do that because the Member on this side is handling that measure and is most insistent that it be called up on Wednesday. We do not expect any problem with the resolution. So far as I know all Members, or at least all that I have spoken to, are in favor of the resolution relating to the police.

Mr. GERALD R. FORD. So the program for Tuesday is as recommended or agreed to by the gentleman from New Jersey and the gentleman from Minnesota. Is that the schedule?

Mr. BOGGS. Yes; apparently so. I have been informed that a great many Members are attending parliamentary conferences of one kind or another. Apparently some arrangement has been made here, but it is our determination to finish consideration of both of those measures, the resolution pertaining to the police and the employment bill by Wednesday, regardless of how long it takes.

#### ADJOURNMENT TO 10 A.M. TOMORROW

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that when the House adjourns today that it adjourn to meet at 10 a.m. tomorrow.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, I would just like to ask what has become of House Resolution 424, scheduled for today, to create another unnecessary commission? Has that been put over for the future?

Mr. BOGGS. The answer is yes, it has been.

Mr. GROSS. Could we be assured that it will not see the light of day again? I shall not pursue that question.

The gentleman wants to come in at 10 o'clock in the morning. What about 9 o'clock? Would that not give Members an ever earlier hour to clear out of Washington? What about 9 o'clock, a quorum call, and then adjourn? Would that be satisfactory?

Mr. BOGGS. It would be perfectly all right with me, Mr. Speaker, but some of our Members do not rise as early as the gentleman from Iowa, and they have expressed a preference for 10 o'clock. The gentleman can eat a late breakfast tomorrow morning.

Mr. GROSS. In other words, that is a little early, 9 o'clock?

Mr. BOGGS. A little early.

Mr. GROSS. I just wanted to help the Members have as near as possible a full day away from their arduous duties here.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

#### DISPENSING WITH CALENDAR WEDNESDAY ON WEDNESDAY NEXT

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

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

There was no objection.

#### 150TH BIRTHDAY OF THE LONG ISLAND PRESS

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

Mr. ADDABBO. Mr. Speaker, the daily newspaper which serves the residents of my congressional district and others in Long Island, N.Y., celebrated its 150th birthday last week. The Long Island Press has grown with the communities of Long Island during those years and the Press has always been a responsible and progressive spokesman in connection with the many issues affecting the development of Long Island.

I am proud to join with the many friends and readers of the Long Island Press in extending congratulations on the occasion of the paper's 150th anniversary and best wishes for many years of continued publication, success and service to our residents. At this point I would like to place in the RECORD the text of the birthday editorial which appeared in the May 21, 1971 edition of the Press:

#### OUR BIRTHDAY WISH AND PLEDGE

The Long Island Press is 150 years old this year. It's nice to be 150—old enough to know you can't do everything you want right away, young enough to believe that man's condition can be improved if he works hard enough at it.

We're delighted by all those nice expressions of good wishes we've gotten from President Nixon, Governor Rockefeller, Mayor Lindsay and our own Long Island leaders. Our own wish, and our pledge, is to keep doing the job we've been trying to do these 150 years—to serve our readers by bringing them the news, good and bad, about Long Island, and by working with them to improve our community.

Long Island, in the shadow of the world's greatest city and so inextricably involved in its fortunes, has always had to struggle to establish its own identity and realize its own aspirations.

The Press, in the van of that struggle,

has grown and changed as our island has grown and changed. We started on primitive flatbed presses, our type set by hand, when Astoria was still farm and marshland, when the Hempstead Plain was still a prairie and the whaling boats still sailed out of Sag Harbor, Greenport and East Hampton. Now we have high-speed presses, and those sophisticated electronic devices that are revolutionizing the communications industry. And we need every one of these new methods to keep pace with our changing world.

Throughout, we have made it a matter of basic policy not just to shine The Press Spotlight on what we regard as wrong, but also on what can be done to make it right—not only to say nay, but to say yea.

We have no patience with those who adopt causes as the frivolous choose modish clothing, losing interest in the old as each new style appears. We have stayed with one cause—to improve the quality of life on Long Island—day in, day out, for 150 years, and we pray we shall continue for another 150, at least.

We are proud that long before ecology became a household word we led the efforts to conserve Long Island's precious and irreplaceable natural resources—our wetlands, our beautiful beaches, the purity of our waters, the quality of the air we breathe.

Of all of the honors we have won, we are proudest of the National School Bell Award given to The Press in 1961 jointly by the seven largest education organizations in America, for campaigns to improve the quality of the schooling our children get and to build the new public schools and public colleges that a growing Long Island so desperately needed.

Long before drugs became a universal problem, we warned of its dangers and sought, as we still do, the elusive answers; we have exposed frauds; we have sought tax equity and aid to the poor that does not penalize the middle-class wage earner, and we have fought, often against powerful Manhattan interests, for the mass transit relief so long denied to Long Island.

These are some of the things we have fought for, often with the help of public officials and often in face of their indifference, hostility or inertia. Only a free press, in a free nation, can do this kind of job.

Yet never in our 150 years, perhaps in the nearly 200 years of the Republic, have there been so many ominous signs of attack on the freedom of the press to inform, to question, to prod, to campaign.

Now we face what seems to be a concerted assault on the media by the Washington administration. The press, like all institutions, is imperfect and subject to criticism and correction. But this new assault is not simply the time-honored counterattack of those under fire. It appears aimed at the credibility of the press itself and at its right to criticize.

We have long come to expect this kind of attack from our enemies and home-grown radicals, left and right, who would destroy a free press the moment they assumed power. But democracy cannot survive without the freedom of its citizens to speak out without fear of reprisal.

Freedom of the press is the insurance policy that guarantees freedom itself.

#### THE FIGHT AGAINST THE FAP GAP

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

Mr. NIX. Mr. Speaker, title IV of H.R. 1 has been hailed by this administration as a great potential reform of the welfare system of the United States. It is instead a wholesale retreat. Mrs. Rox-

anne Jones of the Philadelphia Welfare Rights Organization brought some startling facts on this subject to my attention.

The basis of all welfare legislation in our States has been that women with children had as their obligation the raising of those children in a normal family atmosphere. This was just common sense. Properly raised children can stand on their own feet when they are adults.

There is to be a new rule under the FAP or Family Assistance Plan. Mothers with children over 3 are to be forced to go to work and their places in the home are to be taken by strangers, by third parties.

This is not all. The Federal minimum wage does not apply. In the case of welfare recipients under this bill, they will have to take jobs that are three-fourths of the Federal minimum wage. The present Federal minimum wage is \$1.60 an hour, so recipients must accept \$1.20 an hour or \$2,400 a year.

What is more, provisions which would insure that welfare mothers would not have to take a job that endangered health and safety or was too far from home have been removed from H.R. 1.

The law today provides that a mother has the right to refuse a child care arrangement she believes is inadequate. But not under the FAP plan. They will have to accept whatever child care facilities are offered by the Department of Labor or be cut off welfare. In addition, there are no child care standards written into the legislation. All or a part of these costs may have to be paid by the child's family. For income tax purposes, the limit on a tax deduction for this purpose is \$750 a year, whereas some authorities estimate that the actual cost for one preschool child is \$2,100 a year.

All of this is based on the assumption that the trouble with the welfare system is the people on welfare. That idea is the type of argument similar to the age old argument over which came first the chicken or the egg. I can assure the Members of the House, based on my experience in my own district, that people do not want to go on welfare, they are forced to go on welfare because there is no room for them in the economic system. Mothers with children who have to support and raise their families have no choice. They must take welfare. There is very little work for them and certainly there is not enough work for all of them.

Governor Reagan of California wrote to 309,485 employers in the State of California, making a personal request to each employer asking them to each hire one welfare recipient. Out of the 309,485 requests, the net number of people who were employed as the result of the effort was 26.

In 1969 the Department of Health, Education, and Welfare conducted a study on aid to families with dependent children. Only 20.1 percent of the welfare mothers were in the labor market and one-third of these could find no employment. This is an unemployment rate, which is five times the national average.

Any group of people who suffer 500

percent more unemployment than the national average needs assistance. But, assistance is being reduced. For example, this bill provides that recipients under the FAP can no longer draw food stamps. This was an important item for welfare families.

In fact, under an earlier version of FAP, favored by the administration, a \$1,600 Federal payment was to be supplemented by an \$864 in food stamps for a total of \$2,464. This bill cuts out the food stamp provision while raising the Federal payment to \$2,400 for a \$64 loss.

This program is basically a punitive one. While it is true that the welfare program is costly and burdensome, remedial legislation must get at the causes of the problem. These causes are economic. I submit to you that mothers of poor children do not want to be poor, nor are they living lives of luxury.

The problem we face with H.R. 1 is that since it has now been reported from the House Ways and Means Committee, the danger is that it will be referred to the House of Representatives with a closed rule. We will be forced to take it or leave it. This is unfair and it will prove to be a victory of great price to the sponsors of this legislation, since it could destroy any value which this legislation has. If H.R. 1 becomes law in this condition, we will be forced to come back and take up this problem again but as a much more divided country.

The gap in H.R. 1 is based on a gap in understanding between the people of this country. Welfare has become an emotional issue. This bill will make it a much more emotional issue, one about which there will be even less understanding.

I ask the Members of the House to contact the Committee on Rules and ask the members of that committee to support an open rule on H.R. 1 so that we may have a full and fair debate on a bill that needs amending unless the burden of welfare reform is supposed to be carried by American mothers whose families are on welfare.

#### ARMS SALES TO LATIN AMERICA

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

Mr. FASCELL. Mr. Speaker, this morning a Department of State official delivered to me a reply to a letter which I wrote on May 11 to Secretary Rogers, asking for an explanation of the reasons for the President's decision to lift the ceiling on U.S. arms sales to Latin America.

Because this matter is of considerable interest to the Congress, I shall place the text of my letter and the reply in the RECORD.

First, however, I would like to make some brief comments.

I find nothing in the Department of State letter to assuage my concern that our policy toward Latin America is based not on a carefully evaluated estimate of our national security but rather on the exigencies of the moment—in this case,

as viewed by the Pentagon and determined by them to be in our national interest.

I do not question the sovereign right of each and every Latin American country to replace worn out or obsolete military equipment—or even their need to do so.

But I do question the reason for a precipitous change in U.S. policy on our participation in such procurement, and the manner in which the change was effected.

Several years ago, after full deliberation, the Congress set a \$75 million ceiling on our annual military aid and sales to Latin America. We recognized at that time that an emergency could arise which would require the lifting of that ceiling before the President had full opportunity to consult with the Congress. And for that reason we gave the President the authority to suspend the ceiling, expecting, however, that such authority would not be used unless it was "important to the security of the United States."

The reply sent to me by the direction of the Secretary of State does not point to any such development. Conditions described in the letter, cited as a justification for the President's decision, have existed for some time. They continue to exist today. But there is no emergency, no visible involvement of any important security interest of this country, which would warrant the suspension of the ceiling in the final quarter of this fiscal year just as the Congress is studying the administration's proposals for fiscal 1972.

Two sentences in the Department of State letter tend to strengthen my own impressions regarding the real reason for the presidential determination.

The letter states that U.S. inability or unwillingness to meet Latin military sales requests "does not prevent military purchases but, instead, results in acquisition from third countries of equipment frequently more advanced and more costly."

And it goes on to say that—

Many [Latin American] nations . . . could be expected to seek other suppliers if we could not meet their needs. . . .

This appears to be the real reason for changing our policy.

Is it a valid reason?

Is it really important from the standpoint of our national interests and security, and of our hemispheric relations, that the United States remain the No. 1, or No. 2 seller of military arms to Latin America?

Must we jump in just because somebody else—some European country—may get the contract?

There is a story in this morning's Washington Post, reporting that President Allende of Chile has already criticized the U.S. decision to increase military sales in Latin America as being "negative."

But just last night, one newspaper reported that Chile is trying to buy \$30 million's worth of jets from our country.

The Department of State reply to me does not mention that sale. And I do not

know whether or not such an overture has been made by Chile. But it seems to me that there is no call for the President of that country to criticize our decisions if his country is—or hopes to be—among our customers.

Mr. Speaker, foreign policy is a serious matter. It should not be made, so to speak, by shooting from the hip. And neither should it be changed just because someone else may make a sale in an area in which the Pentagon determines or feels that the United States ought to have more influence and visibility.

I know of no American Ambassador to any Latin American country, who has initiated the request for the lifting of the ceiling on our arms sales to Latin America. Neither was the request initiated by the military command in the field.

If any high-ranking Department of State official felt that this move was necessary, I was not aware of it until the text of the Presidential determination was made available—somewhat belatedly—to our committee.

This entire foreign policy decision was obviously made by those at the Washington level of the Military Establishment who are genuinely concerned about loss of sales and decreasing U.S. influence.

Mr. Speaker, the Committee on Foreign Affairs is presently holding hearings on the President's proposals for reorganization of our military and development aid programs. Contained in those proposals is a request for a doubling of the statutory ceilings on arms sales to Latin America—from \$75 to \$150 million annually.

This will provide an opportunity for a full consideration of all the issues in evolving U.S. arms sales policy in Latin America for fiscal year 1972 by all interested, Defense, State, and the Congress.

The waiver on the fiscal year 1971 program lifting the congressionally imposed ceiling is weakly justified as "important to the security of the United States" to by-pass this process and should not have been used.

DEPARTMENT OF STATE,  
Washington, D.C., May 26, 1971.

HON. DANTE B. FASCELL,  
Chairman, Subcommittee on Inter-American  
Affairs, Committee on Foreign Affairs,  
House of Representatives.

DEAR MR. CHAIRMAN: The Secretary has asked me to reply to your letter of May 11 expressing concern regarding Presidential Determination 71-12, dated April 9. This Presidential Determination waived the \$75 million ceiling on the aggregate of the total amount of military assistance, cash and credit sales, credit guaranties and loans, excluding training, to Latin American countries during fiscal year 1971 as imposed by Section 33(a) of the Foreign Military Sales Act, as amended.

The Department of State shares the concern of Congress that Latin America's relatively scarce economic resources not be unduly devoted to military expenditures to the detriment of social and economic development. Total Latin American defense expenditures have, however, been among the lowest of any region in the world, averaging only about two per cent of the GNP, and these countries do have a legitimate need to update and replace obsolete and worn out equipment. Much of this equipment is of World War II or Korean War vintage previously provided by the United States under the Mutual Security Act and its successor legislation.

At the present time there are fewer than 300 jet combat aircraft in all of Latin America, not including Cuba. With the exception of Peru's French Mirages, all of these aircraft are subsonic. While Argentina, Brazil, and Colombia are awaiting delivery of Mirages, the air forces of many Latin American countries lack planes which can fly as fast as conventional commercial airliners providing service to their countries.

The major countries of the area are determined to carry out force modernization programs to meet what they consider valid security needs. Experience has shown that refusal or inability on our part to be responsive to their requests does not prevent military purchases but, instead, results in acquisition from third countries of equipment sometimes frequently more advanced and more costly, both to purchase and maintain, than that originally sought from us. In addition, our inability to respond to reasonable requests is often interpreted by Latin American leaders, civilian as well as military, as evidence of United States disinterest in the area or of paternalistic judgments on our part concerning the defense requirements of the countries involved. Such reactions undercut our overall efforts to maintain mature and mutually beneficial relationships with these countries. Conversely, we view a responsive military sales policy as an important contributor to the maintenance of such relationships.

As you pointed out, United States Government sales of military equipment to Latin America averaged \$38 million during fiscal years 1966-1970, whereas the "Foreign Military Sales Congressional Presentation" dated March 9, 1971, estimated that total cash and credit sales would be \$72 million this fiscal year. This sudden increase is attributable primarily to the following factors:

(a) The number of requests for cash and credit sales which we received grew sharply in fiscal years 1970 and 1971, as the Latin American countries increasingly saw the need to replace obsolete and worn out military equipment.

(b) In addition, since there had been no FMS credit in fiscal year 1970, many nations deferred purchases until such credit was forthcoming. Congress did not make this credit available until late December 1970. We are, therefore, attempting in this fiscal year to meet a two-year requirement for credit purchases, i.e., for FY 1970 and 1971.

(c) Both price inflation and qualitative improvements in the conventional equipment now available for purchase have continued to raise the cost of military materiel. The pressure against our \$75 million ceiling, which was established in 1967, has increased accordingly.

(d) Still another consideration is that, while some of the deliveries of major end items are spread over a period in excess of one year, the law requires us to count the entire amount of the purchase against the year in which the contract order is signed by the requesting country.

Although the March 9 Congressional Presentation document showed an estimated total of only \$72 million for FY 1971 sales, we had already received an additional number of what we considered to be reasonable purchase requests prior to the time this document was published. We were unable to process these requests because of the \$75 million ceiling. Had the President not decided that it was necessary to waive the ceiling for this fiscal year, the total volume of sales would have remained close to the \$72 million shown in the Congressional Presentation document.

The following paragraphs, which are keyed to the numbered questions posed in your letter, will, I hope, further clarify the Department's position and rationale in recommending a waiver of the ceiling for fiscal year 1971:

1. There has been no basic reevaluation of our military assistance and sales programs to

Latin America since the Congressional Presentation dated March 9, 1971. The President's decision to waive the \$75 million ceiling was made on the grounds that it is important to United States security to be able to respond to pending requests from Latin American countries for reasonable purchases to modernize their forces, and that for the reasons given above these requests could no longer be accommodated within the existing ceiling. This same consideration also underlies our request to increase the \$75 million ceiling to \$150 million in the newly proposed 1972 International Security Assistance legislation.

2. Details of requests for military equipment and actual cash sales contracted during the period July 1, 1970-April 9, 1971 are contained in enclosure 1. No credit sales were made during this period, due first to the absence of credit authorization and then to the ceiling limitation. Specific dates indicate when cash sale offers were accepted by the purchasing country. Although the total value of all requests received was some \$92.575 million as of April 9, actual contracted sales amounted to some \$45 million. Until the Presidential Determination was signed, it had been necessary to suspend the processing of many cash and credit requests so that the \$75 million ceiling would not be exceeded.

3. It is anticipated that the total FMS cash and credit sales program for fiscal year 1971 will range between \$140 and \$150 million. This would include some or all of the \$92.575 million in cash sale requests already received plus some \$54 million in proposed credit sales. As of this date some \$82 million in FMS cash sales have been contracted. Details of proposed FMS credit utilization are contained in enclosure 2.

4. It was necessary to waive the \$75 million ceiling at this time in order to enable us to be responsive without further delay to the increasing number of legitimate requests for military purchases. Inasmuch as there was no FMS credit in fiscal year 1970, which resulted in the deferment of purchases that year, it was not deemed prudent to impose another postponement this fiscal year. Many nations faced by this situation could be expected to seek other suppliers if we could not meet their needs. In addition, waiver of the ceiling was essential to enable the Latin American countries to utilize some \$54 million in FMS credit of the total authorized by Congress in late December, 1970. These funds must be obligated before the end of this fiscal year.

5. As the Secretary's memorandum to the President pointed out, responsiveness to legitimate and reasonable requests for military equipment is an important element in maintaining our traditional security relationship with Latin American countries. This relationship diminishes the prospects that any powers or elements unfriendly to the United States may advance their influence and objectives in this region. In view of our shared location in the Western Hemisphere and our close political and economic relations, it is in the best interests of the United States that we continue to cooperate with the Latin American countries in their efforts to maintain their security capabilities. Moreover, our own national security is clearly enhanced by friendly and cooperative relations with Latin America, and these relations are importantly influenced by our attitudes toward what these countries perceive to be their security requirements. We therefore considered it necessary to recommend the waiver of the \$75 million ceiling during the current fiscal year.

We believe the President's decision to be responsive to reasonable Latin American requests for military equipment will contribute to the maintenance of close and mutually beneficial relations with the countries of this important area. The Department has long appreciated your interest and co-

operation, and we would value your support in this matter.

I would appreciate it if you would treat the information contained in enclosures 1 and 2 as confidential. If I can be of any further assistance, please do not hesitate to let me know.

Sincerely yours,

DAVID M. ABSHIRE,  
Assistant Secretary for Congressional  
Relations.

COMMITTEE ON FOREIGN AFFAIRS,  
May 11, 1971.

HON. WILLIAM P. ROGERS,  
Secretary of State,  
Washington, D.C.

DEAR MR. SECRETARY: This is in reference to your letter of May 5th, transmitting a copy of Presidential Determination 71-12, dated April 9, 1971, waiving the \$75 million ceiling on fiscal 1971 military assistance, sales and guarantees to Latin America.

Section 33(a) of the Foreign Military Sales Act requires the President promptly to report to the Congress whenever he determines that a waiver of that limitation is "important to the security of the United States."

The intent of the Congress in including that requirement in the statute seems perfectly clear: the Congress has been concerned about some countries of Latin America diverting scarce resources to military uses. In enacting Section 33(a) of the Foreign Military Sales Act, the Congress indicated that the United States should not participate in such military spending in excess of \$75 million in the current year unless important considerations of our national security dictated otherwise.

I am concerned, therefore, to find that neither the President's Determination nor the Background Memorandum in which you recommended the waiver, attempt to justify it except in the broadest, most general terms.

Your Background Memorandum reports that the Latin American countries "are in the process of modernizing their armed forces . . ." You further state that "it is important to our security to be responsive to reasonable and legitimate requests for conventional military equipment from the countries of Latin America . . ." You do not explain, however, why the \$75 million ceiling is not reasonable and why it should be removed.

As you know, during fiscal years 1966-1970, United States sales of military equipment to Latin America averaged \$38 million a year. The sales program proposed for fiscal year 1971 was almost twice that amount—\$72 million. According to the "Foreign Military Sales Congressional Presentation" dated March 9, 1971, that \$72 million estimate was still adequate two months ago.

I would, therefore, appreciate your cooperation in furnishing me with the following information in further explanation of the course of action you had recommended to the President:

1. What has happened during the past 60 days to prompt the basic reevaluation of the military assistance and sales program for Latin America, reflected in the Presidential Determination?

2. What military equipment has been sold to Latin America during the period July 1, 1970 to April 9, 1971? Please give details, including the dollar amount of each sale, the country concerned and the date on which each commitment was signed or the transaction completed.

3. What is the size of the military sales program currently proposed for fiscal year 1971? Please provide details including the names of countries, kinds of equipment, terms and dollar amounts of each sale planned for the remainder of the current fiscal year.

4. Why was it necessary to remove the \$75 million ceiling in the fourth quarter of fiscal year 1971? Could not some of the proposed sales have been postponed so as to afford the Congress the opportunity to review them during the consideration of the fiscal year 1972 program?

5. What are the specific reasons for your conclusion that U.S. national security would be adversely affected by our country's failure to be "responsive" to Latin America's requirements for military equipment valued in excess of \$75 million during the current fiscal year?

I will appreciate your early reply.

Sincerely yours,

DANTE B. FASCELL,  
Chairman, Subcommittee on Inter-  
American Affairs.

#### CHRISTIAN REACTIONS TO THE LENINGRAD TRIAL OF SOVIET JEWS

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

Mr. McCORMACK. Mr. Speaker, earlier this month, the world was again shocked to learn of harsh sentences imposed upon nine Russian Jews charged with "anti-state" activities, but whose only real crime was their desire to leave the Soviet Union and emigrate to Israel, where they could live and be respected as Jews.

On numerous occasions, Members of this House have spoken out against the Soviet violation of basic human rights—rights presumably guaranteed even by the Soviet's own Constitution. Today, with those new sentences still disturbing me, I again associate myself with the protests against the situation which has led to the trials, and to the trials themselves. Another trial is now taking place in Riga, and others are scheduled.

As the great poet, William Shakespeare, once told us, "Sweet are the uses of adversity." The terrible Soviet persecution of its Jewish citizens has provided eloquent evidence that the cause of human rights cuts across racial, political, and religious lines. When asked once why he had spoken out so forcefully on behalf of Soviet Jewry when his own people here in the United States were so badly treated, the late Martin Luther King declared:

The denial of human rights anywhere is a threat to the affirmation of human rights everywhere.

And now there has come to my attention a most impressive compilation of Christian reactions to the first Leningrad trials of Soviet Jews held last December—the trial which ended in death sentences to two of the defendants, but which world outcries of protest succeeded in getting commuted. Prepared by the Interreligious Affairs Department of the American Jewish Committee, the compilation shows us again that we are all indeed our brother's keepers—that human liberty is indivisible. This study records the written and spoken words; but perhaps even more impressive is the record of many thousands of Christians who participated in public prayer meetings, rallies and peaceful demonstrations.

At a time of racial and religious polarization in so many places, it is comforting to find such unity and brotherhood in pursuit of justice for Soviet Jewry.

Mr. Speaker, I include in the RECORD this compilation prepared by the American Jewish Committee:

#### CHRISTIAN RESPONSES—INTERNATIONAL INTRODUCTION

On December 24, 1970, eleven Soviet citizens, nine of them Jews, were found guilty of treason in Leningrad for the attempted hijacking of a plane. Two of the eleven were sentenced to death by the firing squad.

This event called forth a profound and widespread protest from Christian leadership on every level in many parts of the world. The protest was highlighted by assurances of diplomatic intervention on the part of Pope Paul VI, telegrams and public statements from Roman Catholic cardinals and bishops in the United States and abroad, and by the leaders of international and interdenominational Christian bodies such as the World Council of Churches in Geneva and the National Council of Churches in New York.

Reactions of protest and concern from Christian leadership came from such diverse sources as the Primate of the Greek Orthodox Church of North and South America, heads of mainstream Protestant denominational groups in the United States, leaders of evangelical Protestant communions and associations, and the leading Arab Christian prelate in Israel, Archbishop Joseph Raya of Galilee. The Leningrad trial also elicited widespread editorial comment in the Christian press. Response within local communities in the United States was equally strong. State and local councils of churches, community ecumenical groups, associations of clergy and laymen, Christian spokesmen of distinction, and ordinary citizens joined with the Jewish community and with a variety of civic and professional leaders in a remarkable display of solidarity. Not only did Christians express their protests through telegrams and letters to Soviet and American government officials, many thousands participated in public prayer meetings, rallies and peaceful demonstrations.

Some of the protest was directed to the severity of the sentence, pointing out the cruelty of the death sentence for an action never culminated. Some comment centered around the right of Soviet Jews (and minorities in other countries) to emigrate to the country of their choice as a basic human right, and argued that the attempt to emigrate should not be labelled treason.

Some comments related the Leningrad trial to the ongoing repression of the civil and religious rights of Jews in the Soviet Union and the embracing issue of Russian anti-Semitism; others related the plight of Soviet Jews to the persecution of other communities, such as the Basques in Spain, or blacks in South Africa and in the United States.

Some drew parallels with contemporary issues such as the trial of Angela Davis or the plight of prisoners in Vietnam. Some protested the death sentences within the context of a general protest against capital punishment.

The world-wide outrage stirred by the Leningrad trial and the barbarity of the sentences undoubtedly disturbed Soviet officials. On December 31, 1970, the Soviet Supreme Court commuted the two death sentences to 15 years at hard labor, and reduced the sentences of three other defendants.

To document the depth and breadth of Christian concern on this issue, Mrs. Judith Banki, Rabbi James Rudin, and Gerald Strober of the Interreligious Affairs Department of the American Jewish Committee, have assembled the following compilation of statements and activities, which covers the period

from December 24, 1970 when the trial and sentences were first announced, to mid-January, 1971.

Because of the necessity of a cut-off date, some impressive documentation which reached us later is not included in the body of this text, such as a stirring resolution on anti-Semitism in the Soviet Union which was adopted by the House of Delegates of the National Federation of Priests' Councils, meeting in Baltimore; an expression by six leading New Jersey clergymen under the auspices of the New Jersey Council of Churches on behalf of Soviet Jewry; and a moving editorial in the *Christian Index*, published by the Georgia Baptist Convention—all of which occurred in March. Possibly, some material falling into our allotted time period may have escaped our scrutiny. Nevertheless, the record, as it stands, provides a powerful expression of Christian witness to an inescapable moral issue which Jews in the United States and other parts of the world acknowledge with appreciation.

Rabbi MARC H. TANENBAUM,  
National Director of Interreligious Affairs.

[From the National Catholic News Service,  
Dec. 28, 1970]

VATICAN CITY.—The Holy See will do "all in her power" on behalf of two Soviet Jews condemned to death for planning to hijack a plane in Leningrad, according to the Vatican City daily *L'Osservatore Romano*.

The newspaper referred to the two condemned men as "Soviet citizens" and made no mention in its brief editorial note of their being Jewish.

Eleven persons, nine of them Jews, were found guilty of treason in Leningrad on December 24 for the attempted hijacking.

*L'Osservatore Romano* said: "Numerous appeals, some of them from high sources, have come and are coming to the Pope for the Holy See's intervention on behalf of two Soviet citizens condemned to death at a trial in Leningrad.

"Regarding that trial a group of persons demonstrated in St. Peter's Square, in an orderly and respectful way, while the Pope was giving his Christmas Day message.

"It is well known that the Holy See does not have official relations with the Soviet Union. However, we are in a position to give assurance that the Holy See is trying, in this present case as well, all in her power to respond to the appeals received. In this she is inspired by those principles of humanity and those sentiments of Christian charity that are the constant guide to her action, without distinction of persons."

The group in St. Peter's Square was Italian Jews who held up signs that read: "Freedom for the Jews in the U.S.S.R."

The Grand Rabbi of Jerusalem and other interested groups have sent messages to the Pope, asking him to intercede.

Frederico Allesandrini, the Vatican's press officer, told NC News that the Holy See "will do all that is possible in obtaining clemency" for the two men.

He said the Holy See's actions "under similar circumstances in the past" offered assurance of this.

The *L'Osservatore* editorial also mentioned the 16 Basques in Burgos, Spain, who were on trial for the murder of a Spanish police official.

*L'Osservatore* said the Holy See was continuing to respond to appeals for clemency in the Burgos trial "for the same reasons" as those of the Soviet trial. The newspaper said the Holy See "has not ceased to display her most eager interest to the Spanish government."

STATEMENT OF DR. EUGENE CARSON BLAKE,  
GENERAL SECRETARY WORLD COUNCIL OF CHURCHES

GENEVA, SWITZERLAND, December 25, 1970.—  
On this Christmas Day I appeal to all gov-

ernments to consider amnesty and pardon for prisoners, especially for those whose offenses are considered by those governments to have been of a political nature.

Today I think especially of the Jews condemned in Leningrad, the Basques in Spain, the blacks on Robins Island in South Africa. It is of the essence of true humanity for the strong to show mercy.

STATEMENT BY HIS EMINENCE ARCHBISHOP IAKOVOS OF THE GREEK ORTHODOX CHURCH OF NORTH AND SOUTH AMERICA

(Read at Foley Square rally by the Reverend Robert Stephanopolous, Orthodox Ecumenical Director, Dec. 30, 1970)

In this Season of spiritual significance, when peace and justice are emphasized in both the Jewish and Christian religious traditions, The Greek Orthodox Archdiocese of North and South America joins with all men in calling for brotherhood, peace and mutual understanding.

We join in this present expression of concern for Jews living in the Soviet Union, calling upon the responsible leaders of that Nation and of all Nations to guarantee the equality and security of its citizens under the law, no matter what their religious beliefs or their ethnic origins may be. We urge the leaders of the USSR to give assurances of due process of law and the guarantee of full justice under the Soviet legal code for those presently on trial in Leningrad. As believers in God's love and mercy, we petition them to show clemency and compassion in the exercise of their responsibilities toward justice. We appeal to their sense of humanitarianism and deep concern for the rights of self-determination and self-expression in this present context. As signatories of the Human Rights Convention, the leadership of the USSR is obliged in conscience to respect and implement the stipulations of this Convention, without any exception. Any latent or overt anti-Semitism should be suppressed and every systematic effort made to dispel incidents of oppression, persecution and imprisonment of the Jewish or other religious minorities in the Soviet Union.

CARDINAL RAUL SILVA HENRIQUEZ—CABLE TO POPE PAUL VI

SANTIAGO, CHILE,  
December 29, 1970.

Cardinal Villot—Vatican State Secretary: Responsive to the concern of Jewish community we beg to request Holy Father if he deems it well founded to exercise high moral value mediation asking clemency for citizens tried for attempt emigrating Soviet territory.

[From the Religious News Service,  
Dec. 30, 1970]

NEW YORK.—The managing editor of *Religion in Communist Dominated Areas*, a National Council of Churches' publication, has called on Dr. Eugene Carson Blake, the American general secretary of the World Council of Churches, for a series of appeals against repression in various Communist countries.

In a cable to Dr. Blake at his headquarters in Geneva, the editor, Dr. Blahoslav Hruby, made this plea:

"Hope that the World Council of Churches will:

"1. Vigorously demand justice for Leningrad Jews and others secretly condemned for acts not carried out;

"2. Request Soviet government (to) permit Jews (to) emigrate to Israel and other USSR citizens to countries of their choice,

"3. Include Anti-Semitism in the USSR, Poland, and other countries in WCC campaign against racism;

"4. Forcefully protest against violation of human rights and persecution of dissenting writers, scientists, students, nationalities, Baptists, Orthodox, Catholics, Moslems and

other believers in the USSR and any other country;

"5. Condemn Soviet occupation of the Baltic states, Czechoslovakia and other countries."

[From the Religious News Service, Dec. 30, 1970]

AUSTRALIAN CHURCHMEN ASK U.S.S.R. TO COMMUTE DEATH SENTENCES

SYDNEY.—Australian church leaders have cabled Soviet President Nikolai V. Podgorny urging commutation of the death sentences imposed on two Russian Jews for allegedly attempting to hijack a Soviet plane.

The churchmen also sent a telegram to U Thant, Secretary General of the United Nations, asking for U.N. intervention in the case.

Both the cable and the telegram were signed by Norman Cardinal Gilroy, Archbishop of Sydney; Bishop R. W. Dann for the acting Anglican Primate of Australia, Archbishop Frank Woods; the Rt. Rev. F. McKay, Moderator General of the Presbyterian Church of Australia; the Rev. K. C. Daws, General President of the Methodist Church of Australia; and Rabbi Israel Porush, President of the Jewish Ministers Association.

[From the Religious News Service, Dec. 28, 1970]

JERUSALEM.—Israel's leading Arab Christian prelate, Archbishop Joseph Raya of Galilee, prayed at St. Elias Church in Haifa that "Almighty God would enlighten the minds of Soviet leaders not to carry out the death sentences," which the archbishop called "awful and terrible."

Christians of many denominations responded to an unprecedented call from the Dominican Friars of St. Isaiah House in Jerusalem for a joint silent prayer meeting on behalf of the condemned Jews. The interdenomination service was held in the Basilica of the Holy Sepulchre.

Several Jerusalem Christian church leaders cabled Metropolitan Nicodim of Leningrad and Novgorod, head of the foreign relations department of the Moscow Patriarchate who recently paid a 10-day visit to Israel.

They urged the Russian prelate to inform Soviet authorities about their "deep concern" over the fate of the accused, especially those condemned to death.

Meanwhile, protesters burned a Soviet flag in front of the headquarters of the Russian Orthodox Mission of the Moscow patriarchate in Jerusalem. Archimandrite Hieronymous, head of the Mission, called on Dr. Zerah Wahrhaftig, the Minister of Religions, to protest the demonstration.

The protesters had urged the archimandrite to transmit their petition to the Soviet government to spare the lives of the men sentenced to death.

Reportedly, the Russian Orthodox churchman declined to receive the petition on the grounds that he was a church representative, not a government envoy.

He agreed, however, to convey Wahrhaftig's message of protest to Metropolitan Nicodim.

[From the Religious News Service, Jan. 5, 1971]

"AN ECUMENICAL SILENCE" THEME OF PRAYER GROUP

JERUSALEM.—More than 200 Christians of several denominations gathered in the Chapel of Calvary at the Basilica of the Holy Sepulchre here weekly during December to pray for the Soviet Jews facing sentences for hijacking in Leningrad.

The prayer service, led by Anglican Archbishop George Appleton and Father Marcel Dubois, O.P., highlighted an ecumenical development which has been quietly taking shape in the Holy City for the past three years.

A small group of Christians began meeting

weekly to pray for peace in the Middle East. Then they attended the liturgical services of the various denominations—Anglican, Byzantine Catholic, Melkite Catholic, Roman Catholic, and Scottish Presbyterian.

The participants, however, felt that the lack of sacramental sharing of the Eucharist in such services emphasized the disunity of the Churches. So they developed "the ecumenism of silence."

During December the group met weekly in the Chapel of Calvary (where Protestants and Eastern Catholics have no standing whatsoever and the chapel is maintained jointly by Latin Catholics and Greek Orthodox). A half-hour of silent prayer is concluded with the Lord's Prayer said by each of the participants in his own language.

The group plans to continue the "ecumenism of silence" at other holy sites—the stations on the Way of the Cross, Gethsemane, the Dome of the Ascension, and possibly the Jewish Western Wall and the Esplanade of the Temple.

[From the Religious News Service, Jan. 6, 1971]

TORONTO.—Christian leaders joined Jewish groups throughout Canada in appealing for commutation of the Soviet-imposed death sentences.

Roman Catholic Coadjutor Archbishop Philip F. Pocock of Toronto joined the protest against the death penalties. In a letter to all pastors of his archdiocese, Archbishop Pocock called for "prayers of your people for the reduction of the cruel sentences imposed upon those who were seeking liberation from oppression."

The Catholic prelate said that while the attempted hijacking could not be condoned, the efforts to emigrate should not be considered as treason.

The Canadian Council of Churches sent telegrams to the Soviet Ambassador in Ottawa, to Prime Minister Pierre Elliott Trudeau and to External Affairs Minister Mitchell Sharp deploring the severity of the sentences.

The Baptist Federation of Canada has appealed for "mercy" for the Russian Jews through the Soviet Ambassador to Canada.

Those who spoke at an interreligious rally in Toronto were Anglican Bishop Suffragan Lewis Garnsworthy of Toronto; the Rev. Eoin Mackay, associate secretary of the Canadian Council of Churches; the Rev. Dilwyn Evans, moderator of the Presbyterian Church in Canada's General Assembly; and the Rev. Leland Gregory of the Baptist Convention of Ontario and Quebec.

[Telegram]

SOVIET EMBASSY,  
Ottawa, Ontario, Canada,  
December 29, 1970.

We as a group of Christian Religious Sisters want to protest against the injustice of the Leningrad trials. We urge that the death sentences be revoked. We urge, too, that the Jews in Russia wishing to do so be allowed to emigrate to Israel.

Sister DONNA PURDY,

(And 12 other Roman Catholic Sisters of Canada.)

[From the Jewish Chronicle, Jan. 8, 1971]

#### FIGHT FOR SOVIET JEWRY

LONDON.—Protest marches and demonstrations against the treatment of Soviet Jewry were held in several provincial centres last week.

Many thousands marched through the centre of Manchester last Friday in a mass demonstration of solidarity with their brethren in the Soviet Union. Those taking part included Jewish communal and religious leaders and two well-known Christian ministers, the Rev. Paul Guinness, general secretary of the Manchester and District

Council of Christians and Jews, and the Rev. Kenneth Ridgway, an executive member of the council . . .

In Sheffield 300 people, many carrying demonstration posters, stood on the steps of the city hall amid the Christmas decorations in silent protest. The Lord Mayor of Sheffield (Alderman Sidney Dyson) expressed his belief in the "brotherhood of man and the family of world citizenship" and condemned tyranny and restriction of freedom. Rabbi Isaac Chait protested against inhumanity and injustice and "against the vicious, savage sentences which have been imposed on those who have been guilty of no crime." Other speakers were the Provost of Sheffield, who called the people to prayer, and the Rev. Dr. Oliver Beckerlegge, secretary of the Free Church Council in Sheffield. . . .

A protest meeting and a march through Birmingham was due to be held yesterday (Thursday). Among those taking part were the Anglican Bishop of Birmingham, Members of Parliament and other civic, religious and communal leaders.

In addition, the British Council of Churches sent a telegram to Metropolitan Nicodim, urging him to "use your influence with the Soviet authorities to have death sentences on those convicted in Leningrad trial commuted. This Council is urging similar clemency for Basques sentenced to death in Spain."

Following the commutation of the death sentences, the Archbishop of Canterbury stated: "Christian people will join the Jewish community in gratefulness for the reprieve of the Jews sentenced to death in Leningrad, and in prayer that the coming year will be one of hope."

#### U.S. RESPONSES OF NATIONAL AND DENOMINATIONAL LEADERSHIP

STATEMENT OF DR. CYNTHIA WEDEL, PRESIDENT, NATIONAL COUNCIL OF CHURCHES  
JANUARY 6, 1971

As 1970 ends the National Council of Churches wishes to commend the authorities responsible for the fact that another year has passed without execution of any convicted criminal in the United States.

In particular, we wish to commend Governor Winthrop Rockefeller for commuting the sentence of all fifteen convicts on "death row" in Arkansas from death to life imprisonment. We urge the governors of all the other states of the United States in which there are prisoners under sentence of death to follow his example. We commend the government of Spain as well for commuting the death sentences of six Basque nationalists and the Soviet Union for reducing the sentences of two Jews condemned to death for planning to hijack an airplane.

Without trying to assess their guilt or innocence or the fairness of their trials, the National Council of Churches considers that no condemned men deserve such a harsh and irreversible sentence. We hope that the diminishing use of capital punishment in most nations is a trend that will be reflected in all, until the modern firing squad, gallows, electric chair, gas chamber and guillotine join the Roman cross as relics of man's earlier barbarity.

We are not as yet—in this country or anywhere—ready to claim that we are free from barbarity. We remember with deep sorrow the young men and women, black and white, who were killed during the year by police action in Jackson, Mississippi; Kent, Ohio; Augusta, Georgia and elsewhere, without having been tried or convicted of any crime. They were even less deserving of the death penalty.

We call upon those who bear the heavy responsibility of governments to exercise their great powers during 1971 with such wisdom and restraint that the amount of violence in our nation will be reduced and the

inflicting of death by the state upon its citizens avoided.

[Telegram]

DECEMBER 29, 1970.

AMBASSADOR ANATOLY DOBRYNIN,  
U.S.S.R. Embassy,  
Washington, D.C.

The Leningrad trials of eleven Jews are a fresh reminder of the struggle of the Jewish people to retain their religious and cultural identity in circumstances guaranteed by the UN Declaration on Human Rights. For many Jews living in the Soviet Union and elsewhere this means the right to emigrate to Israel where their religious and cultural tradition has an honored and protected place. We support the petition of those Soviet Jews who wish to emigrate to Israel and hope that the government will make this possible.

We also are distressed to hear of the death and prison sentences ordered for the eleven Jews who were accused of illegally planning to take a small twelve seat plane and fly it abroad. It is our hope and plea that the Supreme Court of the Russian Federation of the Supreme Soviet will exercise compassion in reviewing these sentences and thus eliminate the death penalties and reduce the harsh prison sentences. Finally we pray that Jews desiring to emigrate to Israel in the future will have their petition rapidly and favorably processed so that they are not driven to desperate measures.

DR. BARTON HUNTER,

Executive Secretary, Department of Church in Society, The Christian Church, (Disciples of Christ), Indianapolis, Ind.

[Telegram]

DECEMBER 29, 1970.

HIS EXCELLENCY,  
THE AMBASSADOR OF THE U.S.S.R.,  
Embassy of U.S.S.R.,  
Washington, D.C.

YOUR EXCELLENCY: We are greatly concerned over the plight of the eleven persons recently convicted for the attempted hijacking of an airplane in the USSR. While the seizure of any plane, though especially ones carrying passengers, is to be condemned there are extenuating circumstances in this particular case. The defendants desired very strongly to leave the Soviet Union and go to Israel, something which the Soviet authorities would not permit—perhaps because of the opposition of the Arab countries.

We in the United States are familiar with similar problems. Fortunately, our Supreme Court has held that freedom to travel is an important constitutional and human right. As church leaders, we have also defended on many occasions the rights of persons whose views and actions have made them extremely unpopular. We therefore respectfully, but strongly, urge that the government of the USSR permit these eleven defendants, and others so desirous, to leave the Soviet Union and proceed either to Israel or to some other country if that seems preferable. Your country and ours alike should demonstrate to the other nations of the world a high standard of respect for human rights.

Respectfully yours,

A. DUDLEY WARD,  
General Secretary.

HERMAN WILL, Jr.,  
Associate General Secretary, Board of Christian Social Concerns United Methodist Church.

[Telegram]

DECEMBER 29, 1970.

To His Excellency, Mr. ANATOLY DOBRYNIN,  
Embassy of U.S.S.R.,  
Washington, D.C.

YOUR EXCELLENCY:

The severity of sentences passed upon eleven defendants accused of planning to

hijack a plane for the purpose of going to Israel from Leningrad has caused grave concern within the United Presbyterian Church in the U.S.A. We are particularly dismayed at the death sentences pronounced for Mr. Mark Dymshits and Mr. Eduard S. Kuznetsov. These sentences seem to us to go far beyond the severe punishment asked by the recent Anti-Hijacking Convention endorsed by the International Civil Aviation Organization.

As officers of the United Presbyterian Church in the USA, we appeal to you to communicate our concern to your government. We plead for clemency and for the commutation of the death sentences on humanitarian grounds. We urge that the religious motivation of the defendants is a mitigating circumstance of paramount consideration in world society, including the Soviet Union, which guarantees in its Constitution the free exercise of all religious beliefs.

Most Respectfully,

The Reverend WILLIAM LAWS,  
*Moderator.*  
WILLIAM P. THOMPSON,  
*Stated Clerk.*

[Telegram]

DECEMBER 29, 1970.

HON. WILLIAM ROGERS,  
*Secretary, U.S. Department of State.*

DEAR MR. ROGERS: The attached is a telegram from our office to the Soviet Ambassador in the United States.

May we assure you of our wholehearted support of any approaches by our Government to the Government of the Soviet Union, which, as published reports indicate, are designed to register concern over the harshness of the sentences passed and appeal for clemency for the two persons sentenced to death.

The Reverend WILLIAM LAWS,  
*Moderator.*  
WILLIAM P. THOMPSON,  
*Stated Clerk.*

[From the Religious News Service,  
Dec. 30, 1970]

PRESBYTERIAN LEADERS ASK CLEMENCY FOR  
U.S.S.R. JEWS

NEW YORK.—The Presbyterian churchmen cabled Metropolitan Nicodim of Leningrad and Novgorod, chief of foreign affairs for the Russian Orthodox Church, urging him to approach the Soviet government with a plea that the sentences be commuted. . . . The cable to Metropolitan Nicodim said: "We are not presuming to sit in judgment on the defendants' case, nor are we critical of the Soviet judicial system but we are dismayed by the harshness of the sentences, particularly in view of the religious overtones of the case.

"May we appeal to you as a colleague in the World Council of Churches to exert your good offices in communicating our plea for clemency to the authorities concerned and to approach your government with your own prayerful plea for a commutation of sentences on humanitarian grounds."

TELEGRAM SENT TO AMBASSADOR DOBRYNIN  
DECEMBER 29, 1970.

I am distressed that two [Jews] have been sentenced to death by the Soviet Union. This sentence for a political crime could be interpreted around the world as harsh and inhumane punishment with anti-Semitic overtones.

CARL E. BATES,  
*President, Southern Baptist Convention.*

[From the National Catholic News Service,  
Dec. 28, 1970]

NEW YORK.—Fourteen leading American intellectuals, including Father Theodore M. Hesburgh, have issued a statement here charging the Soviet Union with launching a campaign "to intimidate the untold num-

bers of Soviet Jews who wish to maintain their Jewish identity."

The statement was released here as a result of the trial of eight Jews in Leningrad on charges of plotting to hijack a Soviet airliner. Two of those convicted of the charge by the Soviet court have been sentenced to death.

The statement noted that those arrested and tried in Leningrad had been among those Jews who had circulated appeals to Soviet officials seeking help in their efforts to leave Russia for Israel.

"These people," the statement declared, "have been chosen as object lessons to intimidate the untold numbers of Soviet Jews who wish to maintain their Jewish identity and who want to exercise their elementary human right to leave the country to settle in Israel.

"Confronted by a wholly unanticipated upsurge of Jewish national consciousness, the regime has resorted, characteristically, to repressive measures, beginning with police interrogations, expulsion from the party, discharge from employment, suspension from university, and ending in this trial and others still to come."

The anti-Semitism evident in the Leningrad trial was supported in the statement by a list of alleged Jewish plots going back to 1911, and the time of the Tsars. The statement also claims that much of the evidence used at the trial was similar to that which was employed against Jews in Stalin's time.

Referring to the eight Jews convicted at the trial as the "Maccabees of today," the statement concluded: "We cry out against the cruel attempt to destroy their spirit. Is there an anguished conscience left in the world to witness and protest this outrage against the last great remnant of East European Jewry that survived the Nazi holocaust?"

In addition to the president of the University of Notre Dame, other signers of the statement were: Saul Bellow novelist; Noam Chomsky, linguist; Henry Steele Commager, historian; Abraham J. Heschel, theologian; Alfred Kazin, critic; Arthur C. Kornberg, Nobel laureate; Dwight Macdonald, critic; Arthur Miller, Pulitzer Prizewinning playwright; Hans J. Morgenthau, political scientist; Bayard Rustin, civil rights activist; Robert Penn Warren, Pulitzer Prizewinning author; George Wald, Nobel laureate; and Eugene Wigner, Nobel laureate.

[From the New York Times Jan. 5, 1971]

TO THE EDITOR

Millions have been gladdened by the news that at long last the Soviet Government has heard the voice of world conscience. Yielding to universal pressure, it ordered its supreme court to commute the death sentences of Mark Dymshits and Edward Kuznetsov. I, too, rejoice for—as the rabbis taught—a life saved is a world saved. Still, my happiness is marred; fifteen years of hard labor, at a very special camp, is still a mortal threat.

What disturbs me even more is that Russia's system of justice, which can sentence a man for an alleged plan not acted upon, remains unchanged. Unchanged, too, is her emigration policy, which forbids Jews to leave the country for Israel.

In a totalitarian country, a man is the state's property. He must have no other thoughts or longings than the ones the authorities command. Hence all Jews whose hearts are in Israel are considered potential criminals.

All Soviet protestations notwithstanding, the Jews condemned at the Leningrad trial were condemned because they are Jews who wish to return to the land of their forefathers.

We must not forget that Erets Yisrael is a thorn in the flesh of the Soviet Union.

For this fledgling state is intent on building a society in which freedom, justice, and humanity flourish, in which Jews can live

as Jews—a society that is not beholden to the U.S.S.R. and that frowns on the Marxist myth of an order in which all distinction of class and peoplehood will disappear.

So will, according to the myth, anti-Semitism. Indeed, it might; if Soviet Russia continues her discrimination, Jews themselves will have disappeared.

The commutation of the two death sentences, gratifying as it is, must not cloud the realization that the existence of Jews in the Communist world is in jeopardy. All men concerned with the welfare of their neighbors and devoted to justice must demand, and demand again, that every Jew who wishes to leave Russia be permitted to do so.

To move to another country ready to accept the applicant is one of the inalienable rights of man, honored by all civilized countries. The right of mobility is no trifling matter. It is part of human dignity, and we must not allow the dignity of Jews to be trampled on by a pitiless government. Day after day, we must remind the Soviet Union to act as a member of the world community.

Msgr. JOHN M. OESTERREICHER,  
*The Institute of Judaeo-Christian Studies, Seton Hall University.*  
SOUTH ORANGE, N.J.

[From the National Catholic News Service,  
Dec. 29, 1970]

SOVIET TRIAL OF JEWS FOR HIJACKING CALLED  
BARBARIC

SOUTH ORANGE, N.J.—The trial in Leningrad of 11 persons, nine of them Jews for conspiring to hijack a Soviet plane was called barbaric by Catholic clergymen and laity active in establishing Judaeo-Christian relations.

"We protest not only against the two death sentences, but against the entire Leningrad trial," said Msgr. John M. Oesterreicher, director of the Institute for Judaeo-Christian Studies at Seton Hall University, and institute staff member Father Edward H. Flannery in a statement. Other staff members also endorsed the statement.

Noting that official Russian sources had admitted that the alleged hijackers never came near a plane, their statement said that "a plan not acted upon is not a crime; hence, the entire court proceedings are unfair, indeed barbaric.

"All Soviet protestations notwithstanding, the two Jews condemned to face the firing squad were condemned because they are Jews, because their hearts are in Israel. In a totalitarian country a man is the property of the state; he must have no other longings than the ones the state commands.

"Moreover, the state of Israel, intent on building a society in which freedom, justice and humanity flourish, in which Jews can live as Jews, a society that is not beholden to the USSR, and that frowns on the Marxist myth of a classless order in which, anti-Semitism will automatically disappear, frightens the Russian communists. The Leningrad defendants are victims of this fear."

The statement asked for "an end to an uncivilized judicial system and to all forms of anti-Semitism in the Soviet Union" and that "Jews be given the exercise of their inalienable right of moving to Israel if they so desire, and Israel is ready to accept them."

The statement also protested against "the repressive, indeed cruel treatment of Basque patriots by the Franco government." (Six Basques were sentenced to death and nine others to long prison terms after being convicted by a military court in Burgos, Spain, of the murder of a police official.)

[From the Religious News Service,  
Dec. 29, 1970]

GROUP ASKS U.S. ACTION ON LENINGRAD  
SENTENCES

WASHINGTON, D.C.—Three leaders of the interreligious Appeal of Conscience Foundation met here with Secretary of State

William P. Rogers to discuss U.S. action on the sentencing of all persons convicted of air-hijack plotting, nine of them Jews, to severe punishment by a Soviet court in Leningrad.

The delegation declined to elaborate on plans the Nixon Administration had for appealing on behalf of the 11, two of whom were sentenced to death before a firing squad.

Robert J. McCloskey, a State Department spokesman, said the U.S. had "taken action which we hope will be helpful." He did not give additional details.

Representing the foundation were Rabbi Arthur Schneier of Park East Synagogue, New York; Father Charles M. Whelan, S.J., assistant editor of America, the Jesuit weekly; and Francis E. Dorn, a former Congressman from Brooklyn.

The plight of Soviet Jews is one of the major concerns of the foundation.

COMMUNITY RESPONSES IN THE UNITED STATES

[From the Providence Visitor, Jan. 8, 1971]

RELIGIOUS LEADERS STRESS CONCERN FOR SOVIET JEWS

Bishop McVinnie and leaders of the various religious denominations in Rhode Island, issued a statement last week expressing the concern of the Christian community of Rhode Island regarding the recent Leningrad trial of 11 Soviet Jews, accused of planning to hijack a plane last June. . . . The statement follows: "We, the undersigned, wish to convey the concern of the Christian community of Rhode Island over the incident of the Leningrad trial, and to raise our voices in protest with freedom-loving peoples everywhere.

"We deplore the accusation of 'treason' applied to Soviet Jews who wish to emigrate to Israel, their spiritual homeland. The reaction of the Soviet state constitutes a denial of freedom of free entry and departure. How else can this unjust and flagrant violation of liberty be interpreted, except as an attack upon the dignity of the citizen, particularly the Jewish citizen, our brother? When the freedom of any people is imperiled, the freedom of all men is imperiled.

"The Jewish people have so often been the victims of tyranny. But now, the conscience of the Christian community must decry a further affront to their dignity."

The signatories of the statement were The Most Rev. Russell J. McVinnie, D.D., Bishop of Providence; the Right Reverend John S. Higgins, D.D., Bishop of Rhode Island; The Reverend John B. Graybill, Ph.D., Stated Clerk Providence Presbytery; The Reverend R. Vernon Lawson, Conference Minister United Church of Christ; The Reverend W. Eugene Motter, Executive Minister Rhode Island Baptist State Convention; The Reverend Morrill O. Martin, District Superintendent of the R.I.-South Eastern Mass. District, United Methodist Church; The Reverend Daniel J. Carlson, Dean of Rhode Island District Lutheran Church, and The Reverend Wayne Artis, Ph.D., Executive Director, Council of Churches of Rhode Island.

[From the Connecticut Jewish Ledger, Dec. 30, 1970]

The Rev. James Webb, executive secretary of the Connecticut Council of Churches, and the Rev. William Riley, representative to the Jewish community of the Ecumenical Commission, Archdiocese of Hartford, joined in [a] statement pointing out that the accused in a crime that never took place only had "a common desire to seek freedom outside the Iron Curtain."

Emphasizing that no disrespect for the process of law was intended, the leaders cited the fact that the defendants were held incommunicado for six months—contrary to Soviet law—and could not even choose their own lawyers for a trial "by anti-Semitism from the first arrests to the final verdict."

"In this season," they continued, "when men's thoughts turn to brotherhood and peace on earth, we cry out for justice and humaneness; for adherence to an internationally accepted standard of fairness; for commutation of the harsh sentences exacted by a government which apparently can brook no deviations from its imposed doctrine.

"We call upon our government officials and all people of good will to forcefully register their protests to the trial and its verdicts and to make all efforts to alleviate the plight of those already sentenced, as well as those who still languish in Soviet jails awaiting the ordeal of future trials."

[From the Connecticut Jewish Ledger, Jan 7, 1971]

HUNDREDS KEEP VIGIL FOR SOVIET JEWS AT WOODBRIDGE SYNAGOGUE

Some 700 area residents attended a prayer vigil in behalf of Soviet Jewry Wednesday night at Congregation Bnai Jacob, Woodbridge (New Haven).

The vigil was part of a worldwide outcry against the death sentences handed down to two Jews for conspiracy to hijack a plane in Leningrad.

Both Jewish and non-Jewish religious leaders spoke at the vigil, which began with a half-hour prayer service.

The Rev. Harold Clement, black pastor of the African Methodist Episcopal Zion Church and past president of the Connecticut Council of Churches, equated the oppression of Jews in Russia with that of blacks in the United States.

It is impossible for either Jews in Russia or blacks in the United States to get a fair trial, the minister noted, adding that the black community gives all its "strength and support" to the Jewish people.

Minorities must use every necessary means available to protest and even disrupt the machine of oppression," he declared, "calling for the release of all Jewish political prisoners."

The Rev. Mr. Whitlock, president of the Greater New Haven Council of Churches, asserted, "This act of legalistic oppression on the part of the Soviet courts is in direct contravention to the Universal Declaration of Human Rights, subscribed to by the Soviet at the Teheran Conference, which asserts that every individual has the right to live in the country of his choice. . . .

Mr. Whitlock maintained Jews and Christians alike "must stand and be counted." "Neither can be neutral," he said, "for the bell that tolls for the Leningrad nine tolls also for us. If the Jewish minority in the Soviet Union must live in bondage how can we here, Jew, and Christian alike, be free?"

Albert Moschette, chairman of the Connecticut Policy and Action Committee of the Italian-American Civil Rights League, read a brief statement in support of the vigil. . . .

The Rev. David McDonald, representing the Archdiocese of Hartford, cited a statement by Pope Paul VI in support of Jews worldwide and said it was his "privilege to offer the support of the Catholic Church in this vigil."

RESOLUTION ON TREATMENT OF JEWS IN THE SOVIET UNION

"As Christians, as men of conscience and as representatives of our respective denominations in the State of Connecticut, we reiterate our past pronouncements for freedom, dignity and self-determination for all people and against oppression and tyranny wherever it may be found.

"We do now raise our voices to join those millions of men of good will who protest the treatment of Jews in the Soviet Union.

"We call upon our President, Richard M. Nixon, the State Department, our Ambassador to the U.N. and all other appropriate agencies of our Government to call for the immediate end to the acts of repression and

discrimination against Soviet Jews, and to grant them the right to live as Jews in Russia and the right to leave and live in other countries of their choice.

"So long as these injustices persist, we as men of conscience cannot and will not be silent. In anguish we raise our voices and call for immediate action to end this repression."

BOARD OF DIRECTORS,  
Connecticut Council of Churches.  
HARTFORD, CONN., January 15, 1971.

[From the Long Island Press, Feb. 22, 1971]

2,000 DECRY SOVIET POLICY ON JEWS  
(By Glenn Singer)

More than 2,000 Long Islanders from over 60 synagogues and religious organizations gathered at Mitchel Field in East Meadow yesterday to protest alleged Soviet persecution of Russian Jews.

Rallying in Hangar 6 at the former Air Force Base, the protesters heard political and religious leaders decry Russian policies toward Jews, and they watched as 11 young people, dressed in Soviet prison garb, ate a 300-calorie meal of beet soup and black bread, designed "to create a spirit of sharing the suffering of Soviet Jewry." . . .

The Rev. Jonathan G. Sherman, bishop of Long Island, said he had sent a pastoral letter to be read in every congregation in the Diocese of Long Island yesterday morning, stating:

"The suppression of organized religion in Soviet Russia is an incontestable fact. The plight of three million Russian Jews, who can neither assert their religious or cultural identity nor leave the Soviet Union, has captured worldwide attention and concern. As Christians, who share this suffering with our Jewish brethren and who share also our common faith in the just and merciful God, we cannot pass by on the other side."

He continued: "It is not only Jewish believers who are suffering today in Soviet Russia. Christian believers also are subjected to interrogations, to beatings, to fines, to the confiscation of religious literature, to the breaking up of religious services and houses of prayer and to imprisonment.

"As we look back to the nightmare of the Nazi gas chambers in World War II, the horror lies not only in the suffering of the innocent, but in the failure of civilized and religious people to speak out. At this point my concern is for the honor of this nation, which boasts of its tradition of civility, of independence, of human rights." . . .

Rabbi Marc Tanenbaum . . . of the American Jewish Committee, received vociferous response from the audience when he proclaimed that "we will never be silent again. We will march and march until Jews of the Soviet Union are given their freedom. We are not anti-Soviet—we are pro-human rights—let them leave."

Tanenbaum added, referring to the Soviet government: "We don't ask you to love the Jews, but simply to honor the universal declaration of human rights. Stop becoming the greatest purveyor of anti-Semitism under the guise of anti-Zionism in the world today."

Yesterday's rally was the third action by the Long Island Committee for Soviet Jewry. It previously sponsored a 2,500-car motorcade from Roosevelt Field in Garden City to the Russian compound in Glen Cove and the continuing daily "Minyan at the Gate" there, which is in its fifth week.

[Telegram]

DECEMBER 30, 1970.

HIS EXCELLENCY, PREMIER ALEKSEI KOSYGIN,  
The Kremlin,  
Moscow, U.S.S.R.

EXCELLENCY: The Long Island Interfaith Council, representing religious and lay leaders of the Roman Catholic, Protestant and Jewish faith communities on Long Island,

joins with men and women of conscience throughout the world in condemning the Soviet government's repressive policies against Soviet citizens of the Jewish faith who have attempted to assert their religious and cultural identities as Jews.

We are shocked at the severe penalties that have been handed down in the Leningrad "hijacking" trial and urge your government to act promptly and commute the death sentences. We note that there would have been no hijacking "plot" had Soviet authorities heeded the pleas of hundreds of Jews who have petitioned for the elementary human right to leave the USSR in order to join families and brethren in Israel.

We deplore the attempt of any government to intimidate people whose real "crime" is that they were born and seek to live as Jews. We urge you to reconsider and reverse a policy that pursues the anti-Semitic excesses that have stained the pages of recent history.

Sincerely,

FRANK H. BRENNAN,  
*Cochairman.*  
REV. CLAYTON L. WILLIAMS,  
*Cochairman.*  
Rabbi BERNARD KLIGFIELD,  
*Cochairman.*

Roman Catholic members of the Interfaith Council include Rev. Patrick E. Shanahan, Superintendent of Schools for the Rockville Center Diocese, Rev. R. Emmett Fagan, Executive Director for Catholic Charities and Rev. Paul E. McKeever, editor of *The Long Island Catholic*, the diocesan weekly newspaper. Protestant participants include Rev. David Parker, Rev. Robert Wieman and Rev. John Dykstra representing the Long Island Council of Churches. The Council's Jewish members include Harold Applebaum and George Berstein of the American Jewish Committee, Dr. Stanley Greenberg and S. Stanley Kreutzer of the American Jewish Congress and Kurt Kelman and Joel Komarov of the Anti-Defamation League of the B'nai B'rith.

[From the Scarsdale Inquirer, Dec. 31, 1970]  
CATHOLIC-JEWISH COUNCIL ASKS SOVIETS TO  
CANCEL SENTENCES FOR HIJACKERS

The Scarsdale Catholic-Jewish Council has sent a wire to the Soviet Embassy "expressing horror" over the punishment ordered by the Soviet Union of the eleven persons who sought to emigrate from that country. The wire, drafted by Father Henry d'Anjou of IHM, asked that the Soviets cancel the sentences that have been meted out.

The Scarsdale Council was organized in February of this year to promote mutual understanding and creative dialogue between Catholics and Jews on the parish level. . . .

[From the Reporter Dispatch—Jan. 4, 1971]

WHITE PLAINS, N.Y.—The massing of community opinion against the sentencing of Soviet Jews for an alleged hijacking last month was noted Saturday in a community service of prayer and protest conducted at Temple Israel Center, White Plains. . . . Some Christian participants in the service were the Rev. Charles H. Churn, Jr., president of the White Plains-Greenburgh chapter of the National Association for the Advancement of Colored People; the Rt. Rev. Msgr. Charles J. McManus, pastor of St. Bernard's Church, White Plains; the Rev. Frank Watson, president of the White Plains Association of Religious Leaders.

[Telegram sent to Secretary of State  
William Rogers]

JANUARY 4, 1971.

HON. ANATOLY DOBRYNIN,  
*Soviet Ambassador,*  
*Washington, D.C.*

HONORABLE AMBASSADOR: We are shocked and pained by the results of the trials in

Leningrad. Thirty years ago our countries fought together to defeat the racial, religious, and cultural repression of Nazism and Facism. The high proportion of Jews among the accused and the incredible severity of the sentences lead fair men everywhere to suspect that the virulent forces we combated together have re-emerged. We plead that your country will show that this is not so by extending clemency and by allowing your free citizens to live where they choose.

Most sincerely,  
REV. WILLIAM H. HARTER,  
REV. LINDA B. HARTER,  
*Margaretville-New Kingston United  
Presbyterian Parish, Catskill Moun-  
tains—New York State.*

[From the Baltimore Catholic Review,  
Jan. 5, 1971]

STATEMENT OF CARDINAL SHEHAN

Throughout the civilized world men and women of all faiths are appalled at the severity of the sentences meted out to the eleven Leningrad Jewish defendants charged with conspiracy to hijack a Soviet airliner. I join my voice with the chorus of protest at the harsh and inhuman handling of these unfortunate victims of Soviet intimidation.

The crime which has brought the full weight of Russian harshness on the heads of the Jewish defendants is their outspoken desire to retain their Jewish identity and in many instances to leave the U.S.S.R. to begin life anew in Israel. The conspiracy trial seems to be a facade erected to provide a grim warning to more than three million Soviet Jews to go along quietly with the government program of ethnic, cultural and religious repression which has so long been the lot of this tormented minority.

I call for clemency on the part of Soviet leadership and an end to this systematic and dehumanizing harassment.

WASHINGTON, D.C.

During the greater part of December 1970, a silent vigil was maintained across from the Soviet Embassy in Washington, D.C. This vigil manifested concern for the plight of the Soviet Jews and there was Christian participation in the vigil.

The Rev. John F. Steinbruck, Pastor of the Luther Place Memorial Church, was one of the Christian leaders who came to the vigil every day. In fact, on Christmas Day, after completing his major service, Rev. Steinbruck marched in the vigil. Other Christian leaders who participated were Msgr. Geno Baroni of the United States Catholic Conference and the Rev. Philip R. Newell, Associate Executive Director of the Council of Churches of Greater Washington.

[From the Cleveland Plain Dealer, Jan. 2,  
1971]

OTHER FAITHS JOIN JEWS IN RED PROTEST  
(By Albion Gorisek)

CLEVELAND, OHIO.—The non-Jewish community responded in a most humanitarian way to the petition drive protesting Soviet death penalties against alleged hijackers.

Clergymen and laymen of all faiths helped man some of the 10 booths set up to collect signatures. Almost 20,000 were obtained during the 12-hour drive.

At the Euclid Arcade, the Rev. Thomas L. McCray of Greater Avery A.M.E. Church on Wade Park Avenue assisted booth workers. At another booth in Severance Center, the Rev. Robert W. Hare, Presbyterian pastor of the Congregation of the Reconciliation, the "floating" church, passed out petitions.

And one of the most unusual requests for petitions came from the cloistered Carmelite Monastery in Cleveland Heights. However, the nuns' response there should not have surprised anyone who knows anything about nuns these days, even those shut off from the world as the old cloisters were.

[Telegram, Dec. 29, 1970]

ANATOLY F. DOBRYNIN,  
*Soviet Ambassador,*  
*Washington, D.C.:*

We respectfully request that you use your good offices with your government to insure that the current hijack trials in Leningrad be publicly held and free of religious prejudice. We ask you to use your influence to assure every Soviet citizen the basic human rights of freedom of religion and freedom to emigrate.

REV. JOHN WESSEL,  
*Director of Interreligious Affairs,  
Catholic Diocese of Cleveland.*

Public statements in support of the Soviet Jews were also issued by the Rev. Richard Drake, President, Cleveland Council of Churches, and the Rev. Donald Jacobs, Executive Director of the Cleveland Council of Churches.

STATEMENT ISSUED DECEMBER, 29, 1970

The original decision of the Soviet Union, sentencing the two Russian Jewish pilots to death for the recent attempt to emigrate from Russia, shocked the conscience of Christian people. The severity of the punishment was clearly out of proportion to the crime committed. Furthermore, the fact that the attempt of the Russian Jews and non-Jews to use the plane to gain their freedom must be taken into account. My spirit feels a strong affinity with the Jewish people who desire to unite with their fellow Israelites in their homeland of Israel. May God speed the day when such injustice and oppression of people, which denies them their birthright of God-given freedom, will be removed from the world. For the sake of human brotherhood, I add my voice to those of other thousands in speaking out against the present oppression of the Jewish people of Russia.

REV. JOHN E. WITTE,  
*President,*  
*Greater Cleveland National Association  
of Evangelicals.*

[Telegram, Dec. 29, 1970]

CANTON, OHIO.

AMBASSADOR ANATOLY F. DOBRYNIN,  
*USSR Embassy,*  
*Washington, D.C.:*

Representing various religious bodies in this city, Catholic, Orthodox, Protestant and Jewish, we join the many thousands of voices in this country and throughout the world in appealing to the government of the Soviet Union for clemency in behalf of the Jews currently on trial. We urgently request that you release them in the name of human justice and mercy.

ALBERT B. GILL,  
*Executive Secretary,*  
*The Ecumenical Association.*

[Telegram, Dec. 29, 1970]

HON. ANATOLY F. DOBRYNIN,  
*Soviet Ambassador,*  
*Embassy of the USSR,*  
*Washington, D.C.*

DEAR SIR: It is shocking to learn from our Jewish friends that anti-Semitism is still rampant in the Soviet and that political trials are presently under way again. The era of Stalin appears to be with us yet; unfavorable comparisons with Hitler and the whole Nazi ideology force themselves upon us. The communistic system certainly must wish to justify itself before the world as the system most beneficial to mankind generally and individually. That, of course, is not my belief; what I hear confirms me in that conviction. What answers in fact or in philosophy does USSR have to account for the present treatment of Jews and the current trials? Please do everything in your power to see to it that justice is done in Russia and that your image

before the world is such as you truly desire.  
Yours in Christ.

Rev. THOMAS A. REDDING,  
Director of Community Relations of  
the Toledo Catholic Diocese.

[Telegram, Dec. 29, 1970]

Hon. WILLIAM P. ROGERS,  
Secretary of State,  
Department of State,  
Washington, D.C.

DEAR SIR: Our friends in the Jewish community assure us that political trials against Jews who have shown interest in migrating to Israel are under way in Russia. Police repression, secret hearings, rigged evidence—the whole sick gamut—appear to be again in force. Please do everything in your power, find the arguments which might appeal to the Soviet mentality, to stop this continuation of what has to be the longest standing sin of that part of the world which owes its origin to Christianity. Anti-Semitism, unfortunately, is a Christian heritage, even in Russia. Western men of good will have an historic responsibility to crush this evil wherever we see it. Yours in Christ.

Rev. THOMAS A. REDDING,  
Director of Community Relations of the  
Toledo Catholic Diocese.

[Telegram, Dec. 30, 1970]

His Excellency, ANATOLY F. DOBRYNIN,  
Soviet Ambassador to the United States,  
Washington, D.C.

YOUR EXCELLENCY: The sentences meted out to Jews, recently tried for alleged hijacking attempts, are further examples of the determination of the Russian Government to silence those Jews who wish to leave the oppressive confines of the Soviet Union and emigrate to Israel, to freedom.

We call upon the Russian Government to grant clemency to Mark Dymshits and Eduard Kuznetsov, and to free all Russian Jews who desire to live in freedom outside the borders of the Soviet Union. Please know that the world will not remain silent while crimes against humanity are committed.

The EXECUTIVE COMMITTEE,  
The Metropolitan Area Religious Coalition of Cincinnati.

[Telegram, Dec. 22, 1970]

Ambassador ANATOLY F. DOBRYNIN,  
U.S.S.R. Embassy,  
Washington, D.C.:

As Americans of various faiths, deeply concerned about human dignity and the inherent rights of mankind, we urge the prompt release and exoneration of Soviet Jews now being held incommunicado. We are convinced that the trials are political in nature, designed to stifle the quest for religious freedom and the right of emigration, contrary to the guarantees of your own constitution. The conscience of humanity is aroused and the USSR must understand that its anti-Jewish policies are morally intolerable to free men everywhere. We strongly urge your active intervention to end all acts of anti-Semitism in the Soviet Union.

SIGNERS

Bishop James W. Malone, Catholic Diocese of Youngstown.

Rabbi Mendel L. Abrams, President, Board of Rabbis of Greater Youngstown.

Rev. Norman M. Parr, Executive Director, Youngstown Area Council of Churches.

Very Rev. Isaiah Chronopoulos, President, Eastern Orthodox Clergy Association.

Phillip A. Millstone, Chairman, Jewish Community Relations Council of Youngstown.

In addition to these telegrams and statements, Jewish and Christian religious leaders participated in a series of public rallies in Cincinnati's Fountain Square and in Akron, Canton, Dayton, Toledo and Youngstown.

[From The New World, Jan. 1, 1971]

PRAYERS ASKED FOR SOVIET PRISONERS

CHICAGO, ILL.—Catholics of the Archdiocese of Chicago have been asked to pray for the success of Vatican efforts to secure clemency for the Soviet citizens in Leningrad condemned recently by Soviet courts.

In a letter to pastors, Msgr. Francis W. Byrne, Vicar General wrote:

"The recent trial and sentencing of Soviet citizens by the tribunal in Leningrad have caused grave concern for men of good will throughout the world. Today (December 29) the Vatican announced it is doing everything in its power to urge the Soviet government to grant clemency to the condemned.

"In the spirit of brotherhood highlighted by the Second Vatican Council, Catholics of the Archdiocese are urged to pray for success of the Vatican intervention and clemency for the Leningrad prisoners. Pastors are asked to include these intentions in the prayers of the faithful at Holy Mass."

STATEMENT

"In the same vein and in the spirit of religious freedom, we urge the U.S.S.R. to release the 33 Soviet Jews who have been arrested, imprisoned, indicted and are now being tried for what appears to be no other crime than their professed desire to emigrate from Russia and to seek their destiny as Jews in Israel and elsewhere.

"We urge all people of goodwill to join in prayer for the welfare of all now in shackles and urge a united mankind to join in every effort to put an end to enslavement in whatever form and wherever it is found."

Signers of the statement were Archbishop Coadjutor Leo C. Byrne of the Archdiocese of St. Paul-Minneapolis; Dr. Melvin A. Hammarberg, president of the Minnesota Council of Churches; Rabbi Arnold M. Goodman, president of the Minnesota Rabbinical Association; Dr. Arnold T. Olson, past-president of the National Association of Evangelicals, and the Rev. Anthony M. Coniaris, pastor of St. Mary's Greek Orthodox Church.

[From the Religious News Service,  
Dec. 29, 1970]

MINNESOTA CHURCHMEN ASK PRAYERS, ACTIONS FOR POWs, JEWS SEEKING TO LEAVE USSR

MINNEAPOLIS.—Five Minnesota religious leaders have urged prayers and action in behalf of prisoners of war in Vietnam and 33 jailed Jews seeking to leave the Soviet Union.

Their statement was issued through the regional office of the National Conference of Christians and Jews.

"At this season of the year, when our homes are aglow with festival lights, decorated with holiday symbols signifying 'Peace on Earth, Goodwill to Men' and religious freedom for all, our sympathies well up for the hundreds of our American men now being held as prisoners of war in North Vietnam," the statement declared.

"We urge that the North Vietnamese government allow the prisoners of war to maintain contact with their families and not limit the holiday gifts which they may receive from their dear ones. We pray for the early release of all prisoners of war being held by both North and South Vietnam.

[Telegram, Dec. 31, 1970]

To the Ambassador of the USSR, Washington, D.C.

YOUR EXCELLENCY: Personally and on behalf of the 43 member Ecclesiastical units of the Texas Conference of Churches, permit me to express appreciation for the commutation by the Supreme Court of the Russian Federation of the death sentences of the two Jews initially condemned to death.

At the same time, I must express profound

concern regarding the Leningrad trials of eleven people, nine of whom are Jews. This concern, I feel, represents the feeling of Christians and of free people in the world. The trials stand as the latest example of the historical oppression of the Jewish people in their attempt to secure religious and cultural identity.

It is our firm conviction that people wishing to emigrate to Israel or elsewhere should be permitted to do so. This must be the position of free people everywhere.

Most Rev. JOHN L. MORKOVSKY,  
President,

Texas Conference of Churches.

TEXAS

On December 29, 1970, the Houston Jewish Community Council sponsored a mass rally for Soviet Jewry that was attended by over 1600 people. Statements were read by leading Christian ministers including Southern Baptists, a representative of the Episcopal Bishop, the Director of the Commission for Interreligious Affairs of the Catholic Diocese of Galveston, Houston and by Bishop John L. Morkovsky, the President of the Texas Conference of Churches.

Over 1,000 people attended to Interreligious Community Prayer Vigil in Dallas on December 30th. The meeting took place in the sanctuary of Temple Emanu-El. Nearly half of the participants were Christians including clergy leaders of the black, brown and red communities. The Roman Catholic Bishop, Thomas Tschoepe; the Executive Director of the Greater Dallas Council of Churches, Rev. Louis Saunders; the Minister of the black CME Church and the pastor of the First Mexican Baptist Church all spoke at the vigil. The latter pastor prayed in Spanish.

[From the Dallas Morning News, Dec. 30, 1970]

LET MY PEOPLE GO—AN URGENT CRY FOR HELP

DALLAS, TEX.—Less than 25 years after the fields of Europe had been desecrated with the ashes of six million Jews, the Soviet Union is once again unloosing the same deadly virus which led to the Holocaust. Once again the world is witnessing an instant replay of Nazi-like repression directed at those whose only crime is that they wish to remain Jews. Once again false arrests and mock trials, searches and seizures, interrogation and imprisonments are being inflicted upon a Jewish minority as an expression of official governmental policy.

There has been a long history in the Soviet Union of anti-Semitic persecution. Jews have faced discrimination in education and employment. They are not permitted to know the history of their people or to learn any aspect of Jewish literature from the Bible to the present. Jews are not permitted to maintain any kind of religious, educational, cultural, or communal institutions, such being denied to them and to no other ethnic or religious minority in the USSR. This religious and cultural genocide has now intensified, and recent events cause alarm and grave fear for the physical safety of Soviet Jews.

If the world community had expressed sooner its revulsion at Nazi persecution, perhaps the tragic events that followed could have been avoided.

If we, now, turn the spotlight of truth and world conscience on the inhumanity toward Jews in the Soviet Union, perhaps another such painful page in history will not be written.

We call upon Dallas citizens, Jews and Christians alike—all who believe in religious liberty—to communicate their concern to the Soviet Embassy in Washington and to our government officials. We must insure that the rights of Soviet Jews as equal citizens of the Soviet Union and their freedom

to worship without fear be restored. We also urge, if the USSR is unwilling or unable to grant such freedoms, that, in the name of humanity, its Jewish minority be permitted to emigrate to Israel or any other welcoming country. In the words of the Bible, "Let my people go that they may serve me."—Exodus 7-8-9

#### RESOLUTION

On December 31, 1970 the Los Angeles City Council approved the following resolution:

Whereas, a sister city of Los Angeles, Eilat in Israel, has asked our city government to speak out on the plight of those recently convicted in Leningrad, Soviet Russia; and

Whereas, the two Jews who were sentenced to death have had their sentences commuted in response to world public opinion; and

Whereas, these two defendants, as well as nine others, are still subject to heavy prison sentences; and

Whereas, there are reports of other trials planned of Jews in Leningrad again, in Riga, and in Kishinev; and

Whereas, the citizens of Los Angeles have a special relationship to our brothers and sisters in Eilat and a universal concern for humanity, justice, liberty and freedom of movement; and

Whereas, the Soviet Union signed the Universal Declaration of Human Rights which guarantees, among other things, the right to freely emigrate;

Now, therefore, be it resolved that the Council of the City of Los Angeles request that the United States State Department and the President continue to do all within their power to importune the Soviet Union into granting clemency in all cases and to permit all those arrested, and all others who wish to do so, to freely emigrate, including to Israel; and

Be it further resolved that the City Clerk send copies of this resolution to the United States State Department and the President of the United States.

Prior to the Council's action, key Southern California religious leaders appeared before the City Council seeking support for the resolution. These leaders included:

The Very Rev. Father Charles S. Cassassa, S.J., Chancellor of Loyola University.

Dr. David Lieber, President, University of Judaism.

Dr. Horace Mays, Executive Director, Los Angeles Council of Churches.

Dr. Luther Olmon, Chairman, Public Affairs Commission, Council of Churches of Southern California.

Rabbi Jacob Ott, Chairman, American Zionist Council, Los Angeles.

Dr. Randall Phillips, President, Los Angeles Council of Churches.

Dr. Carl Segerhammar, President, Pacific Southwest Synod, Lutheran Church in America.

Dr. Forrest Weir, General Secretary, Council of Churches of Southern California.

[From the San Francisco Chronicle, Dec. 31, 1970]

#### A "RALLY OF CONSCIENCE" HERE FOR SOVIET JEWS

"Tyranny against Jews is tyranny against all men," Mayor Joseph Alioto told a cheering crowd of about 1000 in San Francisco last night at Temple Emanu-El.

Addressing a "Rally of Conscience" to protest the recent sentencing of nine Soviet Jews convicted of attempted skyjacking, the Mayor concluded "all men must be passionate in raising their voices against anti-Semitism, whether it be here or in Russia."

The mayor was joined by the Most Rev. Archbishop Joseph T. McGucken [and Dr. Russell S. Orr, President, Northern California Council of Churches] and Congressman-elect Ronald Dellums of Berkeley at a demonstra-

tion marked by expressions of concern from Bay Area civic leaders as well as members of the community.

The rally ended several hours before word was received here that the sentences had been commuted by the Soviet Supreme Court.

Dellums said "If there's repression anywhere, we're in trouble everywhere." He cited the examples of "the Basque freedom fighters, the fighters of oppression here in the U.S. and the Russian Jews."

The archbishop added his prayer that "Each man may live under his own vine and his own fig tree," and gave the rally his blessing.

Speaking for the California Labor Federation was its executive secretary-treasurer John F. Henning, who noted that . . . "I am truly sorry that the vision of another holocaust spoils this joyous holiday season."

Those attending the rally were encouraged to send telegrams to government officials and members of Congress as well as to Anatoly F. Dobrynin, Soviet Ambassador to the United States, demanding the release of Jews kept involuntarily in Russia and decrying the Leningrad trials.

[From the Catholic Northwest Progress, Jan. 1, 1971]

#### ARCHBISHOP PLEADS FOR SOVIET JEWS

SEATTLE, WASH.—Archbishop Thomas A. Connolly this week sent a telegram to both President Richard Nixon and United Nations Secretary-General U Thant urging them to intercede on behalf of the two Jews sentenced to death by a Soviet court for their participation in an alleged plot to hijack an airplane and flee to Finland.

In petitioning the two world leaders to act for a mitigation of the death sentence, Archbishop Connolly was following the example of Pope Paul VI. The Pontiff made a similar plea earlier.

A total of 31 persons were tried by the Communists for the hijack attempt, but only two were given death sentences. The others received severe prison terms.

The harshness of the sentences has drawn criticism from all corners of the world: even the Communist press in France and Italy has been critical of the verdict.

It is reported that the persons involved were not anti-Soviet per se, but that they were chaffing under the restrictions the Communists were imposing on the Soviet Jews. They were anxious to vacate the country and settle in Israel. Since the men were attempting to leave Russia without proper authorization, the Soviet courts ruled their actions as treasonable.

Archbishop Connolly's telegram indicated his shock at the severity of the sentences and pressed President Nixon and U Thant to convey to the government of the Soviet Union an earnest request that the verdict be reconsidered.

The Israeli government, speaking through Prime Minister Golda Meier, has charged the Soviet Government with a ruthless, systematic persecution of Soviet Jewry that threatens to equal that inflicted by the Hitler regime within a short time.

[In addition to the Archbishop's telegram, similar messages were sent by the Church Council of Greater Seattle, the Washington State Council of Churches, and the Episcopal Diocese of Olympia].

[From the Seattle Post Intelligencer, Jan. 2, 1971]

#### JEWISH LEADERS "HAPPY" AT RULING

SEATTLE, WASH.—Catholic and Protestant church organizations in the Seattle area hailed the decision to commute the sentences.

And Jewish, Catholic and Protestant organizations are calling upon people of all faiths to observe a Sabbath of Concern for

Soviet Jewry on the weekend of January 8-10.

[From the Jewish Transcript, Jan. 14, 1971]

#### 600 CONGREGATIONS PRAY FOR SOVIET JEWS

SEATTLE, WASH.—Congregations in over 600 Catholic, Protestant and Jewish places of prayer in an area from Tacoma to Edmonds in Washington said prayers for the Soviet Jewry on Friday, Saturday, and Sunday, January 8-10 in one of the greatest combined efforts for a group in another country in years.

The churches acted on an emergency request of William Cate of the Church Council of Greater Seattle who had letters sent out by General Secretary Everett J. Jensen, of the Washington State Council of Churches.

Excerpts from the letter read as follows: "The social and political condition of Jews in the Soviet Union is worsening. Jews have difficulty in performing their religious practices; they are denied exit permits to emigrate to Israel and many are tried on seemingly trumped-up charges.

"We of the Protestant community join with our Jewish brothers and in conjunction with the Roman Catholic Archdiocese of Seattle, in calling for a Sabbath of Concern for Soviet Jewry.

"As churchmen we should be concerned about liberty, justice and brotherhood for all men everywhere. Our culture has dealt poorly with the Jews in particular. They do need a sense of undergirding and brotherhood. You and your people can share with them not only this weekend, but until their condition is bettered."

Accompanying the letter was the following prayer which was used in churches throughout the area:

" . . . We remember, therefore, this day, our Jewish brethren who suffer and who are oppressed in the Soviet Union. In the midst of the threat of death and of prison, they still long for a land of promise and hope. We beseech you, Father, not only to uphold and protect them in this time of trial, but to open ways for them to share with their own people their religion and heritage in a land of their own choosing.

"We pray for the Soviet people so that they, too, might catch a vision of a world of brotherhood and of human dignity. Keep them from the hurt of persecution so that they, in turn, might not come to fear the threat of oppression in themselves.

"We pray for ourselves so that we harbor not hatred and animosity towards any man nor any race. May we, too, find fulfillment in Thy promise of brotherhood for all and thus be saved from selfishness and indifference and might learn to live for one another.

"Thanks, Father, for hearing our prayers; stir us up now to do Thy will. Amen!"

[From the Sum and Substance, Nov. 23, 1970]

#### THE JEWISH DEFENDANTS AT LENINGRAD

(The following article by Father John B. Sheerin, C.S.P. Editor of the *Catholic World* appeared in 23 Roman Catholic papers in the United States during the last week of November 1970.)

According to reports coming out of Russia, the Soviets are preparing to try 31 persons at Leningrad for an attempted hijacking at a Leningrad airport last June. Most of the defendants are Jews, many of whom had recently applied for permission to emigrate to Israel. The director of the London Institute of Jewish Affairs has said that the case may have been trumped up by Soviet police to punish Jews who want to emigrate. (This case is not to be confused with the hijackings of two Soviet planes to Turkey in October.) Many American Jews fear that the trial is the opening gun of a major drive against Jews in Russia.

The right to emigrate is a natural and legal right. I suppose the Soviets want to ban emigration to Israel at this time because it would be unwelcome to their Arab comrades-in-arms. Why then would the Soviets go to the trouble of faking a trial? Why don't they simply forbid emigration even though it is a human right?

One reason is that they have been attacking the democracies for violating human rights. They have been very vocal on this point in the United Nations. Some months ago, the newspaper *Izvestia* editorialized about the unflagging efforts of the Soviet Union on behalf of human rights and claimed credit for the Soviets for the fact that the U.N. had adopted a series of measures aimed at the implementation of human rights. *The Review*, published by the International Commission of Jurists, commented wryly in its March, 1970 issue that the Soviets should be given credit for their work in supporting human rights "in countries other than their own."

Secondly, it appears that the Soviets are engaged in a campaign to Russify all of Russia, absorbing all national and ethnic groups into national life and the Soviet monolith. There have been about 20 trials of Tartars who wanted to return to their homeland in Crimea.

At the present time, the approximately 2½ million Jews in Russia have no ethnic or religious existence as a minority. They are dispersed over the vast expanse of Soviet Russia. They have no Yiddish papers, no meeting places, no means of communicating their Jewishness to their children save in their homes.

The Vatican II Declaration on Religious Freedom insisted on "the right of men freely to hold meetings and to establish educational, cultural, charitable and social organizations, under the impulse of their own religious sense" (Ch. I, 4). There seems to be no overt physical persecution of the Jews in Russia, rather a systematic repression of any and all social expression of their religious and ethnic identity. Thousands have applied to leave the country.

One Jewish visitor to Russia recently told me that 400,000 have requested permission to leave. They realize the danger of official reprisals from the Government but they feel that their present status is so sub-human that they have nothing to lose by their protests.

This would be an appropriate time for Pope Paul to reiterate the human rights asserted in the Declaration on Religious Freedom. The American Government might also call attention to the implausible trial at Leningrad and ask for information. Possibly the Soviets will bar the press from the trial. If so, the United States would do well to ask that impartial observers be invited to the proceedings.

The U.N. Human Rights Commission decided to set up a special working group to investigate violations of human rights in the Middle East and Southern Africa—and the Soviet Union voted very ostentatiously for this inquiry. Since the Soviet Union is so solicitous about human rights in other countries, it ought to welcome an investigation into this highly dubious trial at Leningrad. Dubious? Perhaps this is not the word to describe the trial of 31 "accomplices" in the hijacking of a plane that never actually got off the ground.

[From the Commonweal, Jan. 7, 1971]

#### THE LENINGRAD 11

The humanitarian instincts of the USSR have never been marked by consistency, but there is a particular inconsistency in the Soviet's unrelenting concern for Angela Davis and its lack of visible concern for the 11 defendants in the Leningrad hijack case. Passion in the one direction would seem to

dictate some visible concern in the other. At this writing, it's not to be found.

The two cases admittedly have no legal relationship. However, there is the link that in both cases justice and individual rights are put to an additional testing by biases which exist in crucial official areas—against black militants in the Davis instance; against Jews in the instance of the Leningrad 11.

This is not to suggest that one or the other is necessarily victimized in being brought to trial; it is rather to say with respect to the Soviet that if the Davis case deserves the enormous attention it is accorded on Radio Moscow (where Angela Davis is likened to Joe Hill, to Sacco and Vanzetti), and if it merits the marshaling of public opinion (e.g., the appeal to Nixon from 14 top Russian scientists), no less worthy is the case of the Leningrad 11.

That the Leningrad 11 were tried in virtual secrecy, that news of the proceedings was rigorously suppressed, that the sentences were Stalin-like in their severity, beclouds the nature of Soviet motives and further discredits Soviet understanding of justice and right, particularly as these apply to Soviet Jews. One is driven to the conclusion of protesting Americans, that the Soviet made the Leningrad 11 an object lesson to intimidate the untold numbers of Jews in Russia who wish to maintain their Jewish identity.

What is beyond dispute is that the Soviet stands dishonored until it rectifies the injustice done at Leningrad and removes the intolerable restrictions on travel and emigration, which drive people to desperate acts like the alleged Leningrad hijack plot.

[From the Christian Century, Jan. 6, 1971]

#### LEGAL BRUTALITY AND THE ANGUISH OF SEPARATION

Every year the spirit of joy and peace which belongs to both Hanukkah and Christmas is strained by the knowledge of particular cases of human misery. The plights of two groups half a world apart have become especially vivid in the past several weeks. What these groups have in common is the anguish of forced separation from their people—a separation due in each case to the harsh policies of a great power.

The more immediately urgent of these two cases—literally a life-and-death matter—is the distress of Jews in the Soviet Union who seek to emigrate to Israel. It is one of the bitterest ironies of this era that the government which was the first officially to establish an ideology of international socialist fraternity maintains a totalitarian system of absolute national statehood. The Leningrad trial which condemned two would-be Jewish emigres to death (a sentence cynically announced on Christmas Eve) can hardly be understood by Jews anywhere as other than a brutal warning of the consequences of solidarity with Israel. Mark Dymshits and Eduard Kuznetsov, along with nine others (seven of whom are Jews), were convicted of planning to hijack a Soviet airliner. But the trial was closed to the international press, notwithstanding the Soviet Union's tardy support for international sanctions in hijacking cases.

Moreover, this case did not involve any actual hijacking, yet it resulted in the death penalty when prison terms were provided for under the applicable law. Humanitarians everywhere can only conclude that the sentence is an injustice in the extreme and that there is strong reason to be suspicious if the trial itself as an exercise in political and religious repression. We must hope that worldwide protest and the appeals process in the Soviet courts will at least result in commutation of sentence and some modification of emigration policy. So far this case has offered nothing but bad news for Sovietologists who in recent years have detected a more hu-

mane jurisprudence and a more moderate foreign policy in the U.S.S.R.

The other case is the predicament of thousands of young Americans who are draft exiles in Canada. In addition to material necessities, these opponents of the Vietnam war and the draft require a special ministry to their spiritual and emotional needs, which are aggravated by their refugee status. On request of the Canadian Council of Churches, the World Council of Churches last month asked its member churches voluntarily to contribute \$70,000 for each of the next three years for an ecumenical aid program. The WCC rightly insists that the issue is ministry to people in need, not support for draft evasion. Moreover, Americans are reminded that their country served for generations as a sanctuary for refugees from European military conscription.

We do not desire or expect nation-states to cease to exist or to become only minor entities in the international system. But we long for the day when the transcendent fact of human identity will be honored by national governments above the particularities of legal identity. Vigorous support for the rights of Jews in the Soviet Union and for the ministry to U.S. refugees in Canada is a good place to begin.

[From the Christianity Today, Jan. 29, 1971]

#### JEW IN SOVIET UNION

(By Harold Lindsell, editor)

The plight of the Jews in the Soviet Union continues to worsen. The reduction in the death sentences of some Jews convicted of a hijacking offense that never became airborne indicates no change of mind or heart by Soviet officials. It is specious for Soviet scientists to appeal for acquittal of Angela Davis when justice and equity are virtually nonexistent in their own country. I think it would be helpful for the Russian scientists to come to America and watch the trial of Angela Davis and for representative Americans (including some of Miss Davis's friends) to go to Moscow and watch Soviet legal proceedings.

None of this, however, should cause us to forget the suffering Jews in the Soviet Union. Their plight reminds me of the Jews' captivity in Egypt and of God's great deliverance of them in the Exodus. It is difficult to understand why the communists are unwilling to allow the Jews—whom they hate and persecute—to emigrate to Israel. I should think that they not only would be delighted for them to depart but also would do all they could to encourage and assist them.

[From the Connecticut Catholic Transcript,

Jan. 1, 1971]

#### BRUTAL, AS ALWAYS

There is reason to believe that the sentences passed on 11 Soviet citizens for conspiracy to hijack an airplane were so severe not because of the seriousness of the crime these people were accused of contemplating, but because nine of their number are Jews.

Anti-Semitism is nothing new in Russia. In *Khrushchev Remembers*, Stalin's successor recalls the dreadful pogroms that he witnessed when a child in czarist Russia. And in that same book there is plenty of evidence, some inadvertent, of the crudest sort of anti-Semitism under official auspices in the Soviet era. The regime has relentlessly sought to suppress Jewish religion and culture.

At the same time, it has stonily refused the Jews' pleas to be allowed to emigrate to Israel. They are to be made to stay where they are and undergo the grinding out of their identity. The slightest evidence of a determination to get away is being draconially dealt with, because it represents the persistence of a hope which the authorities are determined to quench. Here is another instance of the brutal inhumanity of the Soviet system.

[From the Catholic Review, Jan. 15, 1971]  
LOVE, JUSTICE AND THE JEWS

BALTIMORE, Md.—Continuing evidence of anti-Semitism in the Soviet Union may well be coupled with Moscow's participation in armed threats against the existence of Israel as an independent nation.

That evidence may become obscured if a minority group of militant U.S. Jews continues its announced policy of harassing Soviet diplomats in New York. Many of the Soviet diplomats in New York are, of course, identified with the United Nations. They have a right to function, as diplomats, without interference.

No particular group, and no individuals, have been officially connected with criminal actions against Soviet facilities in the United States. Nobody knows who planted a bomb at the Soviet Embassy's cultural center in Washington a week ago, although Jewish extremists have—correctly or incorrectly—been generally blamed for the act.

In any event, President Nixon and Jewish leaders in 27 U.S. cities have expressed a sense of outrage over anti-Soviet attacks in this country.

Muriel Dobbins, writing in *The Sun*, reports that the White House has released telegrams exchanged by Mr. Nixon and 50 Jewish leaders, emphasizing that "irresponsible criminal actions" against Soviet facilities are harmful to the cause of Jews in Russia. Among Jewish businessmen condemning such acts on grounds that they are "morally wrong, injure the cause of Soviet Jews and undermine the cause of democracy in America" were two Baltimore men, Irving Blum and Jerold C. Hoffberger.

Jews throughout the world have long suffered at the hands of anti-Semitic forces, including Christians and atheists, but they have also obtained wide support because of a convincing moral posture. There is concern today that the moral position of Jews, in Israel and elsewhere, will be undermined by undemocratic and even criminal acts. That is why responsible Jewish leaders have been so quick to repudiate the threat of terrorism as an instrument of Jewish policy.

In London, the current issue of *The Tablet* begins its front-page comment with these words: "Anti-Semitism is endemic in Russia, as in most of Eastern Europe. Although in the early years of Russian communism Jews played a prominent and sinister part, present Soviet policy in the Middle East uses Jew-baiting as a handy tactic to impress the Arab world. The Leningrad trial of nine Jews for 'intended hijacking and the coming trials of Jews for similar offenses is an expression of its latest phase.'"

(It would be unfortunate and improper to leave an impression, based on that brief extract from a long article, that Soviet Jews were alone in playing a "prominent and sinister" role in developing the communistic state.)

Charlotte Saikowski, a staff correspondent for *The Christian Science Monitor*, writes this week from Moscow that "Jews have little weight in the party and government apparatus." She relates that Jews are thought to comprise 1.2 per cent of the population, although according to Soviet statistics, 7.6 per cent of the scientific workers in 1969 were Jewish.

It is understood that the refusal of Moscow authorities to permit the emigration of Jews to Israel is based on at least two major considerations: They do not want to lose qualified professional workers, and they do not want to increase either the population or the technical capabilities of Israel.

The conscience of the world demands a permanent end to anti-Semitism. There have been significant gains, as illustrated in a recent four-day conference at the Vatican between Catholics and Jews with a goal of destroying all forms of racism and discrimination.

Catholics, with a particular devotion to the Jewish mother of a Son who changed the course of history, have a permanent commitment to the inseparable qualities of love and justice.

[From the Catholic Universe Bulletin,  
Jan. 8, 1971]

#### THE ONE-WAY STREET OF IRON

CLEVELAND, OHIO.—Whether or not the nine Jews and two Gentiles who were sentenced for trying to steal a small plane to get out of the Soviet Union were victims of a secret police plot, two central facts are undeniable.

First: There are more than three million Jews in the Soviet Union, many of whom would like to go to Israel where they could freely practice their religion.

Second: Like everybody else in the USSR, the Jews are behind the iron curtain, which exists not to keep people out but to keep people in.

The iron curtain, evident in all its ugliness in such places as Berlin is a standing insult to mankind. It is a hideous denial of the rights of humanity.

The right to emigrate was laid down by Pope John XXIII, in his encyclical *Pacem in Terris* (Peace on Earth) as one of the inalienable God-given rights of human beings. This right, like many others, is held in contempt by communist governments. And so we have the iron curtain; and so we have a show trial in Moscow of some people accused of trying to steal (not hijack) a small plane in which to fly to Israel because their right to go there had been denied.

"With profound concern," said Prime Minister Golda Meir of Israel in an address to an emergency session of Israel's parliament, "we have watched the growing severity of the Soviet authorities toward the Jews. And all of this for one crime and one alone: their request to the government of the Soviet Union to be allowed to leave and settle in Israel."

Only a fortnight earlier, the Soviet authorities had been accused by Archbishop Ambrose Senyshyn of genocide (murder of a people) perpetrated upon Catholic and Orthodox Christians in the Soviet-held Ukraine.

The communist contempt for human rights is not likely to change. But communist rulers—whether in Russia, in Poland, in North Vietnam or wherever—are not immune to world public opinion. The world should be tireless in reminding them that people have rights, and that mankind does not look kindly upon brutal suppression.

[From the Pilot, Jan. 2, 1971]

#### LET MY PEOPLE GO

BOSTON, MASS.—Our generation, which experienced the Nazi persecution of the Jews, seems destined to have to endure another, and hopefully lesser, version of Jewish oppression, this time in the Soviet Union. For many years there have been waves of anti-Semitic propaganda which are usually followed by one or another open assault on some area of the Jewish community. The pattern is now a familiar one, made increasingly complex by the existence of the state of Israel and the understandable desire of some Jews to emigrate to that state.

Although the Soviet Union officially announces that appeals for emigration will be honored, especially when they involve the uniting of families, the number of appeals granted is minuscule and these often wait many years for permission. In these circumstances the Jews of Russia are caught in a pincer that cannot fail to cause them pain. In their own country, they are deprived of those institutions which support their religious and cultural traditions, the things that make it possible to live as Jews. When they seek to leave the country, they are

counted as disloyal and branded as criminals. It is a cruel dilemma that must be resolved.

The recent trial of the alleged skyjackers indicates how the pincer works in practice. Unable to leave the country any other way, some Jews are moved to desperate actions. When they act, they are caught, and then given the heaviest possible sentences, quite inconsistent with the crime. This example of heavy-handed Soviet justice cannot be lost on other Jews and so they must choose to accept the *status quo*, difficult as it is, or risk life imprisonment or death.

There is, of course, an answer that is readily available, and it is not a new one. It is the same as that demanded by Moses of the Pharaohs centuries ago in a context not totally dissimilar "Let my people go . . ." can be answered in the affirmative and those Jews who wish can leave for their historic homeland in Palestine. The Soviet Union, which has appealed for clemency in the trial of the Basques, now has an opportunity to show its own good faith. It has the further opportunity of allowing peaceful emigration and, in effect, resolving the whole problem.

[From the Providence Visitor, Dec. 30, 1970]

#### ITALIAN LESSON

Milan's distinguished newspaper, *Corriere della Sera*, once sent the noted writer, Indro Montanelli, to cover a diplomatic reception in New Delhi, India. The late Eleanor Roosevelt was the guest of honor. According to the Montanelli account, the former first lady's effusiveness in the receiving line was in direct proportion to the skin pigmentation of the various guests. She gushed over African notables, was slightly cooler to East Indians and awarded Britons, Italians and West Germans with mere perfunctory nods. The reportage was sophisticatedly European, biting satiric and possibly just a little bit malicious.

But the point established by Signor Montanelli was not a groundless one. Just as conservatives have something of a party line, so do liberals. The term "knee-jerk liberal" has been coined to describe those who wait until a party line has been laid down before they disclaim about human injustice. No one usually bothers to mention that heaving to such a line exacts a terrible price: the voluntary surrender of one's freedom to speak independently.

The failure of the liberal community to condemn roundly the latest savagery being perpetrated against Soviet Jews is lamentable. Perhaps the signal has not yet been given. One wonders, just when will it be given? Or will it be given? The trumped-up charges and antihuman verdict of the Leningrad court are as blatant an affront against the stanchions of civilization as anything that has hit the front pages over the past decade. Whoever gives the signal should certainly lose no time in doing so. The fact that Jews happen to be white and live half a world away should not exempt them from the solicitude which is usually lavished upon those who are deprived of ordinary justice. Locally, one can only hope that Rabbi Saul Leeman's plea will not fall upon deaf ears. Strong letters of protest should be written. At a time of year when the festivities of Christmas and Hanukkah coincide, the silence of so many people of all faiths constitutes betrayal of passivity. It seems to give new validity to the term "knee-jerk liberal." While we fully deplore the deprivation of human rights experienced by patient sufferers in all societies, including our own, we puzzle over the general insouciance of the world press in its apathy toward people who desire only a basic human right; to be united with members of their own faith and culture. The expression of such a wish has marked off two people for the firing squad. Surely this should be worth a ringing poem or two from the Berrigan pen. May we look forward to one? Or must we wait for that mysterious

puppeteer, whoever he may be, to pull his magic string and thus trigger the irresistible signal?

Indro Montanelli saw these inconsistencies within the liberal establishment with much older eyes than ours because he was a European. We think it is fair to say that his eyes, while slightly more cynical than ours, were certainly much less naive.

The true liberal humanitarian responds on his own to genuine need. He is impervious to what others have determined to be the priorities. He is objectively disinterested in the creedal backgrounds of those whom he helps and he is absolutely colorblind.

This was the Montanelli recipe. It is as valid today as the day he wrote it.

One need not be an accomplished reader of Italian in order to get the point.

#### GRATUITOUS ATTACK ON NIXON ADMINISTRATION BY NICHOLAS JOHNSON

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

Mr. WYATT. Mr. Speaker, last night's edition of the Washington Evening Star contains an interview with that total partisan gadfly member of the Federal Communications Commission, Nicholas Johnson, in which Johnson gratuitously attacks the Nixon administration in regard to its commitment to the arts.

He then wanders off into another of his irresponsible attacks on Vice President AGNEW and advocates broadcast freedom to promote drug lyrics and to glamorize the use of marihuana as using "the public airwaves" in the public interest.

Regardless of this man's advocacy, as a Commissioner of the FCC, of the uncontrolled use of the public airwaves to promote drug use, his partisan attack on the Nixon administration for its action in assisting the arts should not stand unanswered.

The fact is that in this year of financial trouble, the Nixon administration did ask in its budget request for the appropriation of \$30 million for the arts, and an equal amount for the humanities. This is double any amount previously requested by any administration. The fact remains that this man chose to remain silent when his administration was in office, and requested trifling amounts by comparison. It seems he simply cannot stand to see the current administration get credit for a real effort to assist the arts.

It may well be that the United States should be making an even greater effort on behalf of the arts. But anyone truly interested in seeing that this is done should not be part of a vicious partisan attack on an administration that in 1 year doubles any previous effort made by our Government.

What I have said has not referred to the total impropriety of a Commissioner of a regulatory body interjected himself through the news media as Johnson has often done in matters on which the very same Commission must inevitably pass judgment on in the future.

Johnson's careless partisanship and loose tongue easily qualify him for the "mouth of the year" award.

#### COUNTRIES MEET TO DISCUSS MATTERS OF COMMON CONCERN

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

Mr. FRELINGHUYSEN. Mr. Speaker, it is not often that I find it necessary to rise to object to the remarks of another Member. However, the other day an insinuation was made on the House floor that several other Members and I may have violated the Logan Act. The charge arose in connection with our attendance at a so-called Bilderberg meeting, held in Woodstock, Vt., last month.

First, let me say that I am proud to have been invited to be a participant at this meeting. Secondly, I want to say that the idea that my colleagues or I tried to influence foreign governments, secretly or otherwise, in relation to any disputes pending between their government and our own is patently absurd.

The Bilderberg meetings have been held on an annual basis, bringing together leading citizens from Western Europe, the United States, and Canada to discuss informally contemporary issues facing the world community. A list of the participants, as well as the purpose of the meetings, is distributed to the press prior to the beginning of the discussions.

These discussions are held in private and are off the record to allow an unfettered exchange of ideas. Irrespective of their official positions, all participants attend in a strictly personal capacity.

These meetings do not attempt to formulate policy or even reach conclusions. No resolutions are submitted for discussion or are voted upon. The purpose of the exchange of ideas is to present a comprehensive review of the problems listed on an agenda. Those who attend, it is hoped, may be better informed, and have a greater understanding of the issues so they may use their influence to cope effectively with major problems.

To suggest that there is some kind of conspiracy connected with these meetings is preposterous. To intimate that any decisions are made which might influence this country's relations with other countries is absurd.

Mr. Speaker, Americans have been meeting with citizens of other countries to discuss matters of common concern since this country was founded. I hope we shall never accept the argument that we cannot trust ourselves to talk with others, in private, about the world as it is, and as it may become.

#### SUPPORT BY THE PRESIDENT FOR THE ARTS

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

Mr. HUNGATE. Mr. Speaker, in connection with the statement made by my distinguished colleague the gentleman from Oregon (Mr. WYATT) I should like to join the gentleman in commending the President on the leadership he has shown in the field of the arts. If there

is any one field where he deserves credit for providing leadership and showing proper concern it is this. I understand he doubled the budget for the arts this year, and he had doubled it last year over preceding efforts. Those of us who consider this an important factor and phase of American society can only applaud his actions in this field.

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

Mr. HUNGATE. I yield to the gentleman from Oregon.

Mr. WYATT. I thank the gentleman for his comments. I am particularly interested in this matter because I serve, as the gentleman from Missouri knows, on the Appropriation Subcommittee having jurisdiction over this matter. I believe I realize he does have a really genuine and sincere interest in these matters, and the gentleman from Missouri certainly does.

Mr. HUNGATE. I thank the gentleman for his contribution.

#### SEVENTY-THREE MEMBERS CALL FOR VOICE OF AMERICA TO BROADCAST IN YIDDISH LANGUAGE INTO SOVIET UNION

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

Mr. RYAN. Mr. Speaker, I am introducing today on behalf of 71 Members of the House of Representatives a resolution calling up on the Voice of America to broadcast in the Yiddish language into the Soviet Union. In addition, 73 Members have joined in sending a letter to the Director of the U.S. Information Agency urging him to direct the Voice of America to undertake such broadcasts.

I am introducing this resolution on behalf of our colleagues from Alabama (Mr. BUCHANAN), Maryland (Mr. GUDE), Massachusetts (Mr. MORSE and Mr. O'NEILL), New York (Mr. SCHEUER), myself and our other 65 colleagues. The list of sponsors follows:

Mr. Addabbo, Mr. Anderson of Illinois, Mr. Annunzio, Mr. Archer, Mr. Ashley, Mr. Badillo, Mr. Barrett, Mr. Biaggi, Mr. Bingham, Mr. Boland, and Mr. Buchanan.

Mr. Burke of Florida, Mr. Burke of Massachusetts, Mr. Burton, Mr. Carey, Mr. Celler, Mr. Coughlin, Mr. Crane, Mr. Danielson, Mr. Donohue, Mr. Dow, Mr. Drinan, and Mr. Eckhardt.

Mr. Edwards of California, Mr. Ellberg, Mr. Esch, Mr. Fish, Mr. Flood, Mr. Foley, Mr. Gallagher, Mr. Giaino, Mr. Gonzalez, Mrs. Grasso, and Mr. Gude.

Mr. Halpern, Mr. Hathaway, Mr. Hawkins, Mr. Hechler of West Virginia, Mr. Helstoski, Mr. Horton, Mr. Koch, Mr. Kyros, Mr. Lent, and Mr. Long of Maryland.

Mr. Mazzoli, Mr. McDade, Mr. Melcher, Mr. Mikva, Mr. Minish, Mr. Moorhead, Mr. Morse, Mr. Nix, Mr. O'Neill, and Mr. Pepper.

Mr. Podell, Mr. Powell, Mr. Price of Illinois, Mr. Pucinski, Mr. Rees, Mr. Reid of New York, Mr. Riegle, Mr. Rosenthal, Mr. Rostenkowski, Mr. Ryan, Mr. Scheuer, and Mr. Sisk.

Mr. Stafford, Mr. Tiernan, Mr. Whitehurst, Mr. Wolff, and Mr. Yates.

The religious and cultural repression of Soviet Jewry continues. Some 3 million men, women, and children are being subjected to a systematic policy of spiritual extermination. The ultimate aim is

the destruction of Soviet Jewry as a people, their identity obliterated under the onslaught of an official policy which denies them the freedom to live as Jews and the freedom to leave.

Today, in the Soviet Union, no Jewish schools, either in Yiddish or in Russian, are provided for the Jewish minority.

Today, in the Soviet Union, no Jewish theater exists, either for Moscow's 500,000 Jews, or for Leningrad's 250,000 Jews.

Today, in the Soviet Union, there are no Jewish libraries, no social centers.

Today, in the Soviet Union, no Jewish daily newspaper, either in Yiddish or Russian, exists.

In 1926, there were 1,103 synagogues in the Soviet Union. Today there are less than 60, and almost half of these are located in the non-European parts of the Soviet Union, where less than 10 percent of the total Jewish populace resides.

Alleged highjackings of planes have been charged, and almost every individual accused has been a Jew.

Emigration is severely restricted, despite the Universal Declaration of Human Rights and the International Convention on the Elimination of Racial Discrimination, both of which state that—

Everyone has the right to leave any country, including his own . . .

The plight of Soviet Jewry is abundantly clear. In the midst of this tragedy, though, there is some hope. Within the Soviet Union, a truly heartening development is occurring. A civil rights movement, with Jews in the vanguard, is demanding of the Soviet Government freedom to emigrate. Worldwide sympathy has been aroused, and expressions of opposition to the Soviet Union's policies have been heard from many corners. In the House last year, we passed a resolution on December 31—House Resolution 1336—urging "fair and equitable justice for—the Soviet Union's—Jewish citizens."

Yet, once having expressed our opposition to Soviet policy, we cannot then contentedly sit back. We must continue our support for the Jews of the Soviet Union. A vehicle to that end—a vehicle which can be of the greatest psychological importance—is to utilize the Voice of America to broadcast into the Soviet Union in Yiddish, the mother tongue of Soviet Jewry. In the 1959, Soviet census—the latest data available—it was reported that 2,267,000 Soviet Jews speak Yiddish. Most of them can understand Russian as well. But the significance of broadcasting to them in their own mother language cannot be underestimated.

Let me quote from a recent article to illustrate the importance of Yiddish to Soviet Jews. Dr. Elias Schulman, adjunct associate professor at Queens College, CUNY, has written, in an article entitled "Soviet Yiddish Literature Today," which appeared in the May 1971 issue of the American Zionist:

A Jewish community concentrated in a limited number of large and small cities creates a milieu hospitable to literature.

Moreover, the Soviet Jewish community has a vibrant tradition of creating and appreciating literature. There is thus a firm basis for Yiddish writing. The opportunities for realizing this literature, however, are severely limited. The government does everything possible to discourage Yiddish writers from their creative efforts. It is only due to external pressure and the devotion of Yiddish writers in the Soviet Union that Yiddish writing manages to survive.

Dr. Schulman points out, and I stress this:

The single remaining avenue of Jewish expression is Yiddish literature.

Perhaps the most eloquent words about the importance of the Yiddish language to Soviet Jewry are those which Der Nister, one of the major Soviet Yiddish writers and one of Stalin's victims, wrote some years ago:

I write in Yiddish not because I cannot write in any other language or in a language which is more widely used, but because there is no one with whom you can be as sincere, honest, and truthful as you are with the mother who gave you birth. What sense can all of my work have if I should think that the language of my people is dying out? I have always been an optimist. I believe in the existence of my people and my language.

The Voice of America can broadcast to Soviet Jewry in Yiddish. The precedents exist. Currently, the Voice broadcasts to several population groups within the Soviet Union whose numbers are less than the total of Soviet Jewry. For example, the Voice broadcasts in their native languages to 1.3 million Estonians, to 1.8 million Slovenians, 1.9 million Latvians, to 2.73 million Lithuanians, to 2.74 million Albanians, to 2.83 million Georgians, and to 2.94 million Armenians.

The Voice of America should broadcast to Soviet Jewry in Yiddish. Leonid Rigerman, the 30-year-old physicist who I and some of my colleagues aided in emigrating from the Soviet Union earlier this year, said this past March 30:

The Voice of America . . . and the BBC are the only sources of information for Soviet citizens that are believed.

The Voice of America must broadcast to Soviet Jewry in Yiddish. These oppressed people need hope. They need to know that the world and the United States care about what is happening to them. By broadcasting in Yiddish, we can provide unparalleled psychological support for the 3 million Jews of the Soviet Union.

It is to these ends that 71 Members have today joined in introducing the resolution calling upon the Voice of America to broadcast into the Soviet Union in the Yiddish language, and that 73 Members have joined in signing the letter to the Director of the U.S. Information Agency urging him to direct the Voice to undertake such broadcasts.

The full text of the letter to the Director of the U.S. Information Agency, and the list of the 73 signatories to it, follow:

MAY 26, 1971.

HON. FRANK SHAKESPEARE,  
Director, U.S. Information Agency,  
Washington, D.C.

DEAR MR. SHAKESPEARE: We are all aware of the oppression under which the Jews of

the Soviet Union suffer. Their government has pursued a course of religious and cultural repression, aimed at destroying the Jewish identity of the 3,000,000 Jews now living in the Soviet Union. Virtually all of those who wish to emigrate are barred from doing so.

Much has been said of the impact of world opinion in attempting to ameliorate this tragic situation. World opinion did, in fact, play a significant role in producing the reductions in sentences of the 9 Jews accused and convicted of an alleged highjacking. In this effort to muster world opinion, the House of Representatives played a significant role by its passage of House Resolution 1336 last December 31.

However, much of these effects of world opinion, and of the world support for the Soviet Jews, is unknown to them, because the Soviet press bars them from the knowledge of the world sympathy they have aroused. They need hope.

That hope and that knowledge can be provided by the Voice of America, which broadcasts into the Soviet Union. Currently, however, the Voice of America does not broadcast in Yiddish, the native tongue of many of the 3 million Soviet Jews. True, many of them can speak Russian, as well as Yiddish, and so can understand our current broadcasts. But, some of them cannot. And equally important, the very fact of broadcasting in Yiddish can be an enormously important psychological uplift for these oppressed people.

Currently, the Voice of America has several target populations smaller than the total of Soviet Jewry. For example, the Voice broadcasts to the following target population in their native tongues:

Estonian, 1.3 million.  
Slovenian, 1.8 million.  
Latvian, 1.0 million.  
Lithuanian, 2.73 million.  
Albanian, 2.74 million.  
Georgian, 2.83 million.  
Armenian, 2.94 million.

We urge you to direct the Voice of America to begin broadcasts, as soon as possible, in the Yiddish language. As we have said, this action would fill a need which exists, and it would provide psychological support of enormous importance to the 3,000,000 Jews of the Soviet Union.

With best regards,  
Sincerely,

Members of Congress: William F. Ryan, John Buchanan, Gilbert Gude, F. Bradford Morse, Thomas P. O'Neill, James H. Scheuer, Joseph P. Addabbo, John B. Anderson, Frank Annunzio, and Bill Archer.

Thomas L. Ashley, Herman Badillo, William A. Barrett, Nick Begich, Mario Blaggi, Jonathan B. Bingham, Edward P. Boland, J. Herbert Burke, James A. Burke, Philip Burton, Hugh Carey, Emanuel Celler, Lawrence Coughlin, Philip Crane, and John Culver.

George Danielson, Harold D. Donohue, John G. Dow, Robert F. Drinan, Bob Eckhardt, Don Edwards, Joshua Ellberg, Marvin L. Esch, Hamilton Fish, Daniel J. Flood, Thomas S. Foley, Cornelius E. Gallagher, and Robert N. Giaino.

Henry B. Gonzalez, Ella T. Grasso, Seymour Halpern, William D. Hathaway, Augustus F. Hawkins, Ken Hechler, Henry Helstoski, Frank Horton, Edward I. Koch, Peter N. Kyros, Norman F. Lent, Clarence D. Long, and Romano L. Mazzoli.

Joseph M. McDade, John Melcher, Abner Mikva, Joseph G. Minish, William S. Moorhead, and Robert N. C. Nix.  
Claude Pepper, Bertram L. Podell, Walter E. Powell, Melvin Price, Roman C. Pucinski, Thomas M. Rees, Ogden R.

Reid, Donald W. Reigle, Benjamin S. Rosenthal, and Dan Rostenkowski.  
B. F. Sisk, Robert T. Stafford, Robert O. Tiernan, G. William Whitehurst, Lester L. Wolff, and Sidney R. Yates.

#### TAKE PRIDE IN AMERICA

The SPEAKER. 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.

George Romney took himself from a poverty-ridden boyhood to a succession of business and trade association jobs, climaxed his corporate career by revitalizing American Motors, then became Governor of Michigan, and is now Secretary of Housing and Urban Development.

#### EXCHANGE OF SOCIAL SECURITY AND CIVIL SERVICE CREDITS

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

Mr. HOGAN. Mr. Speaker, the present social security and civil service laws provide much needed retirement, disability and survivors protection to the great majority of the Nation's civilian work force. There is, however, a small group that migrates from private to Federal employment who may end up with inadequate protection, or even no protection at all in some cases.

From time to time legislation has been introduced to correct this situation, but up to now no action has been taken. One such piece of legislation, H.R. 918, was introduced by Congresswoman MINK of Hawaii and I am proud to be included in the cosponsors of the bill. The bill is rather simple in concept in that it provides that whenever a person has credit under social security and under the civil service retirement program his credits will be combined in whatever way will give him, or in the case of his death his dependents, the highest benefits.

The need for legislation providing for a transfer of credits between social security and the civil service system has been demonstrated over and over again. In the past legislation providing for a transfer of credit between the two systems has not been acted on for a number of reasons. The primary reason, however, is probably that jurisdiction over the two programs resides in two committees of the House—social security comes under the jurisdiction of the Committee on Ways and Means while the civil service system is under the jurisdiction of the Committee on Post Office and Civil Service. This split jurisdiction would not have impeded action on the measure if the measure were as simple in execution as it is in concept. Because of the complexities of the civil service and social security systems, there would be some administrative problems to solve

before any exchange of credits program could work. Therefore, whenever legislation of this type comes up, the problems involved in the execution of the plan are rolled out and the responsible committee suggests that a study be made. For example, a transfer of credits scheme was proposed in the Department of Health, Education, and Welfare's social security bill, H.R. 5710, in 1967. The clean bill, H.R. 17550, that was reported, however, contained no such provision, while the reports of both the House and Senate committees recommended that a study be made.

The report on this study was sent to the chairman of the Committees on Ways and Means and Finance in January 1969 and recommended that there be a transfer of credits between the social security and civil service systems. Up to now, however, no legislation has been acted on.

Mr. Speaker, I believe that there has been too much delay in this matter and that the appropriate way to fill this serious gap in the retirement, disability and survivors protection of a significant part of the Nation's work force is to legislate rather than to study. Therefore, I urge the chairmen of the appropriate committees to act promptly on the matter, to report out a bill so that the full House may have an opportunity to express itself on this important matter.

In concept, the legislation needed is not very complex. It needs to provide only that whenever an individual works for the Federal Government and for a private employer he should be given credit for all of his work under one system or the other so that his benefits will be maximized and the cost of the benefits should be shared between the two systems in proportion to the payments he had made to each program. If there are problems to be solved in working out the administrative details of such a program, I should be quite happy to assist the responsible committees in whatever way they would request. My wish is that action on the measure begin soon.

#### ELDERLY, HANDICAPPED DESERVE TRAVEL FARE BREAK

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

Mr. ROSENTHAL. Mr. Speaker, today I introduce legislation to permit the elderly and the handicapped to travel free or at reduced rates on the Nation's commercial air, rail, and buslines.

My bill will benefit the elderly and the handicapped, with their limited incomes and critical mobility problems, and it will help the transportation industry, with its large number of empty seats.

There are 20 million Americans age 65 and over, including nearly 1 million in New York City alone, plus more than 6 million Americans who are severely handicapped.

Similarly legislation has been introduced in the Senate by Senator HUBERT H. HUMPHREY.

Persons 65 years of age and older would be able to travel at free or reduced fares on airlines, railroads, and buslines.

The same discounts would be available to the blind, the mentally and physically handicapped, and persons traveling in their attendance on airlines. Rail and buslines are already covered under present law.

This legislation would be permissive, allowing the carrier to decide for itself how much, if any, discount to offer.

Airlines currently offer discounts of 33 to 50 percent to certain young passengers as part of a program to encourage young persons to acquire the aviation habit early so that they will become steady airline passengers as adults.

The Nation's rail and buslines have offered reduced fares for more than three decades to the blind and their sighted guides as well as to handicapped persons and their attendants.

For years, the railroads permitted a deterioration of service so as to drive away passengers. Now the Congress has established Amtrak to try to reverse that trend, if it is not already too late. Amtrak would, in my opinion, be wise to follow the suggestion of this bill and offer special promotional fares to the elderly as a major part of its effort to lure people back to riding trains.

Vast numbers of our senior and handicapped citizens are on fixed incomes—more than 25 percent of the elderly have incomes below the poverty level. These are the people who suffer most in times of inflation, and each fare increase can be a severe blow to them.

Fare reductions for the elderly and the handicapped could prove beneficial to all concerned.

New York City's subways, for example, reduced fares for senior citizens during off-peak hours and experienced a 26-percent increase in ridership the first year. I anticipate a similar response for the air, rail, and buslines if my proposal is adopted.

There is not a carrier in the transportation business that could not use the extra business. They all have more empty seats than they need. Airline load factors last year, for example, were just under 49 percent for both truck and local service carriers.

Adoption of my proposal would open up a virtually untapped market of millions of persons.

But beyond the economics involved, there are some very real human considerations.

Meaningful fare concessions could well encourage elderly and handicapped persons to travel more often. That would go a long way toward relieving some of the misery and boredom of advanced age and infirmity, permitting them to visit friends, and relatives more easily.

Studies show that only 40 percent of Americans, age 50 and over, have ever traveled by airplane. The figure for the population as a whole is only 47 percent. Senior citizens currently make up only 5 percent of the airlines' customers.

But that does not mean that they do

not want to travel by air. More and more would like to, but they find the door locked. My bill could be the key to unlock that door, giving millions of Americans not only the opportunity but the needed encouragement to get more enjoyment out of life.

There are all kinds of promotional and discount fares for young people, businessmen, servicemen, clergy, and families. The time has come to do something for the forgotten Americans, the elderly and the handicapped.

H.R. 8754

A bill to amend the Federal Aviation Act of 1958 in order to authorize free or reduced rate transportation to handicapped persons and persons who are sixty-five years of age or older, and to amend the Interstate Commerce Act to authorize free or reduced rate transportation for persons who are sixty-five years of age or older

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 403(b) of the Federal Aviation Act of 1958 is amended (1) by inserting after "persons in connection with such accident;" the following: persons who are sixty-five years of age or older, and handicapped persons when the handicapped person requires such attendance;" and (2) by inserting at the end thereof the following: "As used in this section the term 'handicapped persons' means the blind and other persons who are physically or mentally handicapped, as further defined by regulations of the Board."

SEC. 2. Section 22 of the Interstate Commerce Act is amended by inserting after "or commutation passenger tickets;" the following: "noting in this part shall be construed to prohibit the transportation of persons who are sixty-five years of age or older free or at reduced rates;"

#### CRIPPLED CHILDREN'S SERVICES: MENTAL RETARDATION EMPHASIS

The SPEAKER. Under a previous order of the House, the gentleman from California (Mr. CORMAN) is recognized for 10 minutes.

Mr. CORMAN. Mr. Speaker, I would like to bring to the attention of my colleagues a budget consideration that is critical to the future health and productivity of many of this Nation's young children. I am referring to the portion of maternal and child health budget which provides funds to States through formula grants for crippled children's services. Since the original authorization under title V of the Social Security Act in 1935, crippled children's services have provided care to hundreds of thousands of handicapped children. More recently, many States have been forced to eliminate services, delay needed services to crippled children, lose program personnel and freeze vacant positions.

In 1935, when the program was first established, crippled children's services were provided to those youngsters with orthopedic handicaps that were surgically correctable, and very few other types of handicapped children were accepted into State programs. With advances in medical science and preventive

medicine, the reduction of cases of poliomyelitis and bone tuberculosis allowed the States to expand their definitions of handicapped to include epileptic children and those with congenital heart defects. Programs now meet the medical needs of children with cystic fibrosis, hemophilia, leukemia, cerebral palsy, hearing defects, and many congenital defects.

Prior to 1963 few retarded children were included in crippled children's programs. The 1963 amendment earmarked funds especially for retarded children and States were able to remove limitations on providing care to such children. Many children who are mentally retarded as well as physically handicapped are now able to qualify for services. In 1969, over 45,000 children with some form of mental retardation received care under crippled children's funds.

Many crippled children's agencies are providing followup care for the large number of children who are handicapped as a result of the worst German measles—rubella—epidemic in U.S. history—1963-65. The children affected in the early months of the epidemic are now of school age and therefore the full impact of their defects is now apparent. Some children, thought to be mildly affected at first, exhibit signs of brain damage and have learning problems. The number of severely handicapped children with hearing defects on crippled children's rosters has been increasing.

The authorizing legislation for crippled children's services provides that services should be made available to children in all States by 1975. If this commitment is to be fulfilled, there must be a considerable increase in appropriations to allow for program expansion. In 1970 crippled children's services were appropriated \$58 million, in 1971 this appropriation was increased to \$58.6 million, not even enough to allow for the standard rate of inflation. The result of this limited appropriation was that many crippled children's programs were unable to continue providing services at their present program level, and, in fact, many have had to make substantial cutbacks in the variety of services provided as well as the number of children reached. All crippled children's programs in the States of Delaware, Montana, New Mexico, and North Carolina have completely halted their intake programs with the exception of extreme emergencies. Other States including Kentucky, Tennessee, Mississippi, Alabama, Georgia, Florida, and South Carolina are experiencing similar problems and consequently have had to severely limit the number of children served. Other State programs are making little or no progress toward the inclusion of additional handicapped and mentally retarded children.

I urge my colleagues to join me in asking that funds for the maternal and child health service be considerably increased. Medical care provided to crippled children is only one portion of a very worthwhile overall program designed to improve the quality of life among our Nation's most valuable resource, our young children.

#### PANAMA CANAL TREATY SITUATION: REPREHENSIBLE JOURNALISM

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

Mr. FLOOD. Mr. Speaker, in an effort to alert the Congress and the people of our country to the dangers in the Caribbean, in which the Panama Canal is a key objective of Communist power, I have addressed this body on many occasions concerning various aspects of the isthmian problem. There are only two serious issues: First, retention by the United States of its undiluted treaty based sovereign rights, power and authority over the Canal Zone and Panama Canal; and second, the major modernization of the existing canal. However important all other questions may be, they are irrelevant and should not be permitted to confuse the crucial issues of sovereignty and major modernization.

With few exceptions, the mass news media of the United States, always urging generosity on the part of our country to "little Panama," never presents realistically the absolute necessity for adequate U.S. authority where there are grave U.S. responsibilities. These obligations include exclusive sovereign power, rights and authority over the Canal Zone for the maintenance, operation, sanitation, and protection of the strategic Panama Canal. This waterway is located in a region of endemic revolution and endless political turmoil, at times featured by violence, assassinations, and even organized mob assaults on the Canal Zone that required the use of the Armed Forces of the United States to protect the lives of our citizens and the canal itself.

In an interpretative report written on the isthmus under the title of "Trouble Brewing in Panama," Jeremiah O'Leary, Latin American correspondent of the Evening Star of Washington, D.C., in the early May 13, 1971, edition of that paper, warns of the possibility of a new outbreak of violence comparable to that of January 1964. Unfortunately, his treatment of this subject is highly unrealistic and could not be better calculated to bring about violence and to undermine the United States, which is solely responsible for maintaining the security of transit.

The following are some of the objectionable features of his article. It—

First. States that "U.S. presence in the Canal Zone is much more irritating than it has to be" and describes it as an annoying "coexistence."

Second. Urges cession to Panama of parts of the Canal Zone—France and Albrook Fields.

Third. Suggests that "Panamanian courts ought to handle all matters involving their own citizens" in the zone but does not mention the fact that U.S. citizens involved in cases occurring in Panama are tried in Panamanian courts.

Fourth. Condemns U.S. control of the 5-mile Thatcher Highway that connects the Thatcher Ferry Bridge with the road system of Panama but fails to mention

that the control of this highway is part of Canal defense.

Fifth. Criticizes the operation of U.S. commissaries in the Canal Zone, which are absolutely necessary for the health and morale of Panama Canal employees and protection against unfair practices.

Sixth. Incorrectly refers to the annuity paid Panama by the United States as a "yearly rent" for the Canal Zone, which, as will be later shown, is grossly misleading.

Seventh. Condemns the 1903 Treaty as the principal cause of the main problems with Panama but does not define its chief points.

Eighth. Fails to state that the sources of revenue in the Canal Zone give Panama one of the highest per capita incomes in Latin America and that some 15,000 Panamanians are employed in the Zone.

The essential facts are brief and simple. In the 1903 Treaty, Panama granted the powers of sovereignty en bloc in perpetuity to the United States, and to the entire exclusion of the exercise of Panama of any such sovereign rights, power or authority, for which grant there was an indemnity paid to Panama by the United States. In addition, the United States secured title to all privately owned land and property in the zone by purchase from individual property owners, making the Canal Zone the most costly territorial acquisition in U.S. history.

As to the annuity, this is not a "yearly rent" but was originally an annual obligation of the Panama Railroad for \$250,000 assumed by the United States in the 1903 treaty. This amount was later adjusted to \$430,000 because of the devaluation of the gold dollar and, still later, increased by \$1,500,000 from State Department appropriations, making a total annuity of \$1,930,000.

The hostile views expressed by Mr. O'Leary are not surprising to me for they conform to the majority report in the 1967 booklet on "Panama Canal Issues and Treaty Talks," published by the Center for Strategic Studies of Georgetown University, in which he was an active participant. Additional information on the 1967 report can be found in my analysis of it in an address to the House on June 8, 1967, on "Panama Canal Issues and Treaty Talks: Defects and Validities" in the CONGRESSIONAL RECORD, volume 113, part 11, pages 15192-151207. In that address, I quoted the full text of the minority views in the 1967 report by Vice Adm. T. G. W. Settle and Dr. Donald M. Dozer. Their views, which are based upon knowledge of the subject, destroyed the credibility of the majority report to which Mr. O'Leary subscribes. Like so many North Americans, he seems obsessed with the idea that the United States should give to other countries vast sums of our taxpayers' money without the least semblance of authority as to how the donations should be used.

As I have stated many times before and shall continue to do so, the issue on the Isthmus is not U.S. control of the Panama Canal versus Panamanian but U.S. sovereignty versus Soviet domination. The acquisition of Cuba by the U.S.S.R. was made for the specific purpose of the final takeover of

the canal, with complete domination of Panama and the rest of Latin America. All of this, which is so plain to realistic observers, is absolutely ignored by Mr. O'Leary whose shabby sentimentalism overwhelms his judgment and furthers Soviet policy.

If the United States should leave the Isthmus, which the Communists are aiming to bring about, the U.S.S.R. would immediately dominate the canal enterprise and Panama would be treated as are the Soviet satellites adjacent to the Soviet Union, for the only protection that Latin American countries have today against Soviet assault is that which the United States is able to give them. Furthermore, the ability of the United States to give any such aid or support would be seriously impaired unless it continues in control of the Panama Canal and its protective frame of the Canal Zone.

Mr. Speaker, I would close this critical commentary with the observation that it is difficult to understand how anyone with the resources now available could undertake to discuss the problems of the Panama Canal and ignore the long established Soviet policy to drive the United States from the Isthmus. The dissemination in the mass news media of the Nation's Capital of such superficial, trivial, erroneous, and misleading information as that in the O'Leary article is an impelling reason for the House to adopt without further delay the pending House resolutions on Panama Canal sovereignty introduced by my able and distinguished colleague from Missouri (Mr. HALL) and myself, and cosponsored by many other Members of the House.

As the indicated news story is not only inadequate but also irresponsible, reprehensible and vicious, I deem it appropriate that the foregoing analysis be made of the O'Leary article, which I quote as part of my remarks along with the text of the cited identical resolutions to express the sense of the House of Representatives that the United States maintain its sovereignty and jurisdiction over the Canal Zone and Panama Canal:

[From the Evening Star, May 13, 1971]

INTERPRETIVE REPORT: TROUBLE BREWING IN PANAMA

(By Jeremiah O'Leary)

PANAMA CITY.—A renewed outbreak of the 1964 Anti-American violence is regarded as a distinct possibility by level-headed people of both nationalities here in the narrows of America where the Republic of Panama and the United States uneasily coexist.

Panama like the rest of Latin America, is undergoing a new surge of nationalism while the U.S. presence in the Canal Zone is much more irritating than it has to be.

There are annoying circumstances in the coexistence that might be easily remedied, except that the Treaty of 1903 requires an act of Congress to change anything.

Here are just a few examples of the impasses that pour fuel on what smolders here:

#### UNUSED AIR BASE

France Field, a naval air station on the Atlantic side of the zone, has not been used by the United States since World War II and Panama wants to utilize the acreage. But it is geographically inside the 10-mile wide Canal Zone and U.S. law would apply to anyone, even Panamanians, who lived or worked there. For example, the U.S. minimum wage

would have to apply, and Panama is not about to let that happen. So France Field sits.

Albrook Field on the Pacific side houses nothing much more strategic than a private flying club and a Geodetic Survey headquarters. The U.S. does not use it and Panama can't.

If two Panamanians have a traffic accident in the Canal Zone, they go before U.S. courts and perhaps to a U.S. zonian jail. An American who offends gravely in the zone might go to a federal prison in the U.S., but a Panamanian offender goes to a U.S. jail in the zone. It seems reasonable to many Americans that Panamanian courts ought to handle all matters involving their own citizens.

Panama cannot collect income taxes directly from its citizens who work and live in the zone. The U.S. collects the tax and hands it over to Panama and contested cases cause all sorts of arguments.

One of the most annoying is that of a road from Panama City to two fast growing Panamanian towns—Arrajian and La Chorrera. To reach these areas, Panamanians must cross a 5-mile stretch of the Canal Zone over a two-lane road that was built in Model T Ford days. The U.S. won't repair it or widen it because it has no use for the road. Being inside the zone, the stretch cannot be touched by Panamanian engineers. Americans shrug helplessly and Panamanians fulminate every time they traverse the potholed stretch.

There are retail stores in the zone that undersell Panamanian stores, which they can do since the Panama Canal Co. subsidizes the stores through procurement and transportation facilities. Americans in the zone find California oranges on the shelves in a land where oranges grow prolifically.

#### UNITED STATES IN NO HURRY

The reason little can be done to change the situation is that the U.S. occupies the zone through a 68-year-old treaty. Any change requires a modification of the treaty that in turn requires ratification by the Senate, an often lengthy process.

The U.S. is in no hurry to renegotiate the treaty. Washington's strategy is to handle it as a three-way package, using Panama's anxiety over the existing waterway to obtain a better deal for the projected sea-level canal some time in the next 30 years.

The existing treaty makes two assumptions: First, that Panama is sovereign and can do what it likes with its territory and second that it grants the U.S. certain rights in the Canal Zone. It does not cede or transfer territory; it merely gives the U.S. the right to act in a sovereign way over a strip of land through which the canal passes.

What has grown into being in Panama is a dichotomy. The republic is a military dictatorship but has only private enterprise, a mildly supervised press and largely civilian government.

The Canal Zone, on the other hand, is presided over by an Army general, David Parker, has no private enterprise and the newspaper is government-owned. The canal company is wholly owned by the U.S. government and the sole stockholder is the secretary of the army.

Panama gets a yearly rent and benefits hugely from the canal. It would be a steamy backwater of little interest to anyone if the canal were not here.

But the bifurcation of her territory by a foreign power and the exercise of sovereignty within the zone by the U.S. becomes more intolerable every year. The Zonians do not help much with their George Wallace stickers, general contempt for the Panamanians and the colonial style in which they live.

Panama and the U.S. are supposed to be negotiating not one but three new treaties—one to change arrangements on the existing canal; one for a new sea-level canal at some future time and one for military bases. But

the only treaty that matters much to the Panama today is the canal they see and the zone they despise.

#### RESOLUTION

Whereas it is the policy of the House of Representatives and the desire of the people of the United States that the United States maintain its indispensable sovereignty and jurisdiction over the Canal Zone and Panama Canal; and

Whereas, under the Hay-Pauncefote Treaty of 1901 between the United States and Great Britain, the United States adopted the principles of the Convention of Constantinople of 1888 as the rules for the operation, regulation, and management of said canal; and

Whereas, by the terms of the Hay-Bunau-Varilla Treaty of 1903 between the Republic of Panama and the United States, the Republic of Panama granted full sovereign rights, power, and authority in perpetuity to the United States over the Canal Zone for the construction, maintenance, operation, sanitation, and protection of the Panama Canal and to the entire exclusion of the exercise by the Republic of Panama of any such sovereign rights, power, or authority; and

Whereas under the Thomson-Urrutia Treaty of April 6, 1914, proclaimed March 30, 1922, between Republic of Colombia and the United States, the Republic of Colombia recognized that the title to the Panama Canal and Panama Railroad is vested "entirely and absolutely" in the United States and in the United States granted important rights in the use of the Panama Canal and Railroad to Colombia; and

Whereas from 1904 through June 30, 1968, the United States has made an aggregate net investment in said canal, including defense, of over \$5,000,000,000; and

Whereas said investment or any part thereof could never be recovered in the event of Panamanian seizure, United States abandonment of the canal enterprise, or under any other circumstances; and

Whereas under article IV section 3, clause 2 of the United States Constitution, the power to dispose of territory or other property of the United States is specifically vested in the Congress; and

Whereas 70 per centum of Panama Canal traffic originates or terminates in the United States ports; and

Whereas said canal is of vital strategic importance and imperative to the hemispheric defense and to the security of the United States as well as Panama itself; and

Whereas, during the preceding administration, the United States conducted negotiations with the Republic of Panama which resulted in proposed treaties under the terms of which the United States would relinquish its control over the Canal Zone and Panama Canal with the gift of both to Panama; and

Whereas the present revolutionary Government of Panama seeks to renew negotiations with the United States looking toward a similar treaty or treaties; and

Whereas the December 1, 1970, report by the Atlantic-Pacific Inter-oceanic Canal Study Commission revises the entire canal situation, including surrender of the Canal Zone to Panama and operation of the Panama Canal by an international organization not subject to laws of the United States; and

Whereas the recommendations of said Commission would place the United States in a position of heavy responsibility without requisite authority and invite a takeover by Soviet power of the isthmus as occurred in Cuba, other Latin American countries, and at the Suez Canal: Now, therefore, be it

*Resolved*, That it is the sense of the House of Representatives that the Government of the United States should maintain and protect its sovereign rights and jurisdiction over said Canal Zone and Panama Canal and that

the United States Government should in no way forfeit, cede, negotiate, or transfer any of these sovereign rights, jurisdiction, territory, or property to any other sovereign nation or to any international organization which rights, sovereignty, and jurisdiction are indispensably necessary for the protection and security of the entire Western Hemisphere including the canal and Panama.

#### SHOCKLEY ON INTELLIGENCE AND RACE

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

Mr. RARICK. Mr. Speaker, race relations continue to deteriorate and as domestic violence, shootouts, and crimes increase, the politicians look for solutions in more taxpayer handouts. Liberals and egalitarians who refuse to admit their errors would aggravate the problems by seeking more regulations and control. Yet Prof. William B. Shockley, Nobel laureate and scientific intellectual whose interest in approaching a solution by understanding of the root causes rather than treating hysterical effects, is unable to get the National Academy of Sciences to even consider the genetics approach to intelligence and race.

Last evening's paper carried the tragic reports of a race riot among U.S. military personnel at Travis Air Force Base, Calif.; the dismissal of all criminal charges against the Black Panthers Bobby Seale and Ericka Huggins; from Korea, the report of exploding handgrenades to protest so-called racial discrimination; and in our Nation's Capital a mayor's proclamation setting aside May 17 to June 18 as "NAACP month."

The incidents and problems of the day cry out for honest and realistic solution. Can they but remind all of the need for Dr. Shockley's investigation and scientific approach on racial differences.

Every American must be convinced by now that something is wrong in the racial policies and social justice programs undertaken by our National Government. A change is necessary at an early date—before it is too late.

It must be apparent to even the most brainwashed egalitarian and idealistic dogooder that groups are not individuals and that there is a greater difference between whites and blacks than the myth and superstition of the color of the skin.

I include related newsclippings at this point:

[From the (Washington, D.C.) Evening Star, May 25, 1971]

#### LETTERS TO THE EDITOR INTELLIGENCE AND RACE

Sir: Your editorial exhibited typical examples of the unsearch dogmatism that characterize rejection of my proposals—there is no way to determine truth—it would be harmful to know. I doubt neither the sincerity nor the good intentions of your editorial writer. I diagnose his obtuseness as having a theologico-scientific foundation. I call it the "Apple of God's Eye Obsession"—God meaning, for some, the proper sociobiological order of the universe. True believers of this obsession hold that God has designed nature's laws so that good intentions suffice to ensure humanity's well-being.

The theory that intelligence is largely de-

termined by the genes, and that the races may differ in distribution of mental capacity offends equalitarian-environmentalism—an important feature of the contemporary form of the "Apple of God's Eye Obsession." The preponderance of the world's intellectual community resists the fact that nature can be cruel to the newborn baby. Babies too often get an unfair shake from a badly-loaded parental genetic dice cup. At the acme of unfairness are features of racial differences that my own research inescapably leads me to conclude exist: Nature has color-coded groups of individuals so that statistically reliable predictions of their adaptability to intellectually rewarding and effective lives can easily be made and profitably be used by the pragmatic man-in-the-street.

Neither your editorial nor the related article (by John Lannan on April 28) report the new research findings and inventions of my paper. My new analysis concludes that one typical "Negro" population has individuals that differ greatly in percentage of Caucasian ancestry—probably from 5 percent to sixty percent. I also reported that twelve presidents of predominantly black colleges concur in the opinion that their majority students, who are black in their colleges, are relatively advantaged academically by attitudes towards race as if "inverted prejudice" gave blacks a motivational advantage over whites. If my recommended research on such students confirms my estimate of one IQ point increase for each 1 percent increase of Caucasian ancestry, we must dismally predict that elimination of prejudice will not remedy the tragic disadvantages of our black minority and must search for other solutions. But if white genes are disadvantageous in these colleges, then this new fact may unlock the door to a cure for unjust discrimination. No matter what is found, contrary to your editorial's position, the truth should contribute to diagnosis and treatment.

My faith in the power of reason and the goodness of man is what puts me at odds with my articulate, but often anonymous critics. I was distressed that many members of the Academy (of Science), who opposed accepting the report of the Academy's Committee on Policy with Respect to Studies of Genetic Quality, did so, not on scientific grounds, but because misunderstanding of it might tarnish the Academy's image. The tone of the report did contribute to intellectual integrity by emphasizing that, regardless of politics, science must seek and express truths about national problems.

WILLIAM B. SHOCKLEY.

Sir: It has been a pleasure to have had access to some of the editions of the Star in my present situation, though I somehow have always recognized a certain Republican influence. This letter is in reference to a recent editorial on the theories of the Nobel laureate, Dr. Shockley. It was headed "Intelligence and Race."

It seems very fitting that his name be Shockley, for it was somewhat the effect I received after reading the thoughts of a seemingly intelligent, prize winning scientist.

The learning power of the American black man is unsurpassed, if properly tutored in the right environment and books of quality are made available. When the black man was kidnapped to this country, he was divided from family, stripped of his own religion and at the time not allowed to practice the white man's. Every man and woman was made to produce more of their kind and given plenty of help. They were ignorant of the new land and the new cultures. They were to stay that way; only their labor was needed. To start from scratch on building a new nation of blacks with no learning materials, no tutor, no comprehensible language to call their own anymore, they still survived.

Survived to the point that if a one-year-old white boy and a one-year-old black boy were allowed to come up in the same en-

vironment and taken to the best academic, vocational, industrial, sports, and military training centers, and never exposed to racial, social prejudices, it would be impossible to define a difference in the capacity to learn, where racial mental structures are concerned.

As far as genes are concerned, Dr. Shockley should know that black is a dominant color, and where the off-spring of an interracial couple is concerned, regardless if the father is black and the woman white, or vice-versa, that child is considered black by all standards and no brighter in his ability to learn than any other black man. In fact, if he is not brought to understand and accept his being, he is subject to many miserable paranoid disturbances and may suffer mental blocks and become unbearably dumb in dealing with his fellow man.

SAMUEL CARL TURNER.

Sir. We are no longer shocked by students who would rather teach than learn, clergymen who would rather destroy than save and lawmakers who would rather pander than provide leadership. Now we have scientists (?) who would rather brow-beat than study.

The decision by the National Academy of Sciences not to direct, or support, studies that might be termed "racist" is the most objectionable yellow-bellied example of socio-moralistic equivocating I have ever heard of.

That some person or persons may be embarrassed, or frightened, or angered by yet-to-be-reached conclusions that might be reached by a long-term study group on racial hereditary differences in unfortunate, and certainly not sufficient cause to blockade such a study.

These scientists who decree they will not study are traitors to generations to come.

HERBERT B. BERKOWITZ.

Sir. It would be hard to find anyone with so little knowledge of his subject as the writer of your editorial "Intelligence and Race." He started by referring to the "Shockley thesis of the inherent mental superiority of the white race. . . ." Such a conclusion could only be reached by deliberate misreading of everything Shockley has written on the subject. There was a labored effort to portray Shockley as a lone genius who strayed from his field into some oddball aberration. An attempt was made to show that he seized on a few bits and pieces of "dubious evidence" to arrive at his aberration, and that he is a lone voice crying in the wilderness. Both are far wide of the mark.

Shockley is far too competent a scientist to do so absurd a thing as to draw conclusions from one Army study. The Army data were but one small addition to the large volume of information in the field that Shockley has examined. Nor would he be silly enough to talk about isolating "the single component of inherent mental capacity," as your editorial did. In an official statement four years ago the National Academy of Sciences found that "There is general agreement that both hereditary and environmental factors are influential; but there are strong disagreements as to their relative magnitudes. . . ." Shockley thinks it is high time to find the magnitudes more exact.

The idea of striking a match to light one's way in a powder factory is precisely the one Shockley seeks to ward off. He suggests that a policy resting on the undocumented dogma of racial intelligence may well be a bonfire in the factory instead of a match if, indeed, there are substantial differences. Some of the evidence which is convincing to Shockley is admittedly dubious but it is so large, consistent, and continuing, that nobody with his scientific mind is likely to ignore it in favor of a dogma with no evidence at all to support it.

ARCHIE R. SABIN.

ALEXANDRIA, VA.

[From the (Washington, D.C.) Evening Star, May 25, 1971]

#### 600 BRAWL AT AIR FORCE BASE—BLAZE RUINS BARRACKS IN TRAVIS STRIFE

(By Brendan Riley)

TRAVIS AIR FORCE BASE, CALIF.—More than 600 servicemen brawled with each other here last night after what a base spokesman described as a racial incident in a mess hall.

It was a third day of disorders at this Northern California base, a major embarkation point for Southeast Asia.

A civilian fireman at the base died of apparent smoke inhalation last night fighting a deliberately set blaze which partially destroyed a barracks for transient officers, a base spokesman said. Another fireman was hospitalized with facial burns and at least five men were treated at the base hospital for injuries sustained in fights, a spokesman said.

At least 100 military personnel were detained by military police, the spokesman said.

#### "LARGE SHOW OF FORCE"

The brawling men were dispersed by 11 p.m. after 300 military security police and 78 men from the Solano and Napa County sheriff's offices and four area police departments converged on them in a large show of force." The spokesman said no shots were fired and no tear gas was used.

The dead fireman was identified as James T. Marshberger, 47, of nearby Napa, employed at the base fire department.

The base commander, Col. John Blake, sealed off the base to all visitors and summoned off-duty military police. The base is 45 miles northeast of San Francisco.

Investigating officers said several fights broke out Sunday after a white Air Force woman was "was roughed up," United Press International reported.

#### FIGHTING WIDESPREAD

An Air Force spokesman said last night's violence appeared to be connected to "racial trouble," but a spokesman for Solano County Sheriff Albert Cardozo said, "The blacks have been fighting the blacks, the whites fighting the whites and the blacks and whites fighting each other."

He added, "It's an internal thing between the men themselves. We really don't know what created it. It just seemed to start up over nothing."

An Air Force spokesman said last night's fight broke out in a mess hall during the evening meal, with blacks and whites throwing salt and pepper shakers and other tableware.

#### HOSE TURNED ON MEN

The number of men involved grew and they began milling around an enlisted men's barracks area. It turned into an "all-out melee" about 8 p.m. The barracks fire broke out about then, the spokesman said.

Firemen at one point sprayed water from a high-pressure hose on a surging group of men near the flaming barracks. Several windows were broken by rocks.

The mess hall fight was between groups of black and white servicemen, said Herb Prouty base information officer.

"I'm sure part of it is racial, but it's not all racial," he said.

A free-for-all erupted Saturday afternoon in an airmen's club. A half dozen minor injuries were reported in a series of fights which the spokesman said were racially oriented and which continued Sunday.

Yesterday had been quiet up until the mess hall outbreak.

Military police patrolled the base in combat dress with loaded automatic weapons. Civilian police were summoned under a mutual aid pact with area law enforcement agencies.

[From the Evening Star, Washington, D.C., May 25, 1971]

#### NAACP MONTH IS PROCLAIMED BY THE MAYOR

Mayor Walter E. Washington yesterday issued a proclamation setting aside May 17-June 18 as "NAACP Month."

"I call upon the people in the Nation's Capital to participate in this endeavor by reminding their families, friends and neighbors of the significant contributions of the District of Columbia branch of the National Association for the Advancement of Colored People to our city, and urge everyone to support the programs of this outstanding organization," the mayor said.

NAACP officials originally had hoped to receive the proclamation on May 17 but did not because of a misunderstanding with the mayor's staff. The document was presented yesterday at a ceremony in the mayor's office.

[From the Evening Star, Washington, D.C., May 25, 1971]

#### BLACK SOLDIERS ARE BLAMED FOR GRENADE BLASTS

SEOUL.—Black soldiers protesting racial discrimination are blamed for a rash of grenade explosions at a U.S. camp 35 miles south of Seoul. One American and three Koreans have been injured by the blasts.

Five grenades exploded Saturday night and early Sunday at Camp Humphreys. A military spokesman denied a report that two more grenades went off today. He said an explosion had been heard, but it was the work of Koreans blasting at a construction site nearby.

The spokesman refused to comment on reports from U.S. military sources and Korean police that the grenade explosions were the work of black soldiers angered by their treatment by the Army. The Seoul newspaper Hankook Ilbo said 10 unidentified Negro soldiers were responsible for the weekend explosion.

The U.S. spokesman confirmed that 50 fragmentation grenades, two incendiary grenades and 16 smoke grenades had been stolen on the base before the explosions.

[From the (Washington, D.C.) Evening Star, May 25, 1971]

#### EQUALIZE PER-PUPIL COSTS ACROSS CITY, WRIGHT ORDERS

(By Barry Kalb)

Judge J. Skelly Wright, finding "continuing substantial discrimination" within the District school system, today ordered that per-pupil expenditures from the D.C. budget not deviate in any school by more than 5 percent from the average citywide expenditure in the city's elementary schools.

Wright said in today's opinion that he seeks "to make a reality" of his landmark 1967 decision which stated that:

"If whites and Negroes, or rich and poor, are to be consigned to separate schools, pursuant to whatever policy, the minimum the Constitution will require and guarantee is that for their objectively measurable aspects these schools be run on the basis of real equality."

The case ruled on today was a follow-up to the suit brought in 1967 by former school board member Julius W. Hobson, which alleged both racial and economic discrimination in the D.C. school system.

Hobson has charged continuously that the school system was not complying with the 1967 decree and prepared figures purporting to show that per-pupil expenditures varied widely throughout the city, favoring especially the whiter and more affluent area west of Rock Creek Park.

Wright today granted, almost word for word, the remedies sought by Hobson in his follow-up suit. He ordered:

Beginning Oct. 1, 1967, per-pupil expenditures for all teachers' salaries and benefits from the regular D.C. budget in any single elementary school "shall not deviate by more than 5 percent from the mean per-pupil expenditure for all teachers' salaries and benefits at all elementary schools in the District of Columbia school system."

The 5 percent limit may be exceeded "only for adequate justification on an individual school basis shown to this court in advance."

By next Oct. 1, by June 1, 1972, and by each succeeding Oct. 1, the school system must provide information "sufficient to establish compliance with this order for equalization of per-pupil expenditures for all teachers' salaries and benefits."

#### INFORMATION WANTED

Included in this information for each elementary school must be such things as income level of the school's neighborhood from latest available U.S. Census data; total number and percentage of students of each race as of no more than 30 days before filing; total operating expenditures from the regular D.C. budget; total expenditures from various non-budget sources, and per-pupil expenditures from all sources combined.

Wright noted that although the over-all District school population is about 98 percent black, the 13 schools west of the park have an enrollment about 74 percent white.

"The west of the park area continues to have schools which are identifiably more white and wealthy . . . That the west of the park schools have 27 percent higher expenditures per-pupil for teachers' salaries and benefits in 1971 is prima-facie evidence of discrimination," Wright said.

Wright said that, according to figures given him the per-pupil expenditure west of the park was \$136 above the citywide average.

He rejected arguments by the school system that race is not a factor in expenditures because there is a wide variance in per-pupil expenditures in the predominantly black east of the park schools.

#### "CRAZY QUILT" SPENDING

Even if such a "crazy quilt" spending pattern exists, Wright said, "Whereas white children in wealthy neighborhoods have only a slight chance of being assigned to an elementary school where the expenditure per-pupil is less than the citywide average, children in poorer black neighborhoods face a substantial probability of such assignment."

"The wealthy and the white are virtually guaranteed more money—in almost every instance substantially more than 5 percent above the city average."

He also rejected the argument that the difference in expenditures results largely from the fact that more experienced and therefore better paid teachers are in schools with higher expenditures and that the child with a more experienced teacher is not necessarily getting a better teacher.

The school system argued, Wright noted, that only when a teacher has more than six years experience is there a difference in teaching quality. But "the west of the park school is still favored in that it has a higher percentage of teachers with six years or more experience than schools in the rest of the city," Wright said.

[From the (Washington, D.C.) Evening Star, May 26, 1971]

#### SEALE JUDGE CITES BURDEN OF FINDING JURY, DROPS CASE

NEW HAVEN, CONN.—The judge who dismissed murder-conspiracy charges against Black Panthers Bobby G. Seale and Ericka Huggins has ruled that finding an unbiased jury to retry them would be impossible with-

out a superhuman effort which neither side should have to endure.

Superior Court Judge Harold M. Mulvey dismissed the charges yesterday one day after declaring a mistrial because the jury could not reach a verdict in the case against Seale, Panther national chairman, and Mrs. Huggins, a local party leader.

#### JUDGE'S STATEMENT

"With the massive publicity attendant upon the trial just completed," Judge Mulvey said in dismissing the case, "I find it impossible to believe that an unbiased jury could be selected without superhuman efforts, efforts which this court, the state and these defendants should not be called upon either to make or to endure."

Seale and Mrs. Huggins each faced two capital charges—kidnaping resulting in death, and aiding and abetting murder—plus conspiracy to kidnap and to murder. Mrs. Huggins also was charged with binding with criminal intent.

The charges stemmed from the fatal shooting of Alex Rackley, a 24-year-old Panther from New York whose body was found in a shallow riverbed on May 21, 1969.

The prosecution maintained Rackley was slain on orders from Seale and other Panther leaders for being a suspected police informer.

#### CHIEF WITNESS

Seale did not take the stand in the six-month long trial, in which four months was spent selecting the jury. But defense witnesses described the state's chief witness against him, George Sams Jr., as a chronic liar who hated Seale because of an incident in which the Panther leader expelled Sams from the party.

Sams admitted giving orders for Rackley's death at the scene of the killing, and another prosecution witness, Warren Kimbro, admitted firing the first shot into Rackley. The second shot was fired by Lonnie McLucas, who was convicted last summer of conspiring to murder Rackley.

According to Garry's affidavit, the jury's final vote was 11 to 1 for acquitting Seale on all charges except conspiracy to murder, and 10 to 2 for acquittal on that charge.

In Mrs. Huggins' case, the affidavit said, the final votes were 11 to 1 for acquittal on all charges except kidnaping resulting in death, on which 10 jurors favored acquittal, one wanted conviction on that charge and another favored conviction on simple kidnaping.

Seale was being held today on an earlier four-year sentence on contempt charges for interruption at the Chicago riot trial. The government earlier had opposed a motion for bail, citing the charges here. An assistant U.S. attorney said the government has until noon tomorrow to file a brief opposing Seale's release on bail.

David Rosen, Seale's local attorney, also said the Panther leader is charged with violating probation in California on a 1967 weapons charge.

Seale's probation expired two days ago, and California authorities have not announced whether they plan to credit him for time served in Connecticut or require him to be returned to the West Coast.

At the Black Panther national headquarters, cofounder Huey P. Newton attributed the judge's ruling to "the might and power of the people."

#### LEGISLATIVE PACKAGE TO HELP MUNICIPALITIES FIGHT WATER POLLUTION

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

sachusetts (Mr. HARRINGTON) is recognized for 20 minutes.

Mr. HARRINGTON, Mr. Speaker, I am today introducing two pieces of legislation to provide strong Federal financial assistance to the municipalities of this country to aid them in their efforts to combat water pollution.

The first bill would authorize the Federal Government to spend up to \$2 billion per year to provide 100 percent funding for the planning of municipal waste treatment facilities.

The second bill provides 90 percent Federal aid for the construction or upgrading of municipal waste treatment plants. A total of \$25 billion over a 5-year period at \$5 billion per year would be spent in this effort. This bill is identical to one which was recently introduced in the Senate (S. 1781) by Senator GAYLORD NELSON. The provisions of both bills would be administered by the Environmental Protection Agency.

The pollution of our waterways has become a matter of great national concern, and rightly so. U.S. News & World Report estimated that water pollution causes approximately \$12 billion in property damage alone every year in the United States.

Many State and Federal laws have been on the books and many more have been proposed which require municipalities to build waste treatment plants. But the inability of many cities to pay the construction costs is ignored by the law. The plants nevertheless must be built. Laws which require the construction of water pollution abatement facilities, but which fail to recognize the dire financial straits facing many of our cities and our towns are both unjust and unrealistic.

There are many estimates of the total cost of halting municipal pollution in this country. But one fact is clear—the cost is very high. Estimates range from \$20 billion to over \$50 billion. Water pollution experts tell us that the greatest single cause of water pollution in the United States is uncontrolled sewage systems in municipalities.

Let us look at some specific examples of the costs which municipalities must face in order to abate their water pollution.

The town of Salisbury, Mass., in my congressional district, was told last year that its voters would have to raise \$2,693,800 to build a State-required sewage treatment plant. Salisbury has a population of approximately 4,200. This represents \$643 per person. The town of Ipswich, also in the Sixth Congressional District, faces a total cost of \$3,110,000 for the construction of a secondary sewage treatment plant. Ipswich's population is about 11,000 or about \$282 per person.

Lynn is the largest city in my congressional district. It stands as an excellent example of a municipality with grave financial problems and with a grave pollution problem. The city of Lynn has the highest tax rate in the Commonwealth of Massachusetts. It is a city from which much sewage is dumped into the Atlantic Ocean. As a result, Lynn has been put under a great deal of pressure from Federal and State authorities to build a mod-

ern sewage treatment plant in order to abate that pollution. The estimated cost for abating the polluting in Lynn is \$12 million. With its financial situation, Lynn can hardly afford to expend that money without substantial Federal financial assistance.

My congressional district is one of four through which the Merrimack River flows. The Merrimack River has been ranked as the eighth most polluted river in the country. The polluted condition of this river is a potential if not real health hazard. But beyond this, the Merrimack River's pollution has caused great financial losses to the communities located within its basin. A study which was released by the Federal Water Pollution Control Administration's Northeast Regional Office in Boston, Mass., in December 1968, pointed out:

When one considers that pollution conservatively costs the local communities in the Merrimack Basin \$37 million a year, then a pollution abatement program costing \$100 million, \$150 million, or even \$200 million that can be repaid in less than 6 years is not prohibitive even on a local basis. The construction of such facilities is not only necessary to protect the health and welfare of the public, but mandatory from an economic viewpoint.

We have then established that municipalities of this country face great financial burdens in abating water pollution. Further, it can be easily seen that the municipalities cannot face this burden alone. Yet it is equally clear that the pollution must be stopped. The two bills which I am introducing today can and will resolve this conflict if they are enacted.

The first bill authorizes the Administrator of the Environmental Protection Agency to make grants for 100 percent of the cost of planning waste treatment facilities. He is authorized to appropriate up to \$2 billion per fiscal year for these grants, and any of those moneys not expended within the fiscal year shall be returned to the Treasury.

Any grants to be made under the act can only be made to municipalities which apply for assistance in the planning of waste treatment facilities, and the life of the grant can be no longer than 12 months.

This bill recognizes the need to utilize the most up-to-date water pollution abatement methods. Grants may only be made for planning which is in accordance with the water quality standards of the State in which the municipality making the application is located, and grants may be made for the planning of only the most modern and efficient waste treatment facilities.

The second bill, as I stated earlier, provides for 90-percent Federal funding for the construction of municipal waste treatment plants. This legislation operates on the same basis as our Interstate Highway System. By using the same highly successful financing system as was used to build our Interstate Highway System, we can clean up our waters.

When Senator NELSON introduced this

bill, he pointed out that an approach similar to this was used in the Urban Mass Transportation Act amendments last year, and that it has been proposed for the water pollution control program by the National League of Cities.

The funding gaps between authorizations and appropriations for many existing pollution abatement programs have severely crippled our antipollution efforts. The measure which I am introducing today authorizes the Administrator of the Environmental Protection Agency to incur obligations up to \$25 billion during the next 5 years, with Congress liquidating the obligations at the rate of \$5 billion per year. In other words, this bill guarantees that the full \$25 billion will be available for the program by committing the Congress to appropriate those funds expended by the Administrator of EPA as he is authorized to do under the bill; for example, at the rate of no more than \$5 billion per year for 5 years.

This bill provides that a municipality will receive only 50 percent Federal funding if "enforceable water quality standards have not been established for the waters into which the project discharges." The "enforceable water quality standards" are those which have been agreed upon by State and Federal pollution control authorities. Standards which have been set by State pollution control agencies alone are not sufficient for the receipt of 90 percent funding.

At the present time all 50 States have submitted water quality standards to EPA. In the few cases where there is still some dispute over minor points in the standards, these disputes will be resolved within the next fiscal year so as not to affect the operation of this program. Thus, by the end of the next fiscal year the 90 percent funding would be available in all States.

Mr. Speaker, several pieces of legislation have been introduced in the Congress to halt ocean dumping. These two bills which I am introducing today are very much related to stopping ocean dumping since a great deal of the sewage which is put into our Nation's rivers by municipalities eventually finds its way to the oceans, and causes a deterioration of these waters as well.

I have spoken many times about the extremely serious water pollution problem which our Nation faces today, and I have pledged to do what I can as a Member of Congress to provide financial assistance to municipalities so that they can attempt to abate their water pollution. These two bills which I am introducing today are in response to the pledges which I have made.

I strongly urge the rapid approval of both these bills to provide Federal financial assistance to municipalities to abate water pollution. The need for the legislation is clear and the need is urgent. Every day which we spend debating water pollution is a day in which the water pollution in our country becomes worse. I am hopeful that we will act before the damage to our waters and natural resources becomes irreparable.

## SAVE THE CHILDREN'S HEALTH

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

Mr. KOCH. Mr. Speaker, support of H.R. 7657 is increasing. The bill which would extend for an additional 5 years the children and youth comprehensive health projects and maternal and infant care projects which are now slated for oblivion as of June 30, 1972, has at this time 46 cosponsors. There are at present 67 children and youth programs and 57 maternal and infant care programs in existence delivering comprehensive health care to almost half a million children and youth of lower socioeconomic levels in central cities and rural areas. These projects represent one of the major reservoirs of experience in comprehensive health care today, especially to the poor children of the country.

I urge our colleagues to become cosponsors of this legislation. I am appending to my statement further information regarding one of these programs.

THE UNIVERSITY OF TEXAS  
MEDICAL BRANCH,  
Galveston, Tex., May 12, 1971.

Re H.R. 7657  
Hon. EDWARD I. KOCH,  
House of Representatives,  
Washington, D.C.

SIR: One of the most constructive and valuable programs of cooperation between this community, the University of Texas Medical Branch and the Federal Government has been the Children and Youth Project. It has made possible both qualitative and quantitative improvement in the quality of care for low income children of this city. Evidence of this is found in the fact that prior to this program people from our low income area had an extremely low frequency of the utilization of available medical resources, while under the C & Y Program their rate of utilization is at the median for middle income families. In part, this relates to a night satellite clinic we operate in the low income area and, in part, it represents the outreach of the program to people whose capacity to find medical care in the past has been limited.

It is my understanding that funding of these projects is being re-evaluated and I thought it might be useful to you to have these remarks plus the appended summary prepared by the director of our local project. If there is additional information which would be helpful to you, we would be most pleased to provide it.

Sincere best wishes,  
C. W. DAESCHNER, M.D.,  
Professor and Chairman,  
Department of Pediatrics.

CHILDREN AND YOUTH PROJECT No. 648,  
GALVESTON, TEX.

The Galveston Children and Youth Project is responsible for the total comprehensive care of indigent children in the City of Galveston. The project functions as an integral part of the Department of Pediatrics at the University of Texas Medical Branch. During its three and one-half years of existence 8071 children have been completely evaluated. Inpatient service is provided at the University of Texas Medical Branch hospital with funds from the project reimbursing the State for the children's hospitalization. The project provides outpatient services, both at the University and at a Satellite Clinic in the heart of the poverty area of

the City. This clinic operates two nights a week to allow patients of working parents to be able to attend without any loss of income to the family. Dental services are provided through the Galveston Independent School District Dental Clinic. Funds for this purpose are provided by the Children and Youth Project. This clinic is also located in the poverty area.

The project works closely with some nineteen community agencies. Many of the corps staff of the project serve on the advisory boards of such organizations as the Galveston Day Care Center, Family Services, etc. In addition, the project works closely with the School Health Program of the Independent School District and the Galveston City Health Department. There are no funds, other than those from the Children and Youth Project available at the present time for payment for inpatient or outpatient services for these children, except for the small number of families who are on the aid for dependent children program. The latter are eligible for medical benefits. There is no hospital district in Galveston. The funds provided by Galveston County for patients hospitalized at the University have been limited to adults from the City of Galveston and adults and children from the mainland.

**CONGRESSMAN HANSEN OF IDAHO INTRODUCES H.R. 8724, THE MANPOWER TRAINING AND EMPLOYMENT ACT OF 1971**

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

Mr. HANSEN of Idaho. Mr. Speaker, I have today introduced H.R. 8724, the Manpower Training and Employment Act of 1971. This bill is essentially the same as the one I introduced in June of 1970 for the purpose of consolidating the many existing manpower programs, and of building upon the solid accomplishments of the manpower foundation created by the Congress in the Manpower Development and Training Act of 1962, as amended.

Now is the time to expand, to build further on the demonstrated accomplishments of these manpower programs. In response to changing manpower needs, the bill I have introduced contains essential improvements and additions. The measure strongly reflects the principles of revenue sharing and decentralization as advocated by the administration; and I believe it avoids the pitfalls which prompted an adverse response to the President's special revenue sharing for manpower proposal on the part of some of my colleagues in the House Education and Labor Committee and, more recently in modified form by the House Rules Committee.

The Manpower Training and Employment Act of 1971 incorporates a public service employment feature urgently needed at the present time to relieve pressing pockets of unemployment; and, to enable our fiscally hard-pressed State and local governments to keep up with expanding demands for public services. Contrary to other proposed public service employment measures, including the one recently reported out by the House Education and Labor Committee, my bill would assure that individuals who

went on public payrolls are provided with the necessary education and training to enhance their attachment to the labor force and assure that quality public services would be provided. Central to the provision is the concept of career development. To do less than this is a disservice both to the public and to the participants in public service employment programs.

The existing administrative structures and manpower expertise developed through 8 years of program operations under the Manpower Development and Training Act of 1962 must not be lost in the rush to decentralize manpower program initiatives. The Manpower Training and Employment Act of 1971 I am proposing would provide for orderly institutional change without destroying the solid base which has been established by the Congress under the Manpower Development and Training Act of 1962; and, in effect would provide for the expansion of State and local agency manpower capability and responsibility—a trend given great impetus by the 1968 amendments to the MDTA which vested greater responsibility for program control with the States.

North American Rockwell Information Systems—Narisco—under contract with the Department of Labor, recently completed a systems analysis of the MDTA institutional training program. Narisco's comments regarding the potential of MDTA structures and agency relationships for decentralization are worthy of my colleagues attention:

It is our opinion that decentralization will improve the program and that the MDTA institutional training program may be one of the best Federal systems for decentralization for a number of reasons. The program has operated for eight years a joint Federal-State/employment-training system, it has established standards of practice and, through CAMPS, has developed procedures for coordination with many agencies and at several levels. Experienced staffs have developed in the States. The program has also been characterized by progressive relaxation of Federal controls and increased State authority. The conditions under which decentralization will be undertaken appear to be very favorable in this program.

Unlike other pending comprehensive manpower legislation, my Manpower Training and Employment Act of 1971 would strengthen the structures for interagency planning and cooperation in the conduct of our national manpower program. In spite of the complexity of manpower problems, adequate structures for Federal interagency cooperation and coordination of manpower programs and resources do not now exist to the extent I feel is desirable. My bill addresses this problem by providing for a National Manpower Advisory Council whose members would be appointed by the President and represent all Cabinet-level agencies having a manpower input or expertise. The Council would establish national manpower goals; advise all manpower agencies of the Federal Government on manpower programs and services; review the administration and operation of manpower training programs; and report to the President and to the Con-

gress concerning their findings including recommendations for legislative change. This provision would help us avoid some of the problems engendered by unilateral agency administration of multiagency manpower input which have plagued us in the present manpower program. Manpower problems acknowledge no agency jurisdictional boundaries. I hasten to assure those who see this as diffusion of program responsibility, that such is not the case. Based on the findings of such an advisory council which is not an arm of any single agency as the present National Manpower Advisory Committee, the Congress will clearly be better able to identify program lines and fix or shift the burden of responsibility. The Council, with its full-time staff, should greatly assist in providing the Congress with feedback concerning program areas needing legislative action or additional oversight—a gap we have long needed to fill.

As my esteemed colleague the gentleman from Illinois (Mr. PUCINSKI) so clearly pointed out upon introducing a similar measure, H.R. 18101, to create a National Manpower Advisory Council:

We have bits and pieces of manpower programs which are carried out by many agencies at State and Federal levels. We should not limit our consideration of any new legislation to only those programs conducted by the Department of Labor. We need to give serious consideration to overall national manpower programs that would be coordinated through an effective body at the Federal level.

The National Advisory Council which I propose would be an effective national coordinating council and is almost identical to that proposed by the gentleman from Illinois (Mr. PUCINSKI).

We must take definitive steps now to assure that manpower efforts authorized under existing manpower legislation such as the Economic Opportunity Act and the MDTA are not permitted to expire by default because we in the Congress did not act on legislative proposals now under consideration. The Manpower Development and Training Act of 1962 is notable for its continuous bipartisan support in both Houses throughout its history. Since enactment in 1962 and in the 8 years of subsequent operation and improving amendments, this measure sustained only a handful of "nay" votes in both Houses; no other legislation that I know of has such a phenomenal record. Now we are facing the possibility of terminating, without an appropriate substitute, this program which has had such broad support from the Congress as well as from administrators in State and local government.

Very shortly program administrators are going to face some exceptionally vexing problems. The MDTA title II training authority, for example, will expire on June 30, 1972; this time is not so far in the future as we might like to believe. Since all program disbursements must be made prior to December 30, 1972, this already has program implications for skills centers as well as for other multioccupations projects which comprise the bulk of institutional training effort.

To make certain that all funds are disbursed by that date, it is necessary to start phasing out programs, including those now ongoing in some 70 manpower training skills centers praised by the Congress, the public, and envied by our friends in other countries; and, given priority program status by the 1968 amendments to the MDTA. With a termination date just a little over a year away, it is simply not possible to carry on a realistic program or to maintain effective program participation levels. Right now, agencies administering educational components are planning the phaseout of programs in order to keep within the existing statutory termination dates. They are obliged to do this because manpower legislation now before this House contains no transitional provisions nor does the legislation contain any assurances that the institutional training capability developed under the MDTA will be used in the future. Previous experiences supported by expert testimony—Dr. Sar Levitan, before the House ad hoc hearing of the Task Force on Poverty, April 1969—further indicate that there is absolutely no intention of continuing to use this national manpower training resource.

I reemphasize that MDTA institutional training is but one of the programs faced with termination if we fail to come to agreement on a suitable compromise. As harassing as the administrative difficulties may be, my chief concern is that they may be terminated at a time when they are urgently needed by persons who require manpower training and services to become or to remain self-supporting. I am thinking of those who are now facing employment dislocations due to our changing national priorities; I am thinking particularly of returning Vietnam veterans as well as the out-of-work aerospace employee. We have a moral obligation to assist the veteran in making a smooth transition back into civilian employment, and a concomitant obligation to provide a mechanism for the person displaced by Federal contract termination or reduction to return to suitable gainful employment. MDTA programs are now doing these things.

The strong relationships that have been developed between the educational community and manpower and other agencies under the existing MDTA must be continued and strengthened. Undoubtedly, one of the benefits not foreseen by the designers of the MDTA in 1962 is the catalyzing effect the program has had on public education establishments. This is evidenced by shortened training times, expanded occupational offerings in secondary and postsecondary vocational programs, and by heightened awareness of the role supportive services must play in any education and training endeavor. Perhaps more than any other factor, MDTA paved the way for the 1968 amendments to the Vocational Education Act which greatly enhanced the flexibility of the Nation's vocational programs. This is not surprising as MDTA institutional training is largely in the hands of vocational edu-

cators who have devoted their energies to MDTA training and retraining programs. These individuals have figuratively had their feet in the two worlds of vocational education and manpower training, and, for this reason, have been effective change agents.

To conclude, the Manpower Training and Employment Act of 1971 which I am proposing, builds upon what many have described as a well-administered program, a program that practically runs itself. It does not seek to enshrine the MDTA in perpetuity, but rather contains essential and timely improvements over the existing MDTA. It provides for a public service employment program which acknowledges the stated objections of the administration to similar measures which have been proposed; it expends upon the principles of revenue sharing in manpower by further providing for the decentralization of manpower training programs to State and local governments; and, it would build upon, rather than destroy, the structures which have been operating effectively for the past 8 years and trained over a million people, and use the manpower instructional and administrative expertise developed at Federal, State, and local levels. For these reasons, and others, I advocate the changes reflected in the Manpower Training and Employment Act of 1971 which are effective and realistic compromises between the many and conflicting manpower measures now before this House.

Mr. Speaker, I include as a part of my remarks, a brief analysis of the major provisions of H.R. 8724, along with the text of the bill itself.

Statement of findings and purpose: Section 2 sets forth the basic purposes of the act—to provide occupational training to unemployed and underemployed individuals, to assist in the relief of skills shortages both in critical and in emerging occupations.

Manpower requirements, development, and evaluation: Title I establishes the National Manpower Advisory Council, and directs the Council to prepare an annual report pertaining to manpower requirements, resources, research, utilization, training and evaluation; it further sets forth provisions for evaluation, information, and research programs and for training and technical assistance.

Training and skill development programs: Title II describes the various manpower training services, and activities that may be conducted with assistance under this act, including the Job Corps now under the Economic Opportunity Act of 1964. It further sets forth the requirements for State participation under the act, including the establishment of State manpower advisory councils; provide for a comprehensive manpower planning system at the State level; establishes State apportionment of benefits; describes participant eligibility and allowance payments; and, sets forth the responsibilities of the Secretary of Health, Education, and Welfare and the Secretary of Labor.

Labor market information and employment development programs: Title III establishes a labor market information and job-matching program; career and employment development programs in both public and private agencies; career training through public service employment with public and private non-profit agencies; and, an emergency employment assistance program to provide relief to designated job-distressed areas.

Miscellaneous: Title IV contains provisions relating to the authority of the Secretary of Labor and the Secretary of Health, Education, and Welfare to enter into contracts, arrangements, or agreements to carry out the purposes of the act; maintenance of State effort for vocational education; appropriations, advance funding, limitation on the use of appropriated funds; acceptance of voluntary services; and, the effective and termination dates of the act.

The material referred to follows:

#### SECTION-BY-SECTION ANALYSIS OF THE MANPOWER TRAINING AND EMPLOYMENT ACT OF 1971

##### Section 2. Statement of Findings and Purpose

The Congress finds that there are critical needs for more and better trained personnel in vocational occupational categories; that technological developments have rendered the skills of many obsolete; that youth experience particular hardship in entering the labor force; that many youth and adults are underemployed; that many professional employees are in need of brief refresher or reorientation education courses to become qualified for other employment in their professions; that there are great unfilled needs in public service employment; that it is essential to link together and coordinate more effectively the efforts of governmental and public and private agencies in performing manpower services; that it is the intent to continue assistance to special racial, ethnic, cultural, and linguistic groups such as the Opportunities Industrialization Centers and SER and others; and, that it is therefore necessary to establish a comprehensive and coordinated manpower program to fulfill the identified needs.

#### TITLE I—MANPOWER REQUIREMENTS, DEVELOPMENT, AND EVALUATION

##### Section 101. National Manpower Advisory Council

The National Manpower Advisory Council shall be appointed by the President and shall consist of fifteen members. The duties of the Council include establishing national manpower goals, advising the Secretary of Labor and the Secretary of Health, Education, and Welfare concerning their duties under this Act, and reviewing and evaluating programs, services and activities conducted under this Act. The Council may obtain technical assistance and the services of professional, technical, and clerical staff necessary to the performance of its duties. In addition the President shall appoint a special assistant for manpower activities, advising the President on manpower and acting as liaison to the National Manpower Advisory Council. One per centum of the funds available for Title I are reserved for activities conducted under this section.

##### Section 102. Manpower Report

The National Manpower Advisory Council shall send an annual report pertaining to manpower requirements, resources, research, use, training, and evaluation to the Presi-

dent and to the Congress. The Manpower Report shall also include reports and recommendations from the Secretary of Labor and the Secretary of Health, Education, and Welfare concerning their responsibilities under the Act.

#### Section 103. Evaluation, Information, and Research

The Secretary of Labor shall evaluate the impact of technological progress and develop solutions to resultant problems; establish a program of factual studies of practices of employers and unions which tend to facilitate or impede the mobility of workers; appraise the adequacy of manpower efforts to meet the Nation's manpower needs; and promote, encourage, or directly engage in information programs. The Secretary of Labor and the Secretary of Health, Education and Welfare shall establish a program of experimental, developmental, demonstration and pilot projects for the purpose of improving techniques and demonstrating the effectiveness of specialized methods in meeting the manpower, employment, and education and training problems of worker groups. They shall also carry out a special program of supportive services including mobile employment service units, residential support, mobile health and education units, relocation payments, and follow-up services to families residing in rural areas. The Secretary of Health, Education, and Welfare shall arrange for research and investigations to further the education and training objectives of the Act and provide for a system of continuing evaluation of all training programs conducted with assistance under the Act.

#### Section 104. Training and technical assistance

The Secretary of Labor and the Secretary of Health, Education, and Welfare shall provide programs of training and technical assistance, including in-service training and staff development for organizations offering programs under the Act; the development and distribution of technical manuals, guides, and other resources; the establishment and operation of an information service to inform persons concerned with manpower programs and services about resources, techniques and concepts useful in the conduct of training under this Act; and, make special assignments of personnel to public or private agencies to provide technical assistance. Twenty-five per centum of the sums for Title I and two per centum of the sums for Titles II and III are available for training and technical assistance authorized by this section.

#### TITLE II—TRAINING AND SKILL DEVELOPMENT PROGRAMS

##### Part A—Manpower Training Programs and Services

#### Section 201. Programs, Services, and Activities

Programs, services, and activities under this title include but are not limited to basic education, outreach, counseling, recruitment, placement, and follow-up, prevocational orientation, institutional training, supportive services, work experience, part-time employment for students in grades nine through twelve, programs for persons in correctional institutions, programs for recent military separatees, programs for persons residing in redevelopment areas, upgrading persons who are underemployed, and retraining and refresher programs.

#### Section 202. Eligible Individuals

Priority for selection shall be given to unemployed or underemployed persons with special emphasis given to persons from poor families and individuals who are heads of households. Out-of-school individuals sixteen years of age or older shall be eligible for participation in programs authorized by the Act.

#### Section 203. Selection of Trainees

The Secretary of Labor shall establish standards and criteria for individuals eligible for participation and shall provide a program of testing, counseling and selection. Individuals meeting the established standards and criteria may also be referred for training by appropriate public and private agencies and organizations.

#### Section 204. Training allowances

Basic training allowances, equal to 40 times the minimum hourly wage with dependents' allowances are provided for full-time program participants who are not being compensated by an employer. Special allowance provisions are made for public assistance recipients, those under 18 years of age who are not heads of households, inmates of correctional institutions and persons engaged in employer-compensated on-the-job training or work experience. Training allowances may not be paid for a period of more than 104 weeks. Participants who successfully complete a program of not less than 15 weeks shall receive a completion bonus equal to twice the weekly allowances to which he is usually entitled.

#### Section 205. Comprehensive manpower plans

The Secretary of Labor and the Secretary of Health, Education, and Welfare shall enter into agreements with the Governor of each State under which a State Manpower Advisory Council shall develop and administer a comprehensive manpower plan for the State. Such agreement shall require long-range program planning, an annual program plan, the official designation of local planning areas, the establishment of procedures to coordinate all local area plans into a State plan; the use to the maximum extent feasible for all organizations which are capable of contributing to the program with priority given to skills centers and other programs operated by State or local education agencies; the establishment and operation of a data system; the conduct of manpower programs, services, and activities in accordance with rules, regulations, and procedures, and the evaluation of programs assisted under this Act. State Manpower Advisory Councils are authorized to obtain the services of professional, technical, and clerical personnel to enable them to carry out their function under this section. For the purposes of carrying out their function State Manpower Advisory Councils may receive from the Secretary of Labor and the Secretary of Health, Education, and Welfare an amount equal to 1 per centum of the State's apportionment but not more than \$300,000 nor less than \$150,000; except that for the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands, such amount shall not exceed \$50,000. Where a State fails to submit a comprehensive manpower plan or where a plan is disapproved, the Secretaries of Labor and of Health, Education, and Welfare shall jointly formulate and carry out a comprehensive manpower plan in such State.

#### Section 206. Apportionment of benefits

Eighty per centum of the sums for Part A of Title II shall be apportioned to the States, provided that no State shall be apportioned less than \$1,000,000 with the exception of the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands which shall receive \$100,000 each. Fifteen per centum of the funds may be expended by the Secretary of Labor to carry out the purposes of Title II and the remaining five per centum may be expended by the Secretary of Health, Education, and Welfare. The Secretary of Labor and the Secretary of Health, Education, and Welfare may make reapportionments provided that no funds are reapportioned prior to the end of the ninth month

of the fiscal year. States which have a comprehensive manpower plan approved by the Secretaries shall have the authority to approve all applications for programs and services that conform to the State plan.

#### Part B—Duties of the Secretary of Labor

##### Section 211. General responsibilities

The Secretary of Labor shall determine the skill requirements of the economy, promote and encourage the development of broad and diversified training programs and develop policies for the adequate occupational development and maximum use of the skills of the Nation's workers.

##### Section 212. State agreements

The Secretary of Labor is authorized to enter into an agreement with each State for the purpose of carrying out his functions and duties under this title.

##### Section 213. Rules and regulations

The Secretary of Labor shall prescribe such rules and regulations as he may deem necessary and appropriate to carry out his responsibilities under this Act.

#### Part C—Duties of the Secretary of Health, Education, and Welfare

##### Section 221. General responsibilities

The Secretary of Health, Education, and Welfare shall enter into agreements with States under which the appropriate State education agencies will undertake to provide training through public educational agencies or institutions or through arrangements with private educational or training institutions.

##### Section 222. Rules and regulations

The Secretary of Health, Education, and Welfare may prescribe such rules and regulations as he may deem necessary and appropriate to carry out his responsibilities under this Act.

#### Part D—Amendments and repeals affecting existing laws

##### Section 231

The Economic Opportunity Act of 1964, as amended, is further amended by repealing section 106, amending sections 115, 810 (a), and 833 (b).

Title I, part A of that Act is transferred to the Manpower Training and Employment Act of 1971, and new sections 241 and 251 are added.

##### Section 261

The Manpower Development and Training Act of 1962, as amended, is repealed.

Title I, part B of the Economic Opportunity Act of 1964, as amended, is repealed.

Title V, part A of the Economic Opportunity Act of 1964, as amended, is repealed.

#### TITLE III—LABOR MARKET INFORMATION AND EMPLOYMENT DEVELOPMENT PROGRAMS

##### Part A—Labor market information and job matching program

##### Section 301

The Secretary of Labor shall develop a comprehensive system of labor market information on a national, State, local or other basis including information regarding: the nature and extent of impediments to developing individual employment potential; job opportunities and skill requirements; labor supply in various skills; occupational outlook and employment trends; and, economic and business development and location trends.

##### Section 302. Job Matching Program

The Secretary of Labor shall develop and publish information on available job opportunities throughout the United States and develop a program for matching qualifications of unemployed, underemployed, and low-income persons with employment requirements and job opportunities.

**Section 303. Pilot Projects**

The Secretary of Labor shall develop and carry out pilot projects designed to assess and demonstrate the effectiveness of reducing unemployment of individuals and to increase the mobility of unemployed workers by providing assistance to meet their relocation expenses.

Loans or grants provided under this program shall be subject to such terms and conditions as the Secretary shall prescribe. Of the funds appropriated for a fiscal year to carry out this Act, not more than \$10,000,000 may be used for the purposes for such loans and grants.

**Section 304. Funds Authorized**

Not less than 2 per centum of the sums appropriated to carry out titles I, II, and III of the Act shall be available for carrying out the provisions of section 303.

**Part B—Career and employment development programs****Section 311**

The Secretary of Labor and the Secretary of Health, Education, and Welfare shall stimulate and assist job development programs that will serve to expand employment.

**Section 312. Career Training Through Public Service Employment**

The Secretary of Labor and the Secretary of Health, Education and Welfare shall carry out a program of training and career development under which federal, State and local government and public and private non-profit agencies provide jobs, services, education and training to unemployed and underemployed persons to meet State, county and other municipal needs for public services.

**Section 313. Financial Assistance**

The Secretary of Labor shall enter into arrangements with eligible applicants to make financial assistance available. Such assistance shall be available for a period of not more than 104 weeks.

**Section 314. Eligible Applicants**

Eligible applicants shall be units of Federal, State and general local government; and other public agencies and institutions; and non-profit hospitals and nursing homes and Indian tribes.

**Section 315. Applications**

Applications shall include provisions setting forth assurances that the activities will be administered by the applicant; a description of the area to be served; assurances that consideration will be given to filling jobs that provide sufficient prospects for advancement or suitable continuous employment; description of the methods to be used to recruit, select and orient participants; a description of the jobs to be filled; the wages or salaries to be paid participants; the education, training and services which complement the work performed; procedures for an annual review by an appropriate agency of the status of each person employed in a public service job under this title; and, such other assurances, arrangements, and conditions consistent with the provisions of this Act, as the Secretary of Labor and the Secretary of Health, Education, and Welfare deem necessary.

**Section 316. Approval of Applications**

An application may be approved if the Secretary of Labor with the concurrence of the Secretary of Health, Education, and Welfare determines that the application meets the requirements set forth in section 315; the approval request for funds does not exceed 80 per centum of the cost of carrying out the program; an opportunity has been provided to the Governor and the State Manpower Advisory Council to submit comments with respect to the application; and, an opportunity has been provided to officials of units of general government to submit comments to the Secretary.

**Section 317. Special Conditions**

The Secretary of Labor shall not provide financial assistance for any programs unless he determines that the program will result in an increase in employment opportunities and will not result in the displacement of currently employed workers; persons employed in a public service job shall be paid wages which shall not be lower than the Federal, State or local minimum wage or the prevailing rates of pay in the same labor market for persons employed in similar public occupations; and, persons participating in the programs will be assured of benefits at the same levels as other employees of the employer.

**Section 318. Arrangements for Technical Assistance**

Where training capabilities of the applicant do not meet the requirements established by the Secretary of Health, Education, and Welfare, he shall provide or arrange for technical assistance to the applicants.

**Section 319. Annual Review**

The Secretary of Labor and the Secretary of Health, Education, and Welfare shall conduct an annual review and evaluation of training programs funded under this Part and shall report their findings to the National Manpower Advisory Council.

**Part C—Emergency employment assistance****Section 321**

The Secretary of Labor in consultation with the Governor of a State shall give relief and designate labor areas as job distressed areas when there is an unusually high proportion of low income families or where there is substantial and persistent unemployment or underemployment.

**Section 322. Financial Assistance**

The Secretary of Labor shall enter into arrangements with the Governor of the State to make financial assistance available for the purpose of providing employment. Requests for funds shall not exceed 80 per centum of the cost of providing employment. Such assistance shall be available for a maximum period of 52 weeks; however, if the criteria of Section 321 are still met at that time, assistance may be extended for an additional 52 weeks.

Of the funds available for the purposes of carrying out Title III, not more than 20 per centum shall be available for carrying out programs authorized under this Part.

**Section 323. Applications**

Each application shall be submitted by the Governor of the State in such form and shall contain such assurances as the Secretary of Labor may prescribe.

**Section 324. Rules and Regulations**

The Secretary of Labor shall prescribe rules and regulations to assure that programs under this Part have adequate administrative controls, personnel standards, evaluation procedures, and other policies as may be necessary to promote the effective use of funds.

**TITLE IV—MISCELLANEOUS****Section 401. Maintenance of State Effort**

No training program financed by the Federal Government under this Act shall be approved unless the Secretary of Health, Education, and Welfare has satisfied himself that neither the State nor the locality in which training is carried out has reduced or is reducing its level of expenditure for vocational education and training.

**Section 402. Other Agencies and Departments**

The Secretary of Labor and the Secretary of Health, Education, and Welfare shall use the available services or facilities of other agencies and instrumentalities of the Federal Government.

**Section 403. Appropriations Authorized**

For the fiscal year ending June 30, 1972 there is authorized to be appropriated: \$75,000,000 for title I; \$450,000,000 for part A of title II; \$75,000,000 for parts B and C of title II; \$115,000,000 for part D of title II; \$300,000,000 for title III; and \$2,000,000 for title IV.

Such amounts as may be necessary are authorized for subsequent fiscal years.

**Section 404. Advance Funding**

Appropriations for carrying out this Act are authorized to be included in the appropriation for the fiscal year preceding the fiscal year for which they are available for obligation.

**Section 405. Limitations on the Use of Appropriated Funds**

Funds appropriated under this Act may be transferred with the approval of the Office of Management and Budget between departments and agencies of the Government if such funds are used for the purposes for which they are specifically authorized. The Secretary of Labor and the Secretary of Health, Education, and Welfare are authorized to accept and use in carrying out the provisions of this Act funds appropriated to carry out other Federal statutes if such funds are used for the purposes for which they are specifically authorized and appropriated. Any equipment and teaching aids purchased by a State or local education agency with funds appropriated to carry out the provisions of part A of title II shall become the property of the State upon certification of the Secretary of Health, Education, and Welfare that they are no longer needed for instructional programs authorized by this Act. No portion of the funds to be used under part A, title II shall be appropriated directly or indirectly to the purchase, erection, or repair of any building.

Funds appropriated under this Act shall remain available for one fiscal year beyond that in which appropriated.

**Section 406. Authority to Contract**

The Secretary of Labor and the Secretary of Health, Education, and Welfare may make grants, contracts, or agreements, establish procedures, and make payments, or otherwise allocate or expend funds made available under this Act as they deem necessary to carry out the provisions of this Act.

**Section 407. Acceptance of Voluntary Services**

The Secretary of Labor and the Secretary of Health, Education, and Welfare may accept voluntary and uncompensated services in carrying out their responsibilities under this Act.

**Section 408. Definition**

For the purpose of this Act, the term "State" includes the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands.

**Section 409. Effective Date; Transition Provisions**

This Act shall take effect July 1, 1971. Notwithstanding the repeals made by Section 231, the Secretary of Labor and the Secretary of Health, Education, and Welfare may continue to use the authority provided in such repealed provisions of law for such period of time as may be necessary, but not in excess of two years beyond the effective date of this Act.

**Section 410. Termination of Authority**

All authority conferred under title II of this Act shall terminate at the close of June 30, 1975.

H.R. 8724

A bill relating to manpower requirements, resources, development, utilization, and evaluation, and for other purposes

*Be it enacted by the Senate and House of Representatives of the United States of*

*America in Congress assembled*, That this Act may be cited as the "Manpower Training and Employment Act of 1971".

#### STATEMENT OF FINDINGS AND PURPOSE

Sec. 2. The Congress finds that there is critical need for more and better trained personnel in many vital occupational categories, including professional, scientific, technical, and apprenticeable categories; that even in periods of high unemployment, many employment opportunities remain unfilled because of the shortages of qualified personnel; and, that it is in the national interest that current and prospective manpower shortages be identified and that persons who can be qualified for these positions through education and training be sought out and trained as quickly as possible. In addition, improved training and employment opportunities are vital to developing capacity for self-support by public assistance recipients, and the manpower system must assume special responsibility and accountability for training, placing, and upgrading these persons.

The Congress further finds that the skills of many persons have been rendered obsolete by dislocations in the economy arising from technological developments, foreign competition, relocation of industry, shifts in market demands, and other changes in the structure of the economy. With additional education and training, many of these persons could make a greater contribution to the national economy and share more fully in its benefits.

The Congress further finds that the problem of assuring sufficient employment opportunities will be compounded by the extraordinarily rapid growth of the labor force in the next decade, particularly by the entrance of young people into the labor force, that improved planning and expanded efforts will be required to assure that men, women, and young people will be trained and available to meet shifting employment needs; that in order to become qualified for reemployment or full employment many persons now unemployed or underemployed must be assisted in providing themselves with skills that are or will be in demand in the labor market; that the skills of many persons now employed are inadequate to enable them to make their maximum contribution to the Nation's economy; and, that it is in the national interest that the opportunity to acquire new skills be afforded to these people with the least delay in order to alleviate the hardships of unemployment, reduce the costs of unemployment compensation and public assistance, and to increase the Nation's productivity.

The Congress further finds that many professional employees who have become unemployed because of the specialized nature of their previous employment are in need of brief refresher or reorientation education courses in order to become qualified for other employment in their professions.

The Congress further finds that there are great unfilled public needs in such fields as health, recreation, housing, neighborhood improvement and public safety, maintenance of streets, parks, and other governmental facilities, rural development, transportation, beautification, conservation, and other fields of human betterment and public improvement and that to meet these urgent public needs it is necessary to devote greater resources to public service and to expand public service employment at various levels.

The Congress further finds that it is essential to link together and coordinate the efforts of Federal, State, and local public and private agencies involved in performing manpower services; to develop new approaches for improved services and changes in traditional organizational patterns used to assist economically disadvantaged and insufficiently trained individuals; and to coordinate the Nation's manpower needs and

services as closely as possible with economic development, transportation planning, new residential housing, and other factors related to the development of new job opportunities.

The Congress further finds that technical, financial, and educational support provided to heretofore disadvantaged ethnic, racial, cultural, and linguistic groups, such as but not limited to that under the provisions of the Manpower Development and Training Act of 1962, as amended, to the Opportunity Industrialization Centers of SER, shall be continued under the intent and provisions of this Act.

It is therefore the purpose of this Act to require the Federal Government to appraise the manpower requirements and resources of the Nation; to develop and to apply the information and methods needed to deal with the problems of unemployment and underemployment; to develop new approaches for improved manpower services; and, to establish a comprehensive and coordinated manpower program, designed to provide greater opportunities for education, training, and related services necessary to assist individuals in developing their full economic and occupational potential, involving the efforts of all sectors of the economy and appropriate agencies at all levels of government.

#### TITLE I—MANPOWER REQUIREMENTS, DEVELOPMENT, AND EVALUATION

##### NATIONAL MANPOWER ADVISORY COUNCIL

SEC. 101. (a) The President, after consultation with the Secretary of Labor, the Secretary of Health, Education, and Welfare, and the Director of the Office of Economic Opportunity, shall appoint a National Manpower Advisory Council.

(b) The National Manpower Advisory Council shall consist of fifteen members and shall be appointed, without regard to the civil service laws, for terms of three years, except that (1) in the case of initial members, five shall be appointed for terms of one year each and five shall be appointed for terms of two years each, and (2) appointments to fill vacancies shall be only for such terms as remain unexpired. The Council shall include persons representative of labor, management, agriculture, public and private education, vocational education and rehabilitation, and manpower programs. The Council shall meet at the call of the Chairman, who shall be selected by the President, but not less than three times a year.

(c) The Council shall:

(1) establish national manpower goals and develop appropriate standards for programs and services designed to meet such goals;

(2) advise the Secretary of Labor and the Secretary of Health, Education, and Welfare concerning the administration of, preparation of general regulations for, and operation of manpower programs and services supported with assistance under this Act;

(3) review the administration and operation of manpower training, services, and other activities provided under this Act, including the effectiveness of such programs and services in meeting the purposes for which they are established and operated, make recommendations with respect thereto (including recommendations for changes in the provisions of this Act and related manpower Acts), and make an annual report of its findings and recommendations as provided in section 102 of this Act; and

(4) conduct independent evaluations of programs carried out under this and related manpower Acts and publish and distribute the results thereof.

(d) Members of the Council who are not regular full-time employees of the United States shall, while serving on the business of the Council, be entitled to receive compensation at rates fixed by the President, but not in excess of \$100 per day, including traveltime; and, while so serving away from their homes or regular places of busi-

ness, they may be allowed travel expenses including per diem in lieu of subsistence, as authorized by section 5703 of title 5 of the United States Code for persons in Government service employed intermittently.

(e) The Council is authorized, without regard to the civil service laws, to engage such technical assistance as may be required to carry out its functions; to obtain the services of such full-time professional, technical, and clerical personnel as may be required in the performance of its duties; and to contract for such assistance as may be necessary, and to this end not to exceed one per centum of the sums appropriated in any fiscal year to carry out title I of this Act shall be available only for the activities authorized by this section.

(f) The President shall appoint a special assistant for manpower to serve on his staff; to coordinate the manpower activities of the various Federal departments, agencies, and commissions; to act as liaison with the National Manpower Advisory Council; to act as the President's principal advisor on manpower; and to report and to make recommendations to the President and to the Congress on the manpower implications of the Federal budget and manpower programs generally.

##### MANPOWER REPORT

SEC. 102. The National Manpower Advisory Council shall transmit to the President and to the Congress within sixty days after the beginning of each regular session (commencing with the year 1972) a report pertaining to manpower requirements, resources, research, utilization, training, and evaluation. Such report shall include a complete and full report of the activities, findings, and recommendations of the Secretary of Labor and the Secretary of Health, Education, and Welfare in respect to their responsibilities under this Act; and, the findings and recommendations of the Council (including recommendations for changes in the provisions of this and related manpower Acts).

##### EVALUATION, INFORMATION, AND RESEARCH

SEC. 103. To assist the Nation in furthering technological progress while avoiding or minimizing individual hardship and widespread unemployment and to assist in expanding work opportunities and assuring access to those opportunities for all who desire them, (a) the Secretary of Labor shall:

(1) evaluate the impact of, and benefits and problems created by technological progress, and other changes in the structure of production and demand on the use of the Nation's human resources; establish techniques and methods for detecting in advance the potential impact of such developments; develop solutions to these problems, and publish findings pertaining thereto;

(2) establish a program of factual studies of practices of employers and unions which tend to facilitate the mobility of workers or which impede mobility, including but not limited to early retirement and vesting provisions and practices under private compensation plans; the extension of health, welfare, and insurance benefits to laid-off workers; the operation of severance pay plans; and, the use of both extended and short-term leave plans for education and training purposes. A report of these studies shall be included as part of the National Manpower Advisory Council's report required under section 102;

(3) appraise the adequacy of the Nation's manpower development efforts to meet foreseeable manpower needs and recommend needed adjustment to the National Manpower Advisory Council, including methods for promoting the most effective occupational use of and providing useful work experience and training opportunities for untrained and inexperienced youth; and,

(4) promote, encourage, or directly engage in programs of information and communication concerning manpower requirements, de-

velopment, and utilization, including prevention and amelioration of undesirable manpower effects from automation and other technological developments and improvement of the mobility of workers.

(b) The Secretary of Labor and the Secretary of Health, Education, and Welfare shall establish:

(1) a program of experimental, developmental, demonstration, and pilot projects, through grants to or contracts with public or private nonprofit organizations or agencies or through contracts with other private organizations for the purpose of improving techniques and demonstrating the effectiveness of specialized methods in meeting the manpower, employment, and education and training problems of worker groups such as the long-term unemployed, disadvantaged youth, displaced older workers, the handicapped, members of minority groups, veterans returning to civilian employment, and other similar groups. In carrying out this paragraph the Secretaries shall, where appropriate, consult with the Secretaries of Commerce and Housing and Urban Development and the Director of the Office of Economic Opportunity and other agencies. Where programs under this paragraph require institutional training, including but not limited to basic education, employability and communications skills, prevocational training, vocational and technical programs, and supplementary or related instruction for on-the-job training whether conducted at the job site or elsewhere, appropriate arrangements for such training shall be made by the Secretary of Health, Education, and Welfare in consultation with the Secretary of Labor. They shall also seek the advice of consultants with respect to the standards governing the adequacy and design of proposals, the ability of applicants, and the priority of projects in meeting the objectives of this Act.

(2) a special program of supportive services to families residing in rural areas provided that such services are necessary to (1) participate in education and training programs authorized under this Act or (2) obtain employment. Such special supportive services may include but are not limited to:

(a) a special program of mobile employment service units to provide recruitment, counseling, and referral to education and training programs or employment for persons residing in rural areas;

(b) residential support for those persons referred to education and training programs when such programs are offered beyond a reasonable commuting distance from the person's home;

(c) a special program of mobile health and education units to provide counseling, health and hygiene education and referral of persons requiring health care to appropriate agencies for such service;

(d) relocation payments and other special services as needed to assist unemployed individuals and their families to relocate to another area where a suitable job has been located; such assistance shall be limited to those persons who have participated in education or training programs offered under this Act before relocation or to those who have been accepted for on-the-job training with a reasonable expectation of continued employment upon completion of the on-the-job training by the employer;

(e) a special program of follow-up services of up to one year, to heads of households who have participated in programs authorized under this Act and who have relocated in order to obtain full time employment; such services shall be established to assist families in adjusting to a new socio-economic environment and may include, but are not limited to problems of a health, education, housing or family financial nature; and,

(f) in addition to those special supportive services, participants shall be eligible for other education, training and manpower services authorized under this Act.

(c) To further assess the effectiveness of various methods and approaches used in carrying out the purposes of the Act, the Secretary of Health, Education, and Welfare, after consultation with the Secretary of Labor, shall:

(1) arrange, through grants or contracts for the conduct of such research and investigations as give promise of furthering the education and training objectives of this Act; and

(2) provide, either directly or through grants or contracts for a system of continuing evaluation of all training programs conducted by public and private schools and training agencies and organizations, with assistance under this Act, including their impact on communities and participants, their implication for related programs, the effectiveness of various methods and materials and the adequacy of their mechanism for the delivery of services and report the findings, including recommendations for corrective actions and their implications, of such evaluation to the National Manpower Advisory Council.

#### TRAINING AND TECHNICAL ASSISTANCE

SEC. 104. (a) In carrying out the provisions of this Act, the Secretary of Labor and the Secretary of Health, Education, and Welfare shall provide, directly or through grants, contracts, or other arrangements, training for specialized or other personnel and technical assistance, which are needed in connection with the programs established under this Act or which otherwise pertain to the purposes of this Act, including the provision of training and technical assistance to designated State and Area Manpower Advisory Councils. The Secretaries shall:

(1) plan for, establish, and maintain a program of training, including but not limited to in-service training and staff development, and technical assistance to public and private agencies, institutions, and employers in order to assist such organizations in sponsoring or operating programs more effectively and providing services under this Act, in the most effective and efficient manner possible;

(2) provide for the development and distribution of technical manuals, guides and other resources in order to assure the early dissemination of information concerning advances or improved techniques, developed both as a result of this Act and through other sources, related to manpower training, services, and activities and their delivery;

(3) shall plan, establish, and operate, directly or through contract, an information service, to make available to agencies, organizations, and other groups and persons concerned with manpower programs and services, information on resources, techniques, and concepts useful in the conduct of training programs under this Act. Such information shall include that derived from research, experimental and demonstration programs, and the evaluated experience of Federal, State, and local operations. The information shall be so designed as to be helpful in the establishment and improvements of training programs and related activities covered under titles I, II, and III of this Act; and,

(4) make, upon appropriate request, the special assignment of personnel to public or private agencies and employers to provide technical guidance with regard to programs funded under this Act, but no such assignments shall be for a period of more than two years.

(b) Twenty-five per centum of the sums appropriated in any fiscal year to carry out title I in addition to two per centum of the

sums appropriated in any fiscal year to carry out titles I, II, and III of this Act shall be available only for training and technical assistance authorized by this section. In carrying out the purposes of this section, 50 per centum of the sums available shall be for the use of the Secretary of Labor and the remaining 50 per centum shall be for the use of the Secretary of Health, Education, and Welfare: *Provided*, That the use of such sums is jointly planned to avoid unnecessary duplication and waste.

#### TITLE II—TRAINING AND SKILL DEVELOPMENT PROGRAMS

##### PART A—MANPOWER TRAINING PROGRAMS AND SERVICES

###### PROGRAMS, SERVICES, AND ACTIVITIES

SEC. 201. The programs, services, and activities for which funds under this title may be expended shall include, but are not limited to the following:

(1) basic education, literacy training, communications and computation skills, and high school equivalency programs, which will assist individuals to become more employable or facilitate their participation in occupational training;

(2) outreach, counseling, testing, recruitment, referral to work or to training, placement, and followup services necessary to assist individuals to achieve success in employment;

(3) prevocational orientation to introduce those of limited experience to alternative occupational choices;

(4) institutional training, including cooperative occupational training programs, and on-the-job training for unemployed individuals and underemployed individuals, including training of employed workers for the purpose of upgrading their skills and improving the use of available manpower;

(5) supportive services, including health, minor medical and dental services, physical examinations, the furnishing of prosthetic devices, child care, referral for family counseling, legal services, uniforms and tools required for entry level employment in occupations designated by the Secretary of Labor, bonding, licensing and credentialing fees when required for employment within the area of training, relocation subsistence payments to assist individuals and their families who must move to another area in order to receive training or become employed after training, and other special services, including residential support, deemed necessary to assist individuals to become more employable or facilitate their participation in programs assisted under this title;

(6) work experience for unemployed and disadvantaged individuals, including the performance of socially useful work in public and private agencies or organizations in the fields of health, public safety, education, recreation, streets, parks, and municipal maintenance, housing and neighborhood improvement, conservation and rural development, beautification, and other fields of human betterment and community improvement, including the establishment, operation, or strengthening of any such program;

(7) part-time employment, on-the-job training, or useful work experience for students in ninth through twelfth grades (and youths of equivalent ages) to assist them in remaining in or returning to school; and, with such employment opportunities developed in consultation with education authorities to enhance, to the extent feasible, the educational growth of such students;

(8) appropriate education, training, and related manpower services for persons in correctional institutions to assist them in obtaining suitable employment upon release, including the provision of such programs and after release from correctional institutions

as special programs designed to aid in the rehabilitation process;

(9) appropriate education, training, and related manpower services for persons who have recently been or will shortly be separated from military service;

(10) appropriate education, training, and related manpower services for unemployed and underemployed persons residing in areas designated as redevelopment areas by the Secretary of Commerce under the Area Redevelopment Act or any subsequent Act authorizing such designation.

(11) appropriate education, training, and supportive services, including career restructuring and development, for upgrading persons who are unemployed or underemployed in respect to skill level or hours of employment; and,

(12) retraining and refresher programs of education, training and supportive services for persons, including professionals, paraprofessionals, and others, who are unemployed or will be unemployed because of the specialized nature of their previous employment, because of technological, economic, or other changes in the economy and who need such programs and services to prepare them for employment for an occupation compatible with their previous education and skills.

#### ELIGIBLE INDIVIDUALS

SEC. 202 (a) Priority for selection shall be given to those unemployed or underemployed persons who cannot reasonably be expected to secure appropriate full-time employment without education and training.

(b) Special emphasis shall be given to the employment and training needs of persons who are from poor families using as an index of poverty the minimum income per household of a given size, composition, and farm or nonfarm status, as set forth by the Social Security Administration.

(c) Priority in providing training and employment opportunities among eligible persons shall be given to individuals who are heads of households. For purposes of this Act, the term "head of household" shall include any person who contributes more than one-half the support of one or more other persons.

(d) Out of school individuals sixteen years of age or older shall be eligible for participation in programs authorized by the Act: *Except*, That individuals less than 16 years of age shall be eligible for participation only in programs authorized in section 201(7).

#### SELECTION OF TRAINEES

SEC. 203. (a) The Secretary of Labor shall establish standards and criteria for individuals eligible for participation in programs, services, and activities authorized by the Act. The Secretary shall provide a program for testing, counseling, and selection for the determination of eligibility for participation: *Except*, That individuals meeting the established standards and criteria may be referred to training by appropriate public and private agencies and organizations. Upon certification from the responsible training agency the Secretary of Labor shall make provisions for training and subsistence allowances and transportation allowances as may be appropriate.

(b) The selection of persons for training and services under this Act and for placement shall not be contingent upon such person's membership or nonmembership in a labor organization.

(c) Persons shall not be referred for training in an occupation which requires less than two weeks training, unless there are immediate employment opportunities in such occupation.

#### TRAINING ALLOWANCES

SEC. 204. (a) The Secretary of Labor may, on behalf of the United States, enter into agreements with States under which the Secretary of Labor shall make payments to

such States either in advance or by way of reimbursement for the purpose of enabling such States, as agents for the United States, to make payment of weekly allowances to persons selected for training pursuant to the provisions of section 203 and undergoing such training in a program operated pursuant to the provisions of the Act.

(b) For the purpose of this section, a basic allowance shall be equal to 40 times the minimum hourly wage provided in section 6(a)(1) of the Fair Labor Standards Act of 1938, as amended: *Provided*, That such basic allowance through June 30, 1972, in any State shall not be less than the amount of the average weekly gross unemployment compensation payment (including allowances for dependents) during the calendar year 1969 for a week of total unemployment in such State.

(c) For the purposes of this section, a dependent's allowance shall equal \$5 per week for each dependent, to a limit of six dependents.

(d) Persons, except those specified in subsection (c), who are participating on a full-time basis in the following programs, (1) institutional training or, (2) other manpower development activities which are not compensated by an employer or subject to subsections (h) or (i); shall receive a basic allowance plus a dependent's allowance for his dependents as specified in subsection (c) for each week of full-time participation: *Except*, That no individual shall receive allowances under this subsection that are less than the unemployment compensation (including allowances for dependents) to which such persons would be entitled under any Federal or State employment compensation law if he were not participating in such activity.

(e) The following participants in full-time institutional training or other manpower development activities described in subsection (d) shall not be entitled to allowances provided in subsection (d):

(1) A public assistance recipient under programs assisted under titles I, IV, X, XIV, and XVI of the Social Security Act, who shall be paid, in addition to any public assistance payments to which he may be entitled, incentive payments of not more than \$10 per week under regulations prescribed by the Secretary of Labor.

(2) A participant who is under eighteen years of age, or who is not the head of a household as defined in Section 202(c) of this Act. Such participant shall receive a suitable weekly allowance, determined in accordance with rules prescribed by the Secretary of Labor, but not to exceed the basic allowance prescribed in subsection (b): *Provided*, That any allowance under this paragraph shall not be less than the unemployment compensation (including allowances for dependents) to which such person would be entitled under any Federal or State unemployment compensation law if he were not participating in such activity. An individual who is not subject to this paragraph at the commencement of the period shall not become subject thereto until the completion of such period.

(3) A participant receiving unemployment compensation under any Federal or State unemployment compensation law. Such participant shall receive for each week of training, allowances equal to the difference between (1) any allowance to which he would otherwise be entitled under subsections (d) or (e) of this section and (2) the unemployment compensation (including allowances for dependents) which he received for such week.

(4) A participant engaged in employer-compensated on-the-job training or work experience assisted under this title. The allowances of such participants shall be computed in accordance with subsections (d) or (e), as appropriate, and shall be reduced in

accordance with rules and regulations prescribed by the Secretary of Labor, which shall take into account the hours of such work experience or on-the-job training and the amount of compensation therefor.

(5) A participant who is an inmate of a correctional institution. The allowances of such participants shall be computed in accordance with regulations prescribed by the Secretary of Labor.

(f) A participant engaged in the activities described in subsection (d) on less than a full-time basis shall receive a reduced basic allowance computed in accordance with regulations prescribed by the Secretary, and a dependent's allowance if participation is in excess of twenty hours each week. Public assistance recipients shall receive an incentive payment as provided in subsection (e). Such reduced basic allowance shall be computed taking into account: (1) the hours of participation in such activity; (2) the allowance to which he would be entitled under subsections (d) or (e) if he were engaged in training on a full-time basis; (3) compensated work experience or on-the-job training assisted under this title in which the participant is engaged; and, (4) unemployment compensation that the participant is receiving.

(g) No allowance under subsection (d), (e), or (f) of this section may be paid for any portion of a training period that extends beyond one hundred and four weeks.

(h) Workers in programs providing work experiences under this Act shall be compensated at a rate not less than the applicable minimum wage rate, but in no case less than the wage prescribed by section 6(b) of the Fair Labor Standards Act.

(i) Workers engaged in employer-compensated on-the-job training under this Act shall be compensated at a rate not less than the higher of (1) the applicable minimum wage rate, or (2) the prevailing wage paid to workers of like experience performing similar work in the locality.

(j) A participant undertaking training or work-experience or other manpower development activity described in subsection (d) on either a full-time or part-time basis, shall receive allowances for transportation and subsistence in addition to the applicable training allowance or wage. The amount of allowances provided under this subsection shall be determined in accordance with regulations prescribed by the Secretary of Labor.

(k) A participant who has successfully completed a program of full-time participation of not less than fifteen weeks duration in institutional training or other manpower development activities described in subsection (d) shall receive, upon completion of his period of participation, a completion bonus which shall be equal to twice the allowance to which he is entitled under (d) or (e) for his last week of full-time participation during such period.

(l) Upon certification by the responsible training agency that a person who has been referred for training does not have a satisfactory attendance record or is not making satisfactory progress in such training, the Secretary of Labor shall forthwith terminate his training and subsistence allowances, and his transportation allowances except such as may be necessary to enable him to return to his regular place of residence after termination of training, and withdraw his referral.

#### COMPREHENSIVE MANPOWER PLANS

SEC. 205. (a) The Secretaries of Labor and Health, Education, and Welfare shall jointly enter into an agreement with the Governor of each State under which a State Manpower Advisory Council will develop and administer a comprehensive manpower plan for the State. Such council shall be appointed by the Governor with the approval of the Secretaries and shall consist of representatives of

the appropriate State agencies concerned with manpower programs and services, including the State education agency and the State employment service, and representatives of labor, management, rehabilitation, public and private agencies active in the manpower field and the public. Each such agreement shall:

(1) require each comprehensive manpower plan to set forth a long-range plan for programs and services to be carried on with assistance provided by this Act, for the State as a whole and by local planning area, extending over three years beginning with the fiscal year for which the comprehensive manpower plan is submitted, describing the present and projected needs for programs and services provided for in this Act, and setting forth the long-range program objectives;

(2) require each comprehensive manpower plan to set forth an annual program plan, for the State as a whole and by local planning area, which describes the content of, and allocation of Federal and State funds to programs, services, and activities to be carried out under the plan during the year for which Federal funds are sought, designates the agencies and organizations which shall carry out the plan and indicates how and to what extent such programs, services, and activities will carry out the program objectives set forth in the long-range program plan;

(3) require each State to officially designate its local planning areas, which shall include provisions for representation of all geographic areas within the State, and which shall be reviewed and approved by the Secretaries;

(4) require the establishment of Area Manpower Advisory Councils of the same membership and composition as the State Manpower Advisory Council: *Except*, That all Mayors within the planning area shall be represented on the Council, such Councils shall be appointed under such procedures as are established by the State Manpower Advisory Council and which have been approved by the Governor and by the Secretaries;

(5) require the establishment of procedures to coordinate all local area plans into a State plan, to provide for circumstances where a local area fails to submit a plan, and to provide for appeal by Area Manpower Advisory Councils to the Secretaries: *Provided*, That such procedures shall be reviewed and approved by the Secretaries;

(6) require the use to the maximum extent feasible of public and private profit and nonprofit agencies and organizations, and of all the State and local agencies and organizations, which are capable of contributing to the program, with priority given to skills centers and other education and training programs operated or arranged through State and local education agencies;

(7) require the establishment and operation of a data system that will provide, in readily accessible form, statistical information sufficient to enable evaluation of the effectiveness of programs carried out under the plan and to determine means of improving their effectiveness;

(8) provide for the conduct of manpower programs, activities, and services in accordance with procedures, standards, and regulations established under the provisions of this Act;

(9) provide for the evaluation of programs, activities, and services assisted under this Act, and the publication and distribution of such reports including recommendations as to their effectiveness;

(10) provide for the distribution of funds to State Manpower Advisory Councils, Area Manpower Advisory Councils, and agencies and organizations providing programs, services, and activities under an approved plan; and

(11) provide for regularly scheduled meetings of the State manpower advisory council including the assurance that not less than one public meeting of the State manpower advisory council is held each year at which the public is given the opportunity to express views concerning manpower training, programs, and services.

(b) State manpower advisory councils are authorized to obtain the services of such professional, technical, and clerical personnel as may be necessary to enable them to carry out their functions under this section and to contract for such services as may be necessary to enable them to carry out their evaluation functions.

(c) From the sums appropriated pursuant to section 206(a) for any fiscal year, the Secretary of Labor and the Secretary of Health, Education, and Welfare are authorized to pay to each State manpower advisory council an amount equal to the reasonable amounts expended by it in carrying out its functions under the Act in such fiscal year, except that the amount available for such purpose shall be equal to 1 per centum of the State's apportionment under section 206(a), but such amount shall not exceed \$300,000 and shall not be less than \$150,000; *Except*, That for the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands, such amount shall not exceed \$50,000 each.

(d) Where a State fails to submit a comprehensive manpower plan to the Secretaries within a reasonable time, or the Secretaries disapprove such a plan under the authority of subsection (e) of this section, the Secretaries of Labor and of Health, Education, and Welfare taking into consideration such local area plans as may have been developed, shall jointly formulate and carry out a comprehensive manpower plan in such State. Such program shall meet the requirements of the Act applicable to plans submitted by States; *Except*, That where the Secretaries have discontinued payments with respect to a portion of a plan under subsection (e) of this section, the program that they carry out directly shall provide the same types of programs, services, and activities as provided in the portion of the plan with respect to which payments were discontinued. In carrying out this section where a State has failed to submit a plan or the Secretaries have disapproved it, the State's apportionment may be used by the Secretaries to carry out a program in that State. In carrying out this section where the Secretaries have discontinued payments, the sums withheld may be used by the Secretaries.

(e) When the Secretary of Labor and the Secretary of Health, Education, and Welfare after reasonable notice and opportunity for a hearing to the Governor of the State that submitted a plan; finds: (1) that the plan has been so changed that it no longer complies with the requirements of the Act, or to the standards and guidelines prescribed pursuant to the Act; or (2) that in the administration of the plan there is a failure to comply substantially with any such requirement; the Secretaries of Labor and of Health, Education, and Welfare shall notify the Governor that no further payments will be made with respect to such plan (or in their discretion, further payments with respect thereto will be limited to portions thereof not affected by such failure), until they are satisfied that there will no longer be any failure to comply. Until they are so satisfied, the Secretaries shall make no further payments with respect to such plan (or shall limit payments to portions thereof not affected by such failure).

(f) The Secretaries of Labor and of Health, Education, and Welfare shall, in consultation with and with the concurrence of the National Manpower Advisory Council, prescribe such standards, rules, and regula-

tions as they may deem necessary and appropriate to carry out the provisions of this part.

#### APPORTIONMENT OF BENEFITS

SEC. 206. (a) For the purpose of effecting an equitable apportionment of Federal expenditures among the States in carrying out the programs authorized under part A of title II of this Act, the Secretary of Labor and the Secretary of Health, Education, and Welfare shall apportion 80 per centum of the funds available for such purposes in accordance with uniform standards and in arriving at such standards shall consider only the following factors: (1) the proportion which the labor force of a State bears to the total labor force of the United States; (2) the proportion which the unemployed in a State during the preceding calendar year bears to the total number of unemployed in the United States in the preceding calendar year; (3) the proportion which poor individuals residing in the State bear to the total number of poor individuals of the United States; (4) the proportion which the insured unemployed within a State bears to the total number of insured employed within such State; but in no event shall any State be apportioned less than \$1,000,000; *Except*, That for the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands, such amount shall be \$100,000 each.

(b) Fifteen per centum of the funds appropriated to carry out the purposes of part A of title II may be expended by the Secretary of Labor as he finds necessary or appropriate to carry out the purposes of title II: *Provided*, That where such programs require institutional training, the Secretary of Health, Education, and Welfare shall agree to arrangements for such training.

(c) Five per centum of the funds appropriated to carry out the purposes of part A of title II may be expended by the Secretary of Health, Education, and Welfare as he finds necessary or appropriate to carry out the purposes of title II: *Provided*, That prior to the development of preemployment training the Secretary of Labor shall concur that there is reasonable expectation of employment for such persons entering training.

(d) The Secretary of Labor and the Secretary of Health, Education, and Welfare are authorized to make reapportionments from time to time where the total amounts apportioned under this section have not been fully obligated in a particular State, or where the State or appropriate agencies in the State have not entered into the necessary agreements, and the Secretaries find that any other State is in need of additional funds to carry out the programs authorized by this Act: *Provided*, That no funds apportioned with respect to a State in any fiscal year shall be reapportioned before the expiration of the ninth month of such fiscal year and only upon fifteen days prior notice to such State of the proposed reapportionment.

(e) Where the Secretaries of Labor and Health, Education, and Welfare have approved a comprehensive manpower plan developed and submitted in accordance with the provisions of section 205 of this part, the State shall have authority to approve all applications for programs and services that conform to such State plan.

#### PART B—DUTIES OF THE SECRETARY OF LABOR

##### GENERAL RESPONSIBILITIES

SEC. 211. In carrying out the purposes of this Act, the Secretary of Labor shall determine the skill requirements of the economy, develop policies for the adequate occupational development and maximum use of the skills of the Nation's workers, promote and encourage the development of broad and diversified training programs, including on-the-job training, designed to qualify for employment the many persons who cannot

reasonably be expected to secure full-time employment without such training, and to equip the Nation's workers with the new and improved skills that are or will be required. Whenever appropriate, the Secretary of Labor shall coordinate and provide for combinations of programs, to be pursued concurrently or sequentially, under this Act with programs under other Federal Acts, where the purposes of this Act would be accomplished thereby.

#### STATE AGREEMENTS

SEC. 212. (a) The Secretary of Labor is authorized to enter into an agreement with each State, or with the appropriate agency of each State, pursuant to which the Secretary of Labor may, for the purpose of carrying out his functions and duties under this title, use the services of the appropriate State agency, and, notwithstanding any other provision of law, may make payments to such State or appropriate agency for expenses incurred for such purposes.

(b) Any agreement under this section may contain such provisions as will promote effective administration, protect the United States against loss and insure that the functions and duties to be carried out by the appropriate State agency are performed in a manner satisfactory to the Secretary.

#### RULES AND REGULATIONS

SEC. 213. The Secretary of Labor shall prescribe such rules and regulations as he may deem necessary and appropriate to carry out his responsibilities under this Act.

#### PART C—DUTIES OF THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE

##### GENERAL RESPONSIBILITIES

SEC. 221. The Secretary of Health, Education, and Welfare shall, pursuant to the provisions of this title enter into agreements with States under which the appropriate State education agencies will undertake to provide training to equip persons referred to the Secretary of Health, Education, and Welfare pursuant to section 203. Such State agencies shall provide for such training through public educational agencies or institutions or through arrangements with private educational or training institutions where such private institutions can provide equipment or services not available in public institutions, particularly for training in technical and subprofessional occupations, for training the disadvantaged, or where such institutions can, at comparable cost, (1) provide substantially equivalent training, or (2) make possible an expanded use of the individual referral method, or (3) aid in reducing more quickly unemployment or current and prospective manpower shortages. Such agreements shall contain such other provisions as will promote effective administration (including provisions (1) for reports on the attendance and performance of trainees, (2) for immediate certification to the Secretary of Labor by the responsible training agency with respect to each person referred for training who does not have a satisfactory attendance record or is not making satisfactory progress in such training absent good cause, and (3) for continuous supervision of the training programs conducted under the agreement to insure the quality and adequacy of the training provided), protect the United States against loss, and assure that the functions and duties to be carried out by such State agency are performed in such fashion as will carry out the purposes of this title. The Secretary of Health, Education, and Welfare shall give preference to training and education provided through State vocational education agencies and other State education agencies. However, in any case in which he determines that it would permit persons to begin their training or education within a shorter period of time, or permit the needed training or education to be provided more economically, or more effectively, he may provide the needed training or edu-

cation by agreement or contract made directly with public or private training or educational facilities or through such other arrangements as he deems necessary to give full effect to this Act.

#### RULES AND REGULATIONS

SEC. 222. The Secretary of Health, Education, and Welfare may prescribe such rules and regulations as he may deem necessary and appropriate to carry out his responsibilities under this Act.

#### PART D—AMENDMENTS AND REPEALS AFFECTING EXISTING LAWS

SEC. 231. (a) The Economic Opportunity Act of 1964, as amended, is further amended as follows:

(1) Subsection (e) of section 106 is repealed.

(2) Subsection (b) of section 115 is amended to read as follows:

"(b) The Director may enter into agreements with States to administer, assure, or assist in the administration of the programs provided in this part. The Director may, pursuant to regulations, pay part or all of the operative or administrative costs of such programs."

(b) Section 810(a) of the Economic Opportunity Act of 1964 is amended by striking the word "and" immediately preceding paragraph (3) thereof, by substituting a semicolon for the period at the end of the subsection, and by adding the following:

"and (4) with the approval of the Secretary of Labor, in Job Corps Centers operated under title II of The Manpower Training and Employment Act of 1971."

(c) Section 833(b) of the Economic Opportunity Act of 1964 is amended to read as follows:

"(b) Individuals who receive either a living allowance or a stipend under this title shall, with respect to such services or training:

"(1) for the purposes of subchapter III of chapter 73 of title 5 of the United States Code, be deemed persons employed in the executive branch of the Federal Government;

"(2) for purposes of the Internal Revenue Code of 1954 (26 U.S.C. 1 et seq.) and title II of the Social Security Act (42 U.S.C. 401 et seq.), be deemed employees of the United States, and any service performed by an individual as a volunteer shall be deemed to be performed in the employ of the United States;

"(3) for purposes of the Federal tort claims provisions in title 28, United States Code, be deemed employees of the Government; and

"(4) for purposes of the subchapter I of chapter 81 of title 5 of the United States Code (relating to compensation to Federal employees for work injuries), be deemed civil employees of the United States within the meaning of the term 'employee' as defined in section 8101 of title 5, United States Code, and the provisions of the subchapter shall apply except as follows:

"(A) In computing compensation benefits for disability or death, the monthly pay of a volunteer shall be deemed that received under the entrance salary for a grade GS-7 employee, and sections 8113 (a) and (b) of title 5, United States Code, shall apply to volunteers; and

"(B) Compensation for disability shall not begin to accrue until the day following the date on which the injured volunteer is terminated."

SEC. 232. (a) Title I, part A, of the Economic Opportunity Act of 1964, as amended (sections 101-118), is transferred to the Manpower Training and Employment Act of 1971 and inserted as sections 233 through 250, respectively, as amended by subsection (e) of this section.

(b) All references to part A of title I of the Economic Opportunity Act of 1964 or any provision thereof are hereby deleted from

the Economic Opportunity Act of 1964. Any reference to part A of title I of the Economic Opportunity Act or any provision thereof in any other law of the United States shall be deemed to be a reference to title II of this Act or the corresponding provision thereof.

(c) So much of the personnel, property, records, and unexpended balances of appropriations, allocations, and other funds employed, held, used, available, or to be made available in connection with the functions transferred by subsection (a) of this section as the Director of the Bureau of the Budget shall determine shall be transferred to the Department of Labor.

(d) Such further measures and dispositions as the Director of the Bureau of the Budget shall deem necessary in order to effectuate the transfer provided for in subsection (a) of this section shall be carried out in such manner as he shall direct and by such agencies as he shall designate.

(e) Sections 233-250 of this Act as transferred by subsection (a) are amended as follows:

(1) The word "title" shall be substituted for the word "part" wherever it appears.

(2) The word "Secretary" shall be substituted for the word "Director" wherever it appears.

(3) The words "Department of Labor" shall be substituted for "Office of Economic Opportunity" wherever they appear.

(4) Section 235(1) is amended by deleting all the words in paragraph (1) following "United States" and substituting the following: "or a native and citizen of Cuba who arrived in the United States from Cuba as a nonimmigrant or as a parolee subsequent to January 1, 1959, under the provisions of section 244(a) or 242(d) (5), respectively, or any person admitted as a conditional entrant under section 203(a) (7) of the Immigration and Nationality Act".

(5) Paragraphs (2) through (5) of section 235 are redesignated as (3) through (6), respectively, and the following new paragraph (2) is inserted:

"(2) has attained age fourteen but not attained age twenty-two at the time of enrollment;"

(6) The reference in sections 235(5) to sections 104 and 105 are changed to "236" and "237", respectively.

(7) The reference in section 208(c) to section 609 (3) is changed to "235(1)".

(8) The reference in section 239(b) to "part B of this title" is deleted and the following is substituted therefor: "title II of this Act and title I of the Economic Opportunity Act of 1964".

(9) Section 240 is amended by adding a new subsection (c) to read as follows: "(c) In conducting programs under this title, the Secretary shall consult with the Secretary of Health, Education, and Welfare with regard to Institutional \* \* \*".

(10) Section 241 is amended by adding a new subsection (c) as follows: "(c) Under such circumstances as the Secretary may determine, he may prescribe by regulation changes in the amount and method of payment of allowances and provision of expenses to correspond more closely to the methods and amounts prescribed in section 204 of this Act. Such changes may include provision of higher allowances to cover appropriate enrollee expenses and offsetting charges to enrollees for living expenses."

(11) Section 244(d), as amended, is further amended by deleting "the Department of Labor and".

(12) Section 244(c) is amended by inserting a comma after the word "feasible", by deleting the words "in accordance with section 637(b) of this Act", and by changing the reference to 109(c) to 241(c).

(13) Section 244(e) is further amended by striking out the comma and inserting a period in lieu thereof after "employment service offices" and deleting the words "and

shall furnish copies of such records to the Secretary of Labor."

(14) Section 245(a) is amended by striking out the reference to section 608 and substituting in lieu thereof "section 605."

(15) Section 245(b) is amended by striking out both references to "part B of this title" and substituting in lieu thereof "Title I of this Act" and by striking out the reference to section 608 and substituting in lieu thereof "section 605."

(16) Section 246 is amended by striking out the last sentence.

(17) Section 247(c) is amended by striking out the word "Act" and substituting in lieu thereof "title".

(18) Section 249 is amended by striking out subsection (a) and the first sentence of subsection (b), and redesignating subsections (b) through (d) as subsections (a) through (c), respectively.

(19) A new section 251 is added to read as follows:

**"ADDITIONAL AUTHORITIES**

"Sec. 251. In addition to such other authority as he may have, the Secretary is authorized, in carrying out his functions under this title, to—

(1) utilize, with their assent, the services and facilities of Federal agencies without reimbursement, and, with the consent of any State or political subdivision of a State, accept and utilize the services and facilities of the agencies of such State or subdivision without reimbursement;

(2) allocate and expend, or transfer to other Federal agencies for expenditure, funds made available under this title as he deems necessary to carry out the provisions hereof, including (without regard to the provisions of section 4774(d) of title 10, United States Code) expenditure for construction, repairs, and capital improvements; and

(3) expend funds made available for purposes of this title, without regard to any other law or regulation, for rent of buildings and space in buildings and for repair, alteration, and improvement of buildings and space in buildings rented by him; but the Secretary shall not utilize the authority contained in this subsection—

(A) except when necessary to obtain an item, service, or facility, which is required in the proper administration of this title, and which otherwise could not be obtained, or could not be obtained in the quantity or quality needed, or at the time, in the form, or under the conditions in which it is needed, and

(B) prior to having given written notification to the Administrator of General Services (if the exercise of such authority would affect an activity which otherwise would be under the jurisdiction of the General Services Administration) of his intention to exercise such authority, the item, service, or facility with respect to which such authority is proposed to be exercised, and the reasons and justifications for the exercise of such authority.

Sec. 261. (a) The Manpower Development and Training Act of 1962, as amended (42 U.S.C. 2571 et seq.), is hereby repealed.

(b) Title I, part B of the Economic Opportunity Act of 1964, as amended (42 U.S.C. 2701 et seq.), is hereby repealed.

(c) Title V part A of the Economic Opportunity Act of 1964, as amended (42 U.S.C. 2701 et seq.), is hereby repealed.

**TITLE III—LABOR MARKET INFORMATION AND EMPLOYMENT DEVELOPMENT PROGRAMS**

**PART A—LABOR MARKET INFORMATION AND JOB MATCHING PROGRAM**

Sec. 304. (a) The Secretary of Labor shall develop a comprehensive system of labor market information on a Nation, State, local, or other appropriate basis, including but not limited to information regarding:

(1) the nature and extent of impediments to the maximum development of individual employment potential including the number and characteristics of all persons requiring manpower services;

(2) job opportunities and skill requirements;

(3) labor supply in various skills;

(4) occupational outlook and employment trends in various occupations; and

(5) in cooperation and after consultation with the Secretary of Commerce, economic and business development and location trends. Information collected under this subsection shall be developed and made available in a timely fashion in order to meet in a comprehensive manner the needs of public and private users, including the need for such information in recruitment, counseling, education, training, placement, job development, and other appropriate activities under this Act and under the Economic Opportunity Act of 1964 as amended, the Social Security Act, the Public Works and Economic Development Act of 1965, the Wagner-Payser Act, the Vocational Education Act of 1963 as amended, the Vocational Rehabilitation Act, the Demonstration Cities and Metropolitan Development Act of 1966, and other relevant Federal statutes.

**JOB MATCHING PROGRAM**

Sec. 302. The Secretary of Labor shall develop and publish on a regular, timely basis information on available job opportunities, throughout the United States on a National, State, local, or other appropriate basis for use in public and private job placement and related activities and in connection with job matching programs conducted pursuant to this subsection. The Secretary is directed to develop and establish a program for matching the qualifications of unemployed, under-employed, and low-income persons with employer requirements and job opportunities on a National, State, local, or other appropriate basis. Such programs shall be designated to provide a quick and direct means of communication among local recruitment, job training and placement agencies and organizations, and between such agencies and organizations on a National, State, local or other appropriate basis, with a view to the referral and placement of such persons in jobs. In the development of such a program, the Secretary shall make maximum possible use of electronic data processing and telecommunication systems for the storage, retrieval, and communication of job and worker information. The Secretary is authorized, for the purposes of carrying out programs authorized under this subsection to make grants to State or local agencies for the planning and administration of the program, including the purchase or other acquisition of necessary equipment.

**PILOT PROJECTS**

Sec. 303. (a) In carrying out the program described in section 302 during the period ending June 30, 1974, the Secretary of Labor shall develop and carry out, in a limited number of geographical areas, pilot projects designed to assess or demonstrate the effectiveness of reducing unemployment of individuals and to increase the mobility of unemployed workers by providing assistance to meet their relocation expenses. In carrying out such projects the Secretary may provide such assistance, in the forms of grants or loans, or both, only to involuntarily unemployed individuals who cannot reasonably be expected to secure full-time employment in the community in which they reside, have bona fide offers of employment (other than temporary or seasonal employment), and are deemed qualified to perform the work for which they are being employed.

(b) Loans or grants provided under this subsection shall be subject to such terms and conditions as the Secretary shall pre-

scribe, with loans subject to the following limitations:

(1) there is reasonable assurance of repayment of the loan;

(2) the credit is not otherwise available on reasonable terms from private sources or other Federal, State, or local programs;

(3) the amount of the loan, together with other funds available, is adequate to assure achievement of the purposes for which the loan is made;

(4) the loan bears interest at a rate not less than (i) a rate determined by the Secretary of the Treasury, taking into consideration the average market yield on outstanding Treasury obligations of comparable maturity, plus (ii) such additional charge, if any, toward covering other costs of the program as the Secretary may determine to be consistent with its purposes;

(5) the loan is repayable within not more than ten years; and,

(6) of the funds appropriated for a fiscal year to carry out this Act, not more than \$10,000,000 may be used for the purposes of this subsection.

(c) A report on the activities and achievements under this section shall be included in the report required under section 102.

**FUNDS AUTHORIZED**

Sec. 304. Not less than 2 per centum of the sums appropriated in any fiscal year to carry out titles I, II, and III of this Act shall be available only for carrying out the provisions of section 302 of this section.

**PART B. CAREER AND UNEMPLOYMENT DEVELOPMENT PROGRAMS**

Sec. 311. The Secretary of Labor and the Secretary of Health, Education, and Welfare shall stimulate and assist and, where necessary, develop, in cooperation with interested agencies both public and private, job development programs that will serve to expand employment by the filling of those service and related needs which are not now being met because of lack of trained workers or other reasons affecting employment or opportunities for employment. Such programs shall include activities designed to promote job restructuring and redesign for the purpose of providing more effective use of manpower, including the adoption of employment practices that will remove unreasonable barriers to employment, without reducing productivity, and expand the opportunities for upward mobility.

**CAREER TRAINING THROUGH PUBLIC SERVICE EMPLOYMENT**

Sec. 312. The Secretary of Labor and the Secretary of Health, Education, and Welfare shall carry out a program of training and career development under which Federal, State and local government, and public and private nonprofit agencies provide jobs, services, education and training to unemployed and underemployed persons to meet State, county and other municipal needs for public services: *Provided*, That priority shall be given to creating jobs and training programs in environmental control, health, housing, and transportation.

**FINANCIAL ASSISTANCE**

Sec. 313. The Secretary of Labor shall enter into arrangements with eligible applicants in accordance with the provisions of this Act in order to make financial assistance available for the purpose of providing employment for unemployed and underemployed persons in jobs providing needed public services, and training and manpower services related to such employment which are otherwise unavailable. Such assistance shall be available for a period of not more than 104 weeks.

**ELIGIBLE APPLICANTS**

Sec. 314. Financial assistance under this Part shall be provided by the Secretary of

Labor only pursuant to applications submitted by eligible applicants who shall be—

- (a) units of Federal, State, and general local government; and
- (b) other public agencies and institutions (including public service agencies and institutions of the Federal Government); and
- (c) nonprofit hospitals and nursing homes, and Indian tribes.

#### APPLICATIONS

SEC. 315. An application for financial assistance for a public service employment program under this Act shall include provisions setting forth—

- (1) assurances that the activities and services for which assistance is sought under this Act will be administered by or under the supervision of the applicant, identifying any agency or agencies designated to carry out such activities or services under such supervision;
- (2) a description of the area to be served by such programs, and a plan for effectively serving on an equitable basis the significant segments of the population to be served, including data indicating the number of potential eligible participants and their income and employment status;
- (3) assurances that consideration will be given to the filling of jobs which provide sufficient prospects for advancement or suitable continued employment by providing complementary training and manpower services designed to (A) promote the advancement of participants to employment or training opportunities suitable to the individuals involved, whether in the public or private sector of the economy, (B) provide participants with skills for which there is an anticipated high demand, or (C) provide participants with self-development skills, but nothing contained in this paragraph shall be construed to preclude persons or programs for whom the foregoing goals are not feasible or appropriate;
- (4) assurances that due consideration be given to persons who have participated in manpower training programs for whom employment opportunities would not be otherwise immediately available;
- (5) a description of the methods to be used to recruit, select, and orient participants, including specific eligibility criteria, and programs to prepare the participants for their job responsibilities;
- (6) a description of unmet public service needs and a statement of priorities among such needs;
- (7) description of jobs to be filled, a listing of the major kinds of work to be performed and skills to be acquired, and the approximate duration for which participants would be assigned to such jobs;
- (8) the wages or salaries to be paid participants and a comparison with the prevailing wages in the area for similar work;
- (9) the education, training, and supportive services (including counseling and health care services) which complement the work performed;
- (10) the planning for and training of supervisory personnel in working with participants;
- (11) a description of career opportunities and job advancement potentialities for participants;
- (12) procedures for an annual review by an appropriate agency of the status of each person employed in a public service job under this title; and procedures pursuant to which, in the event that any such participant and the reviewing agency find that the participant's current employment situation will not provide sufficient prospects for advancement or suitable continued employment, maximum efforts shall be made to locate employment or training opportunities providing such prospects, and the participant shall be offered appropriate assistance in securing placement in the opportunity which he chooses after appropriate counseling;

(13) assurances that agencies and institutions to whom financial assistance will be made available under the this Act will undertake analysis of job descriptions and a reevaluation of skill requirements at all levels of employment, including civil service requirements and practices relating thereto, in accordance with regulations promulgated by the Secretary;

(14) assurances that the applicant shall, where appropriate, maintain or provide linkages with upgrading and other programs under other Federal or federally supported manpower programs for the purpose of:

(A) providing those persons employed in public service jobs under this Act who want to pursue work with the employer, or in the same or similar work as that so performed under the agreement with opportunities to do so and to find permanent, upwardly mobile careers in that field; and

(B) providing those persons so employed who do not wish to pursue permanent careers in such field, with opportunities to seek, prepare themselves for, and obtain work in other fields;

(15) assurances that all persons employed thereunder, other than necessary technical, supervisory, and administrative personnel, will be selected from among unemployed or underemployed persons;

(16) assurances that to the maximum extent possible, technical, supervisory, and administrative personnel shall be recruited from among fully qualified, unemployed or underemployed persons;

(17) ways in which the program shall, to the maximum extent feasible, contribute to the elimination of artificial barriers to employment and occupational advancement, including civil service requirements which restrict employment opportunities for the disadvantaged; and

(18) such other assurances, arrangements, and conditions, consistent with the provisions of this Act, as the Secretary of Labor and the Secretary of Health, Education, and Welfare deem necessary, in accordance with such regulations as shall be prescribed.

#### APPROVAL OF APPLICATIONS

SEC. 316. An application, or modification or amendment thereof, for financial assistance under this Act may be approved only if the Secretary of Labor with the concurrence of the Secretary of Health, Education, and Welfare determines that—

(1) the application meets the requirements set forth in Sec. 315;

(2) the approvable request for funds does not exceed 80 per centum of the cost of carrying out the program proposed in such application, unless the Secretary determines that special circumstances or other provisions of law warrant the waiver of this requirement;

(3) an opportunity has been provided to the Governor of the State and to the State Manpower Advisory Council to submit comments with respect to the application to the applicant and to the Secretary; and,

(4) an opportunity has been provided to officials of the appropriate units of local government and to the appropriate Area Manpower Advisory Council to submit comments with respect to the application to the applicant and to the Secretary.

#### SPECIAL CONDITIONS

SEC. 317. (a) The Secretary of Labor shall not provide financial assistance for any program under this Act unless he determines, in accordance with such regulations as he shall prescribe, that—

(1) the program will result in an increase in employment opportunities over those which would otherwise be available with priority given to disadvantaged and low income groups in filling such opportunities and will not result in the displacement of currently employed workers (including partial displacement such as a reduction in the hours of nonovertime work or wages or employment

benefits), and will not impair existing contracts for services or result in the substitution of Federal for other funds in connection with work that would otherwise be performed;

(2) persons employed in a public service job under this Act shall be paid wages which shall not be lower than (A) the Federal, State, or local minimum wage for the most nearly comparable covered employment, or (B) the prevailing rates of pay in the same labor market area for persons employed in similar public occupations;

(3) all persons employed in a public service job under this Act will be assured of benefits at the same levels and to the same extent as other employees of the employer and to working conditions and promotional opportunities neither more nor less favorable than such other employees enjoy;

(4) the provisions of section 2(a)(3) of Public Law 89-286 shall apply to such agreements;

(5) the program will, to the maximum extent feasible, contribute to the occupational development or upward mobility of individual participants; and

(6) every participant shall be advised, prior to entering upon employment, of his rights and benefits in connection with such employment.

(b) For programs which provide work and training related to physical improvements, special consideration shall be given to those improvements which will be substantially used by low-income persons and families or which will contribute substantially to amenities or facilities in urban or rural areas having high concentrations or proportions of low-income persons and families.

(c) Where a labor organization represents employees who are engaged in similar work in the same labor market area to that proposed to be performed under any program for which an application is being developed for submission under this Act, such organization shall be notified and afforded a reasonable period of time in which to make comments to the applicant and to the Secretary of Labor.

(d) The Secretary of Labor shall prescribe regulations to assure that programs under this part have adequate internal administrative controls, accounting requirements, personnel standards, evaluation procedures, and other policies as may be necessary to promote the effective use of funds.

#### ARRANGEMENTS FOR TECHNICAL ASSISTANCE

SEC. 318. Where training capabilities of the applicant under this part do not meet the requirements established by the Secretary of Health, Education, and Welfare, he shall provide or arrange for technical assistance to applicants in carrying out the provisions of this part.

#### ANNUAL REVIEW

SEC. 319. The Secretary of Labor and the Secretary of Health, Education, and Welfare shall conduct an annual review and evaluation of training programs and projects funded under the provisions of this part and shall report their findings to the National Manpower Advisory Council.

#### PART C—EMERGENCY EMPLOYMENT ASSISTANCE

SEC. 321. Special consideration will be given by the Secretary of Labor in consultation with the Governor of a State to give relief and designate labor areas, as defined by the Secretary of Labor, within the State a job distressed areas when there is an unusually high proportion of low income families or where there is substantial and persistent unemployment or underemployment or if the annual average rate of unemployment in the labor area has been either (1) 50 per centum above the national average for three of the four preceding calendar years; (2) 75 per centum above the national average for two of the three preceding calendar

dar years; or (iii) 100 per centum above the national average for one of the two preceding calendar years.

#### FINANCIAL ASSISTANCE

SEC. 322. (a) The Secretary of Labor shall enter into arrangements with the Governor of a State in order to make financial assistance available for the purpose of providing employment for unemployed persons residing in designated labor areas in jobs providing needed public services.

(b) Requests for funds shall not exceed 80 per centum of the cost of providing employment, unless the Secretary determines that special circumstances or other provision of law warrants the waiver of this requirement.

(c) Such assistance shall be available for a maximum period of 52 weeks; however, labor areas that meet the criteria of section 321 at the end of such time may request additional assistance for a period of not more than 52 weeks: *Provided*, That for the purposes of determining eligibility for continued assistance, individuals employed under the provisions of this part shall not be counted as employed for the purposes of determining the annual average rate of unemployment. Requests for funds for such additional assistance shall not exceed 70 per centum of the cost of the program.

(d) Of the funds appropriated in any fiscal year for the purposes of carrying out Title III, not more than 20 per centum shall be available for the purposes of carrying out programs authorized under this Part.

#### APPLICATIONS

SEC. 323. Each application for financial assistance shall be submitted by the Governor of the State in such form and contain such assurances as the Secretary of Labor may prescribe.

#### RULES AND REGULATIONS

SEC. 324. In carrying out his duties under this Part, the Secretary of Labor shall prescribe rules and regulations to assure that programs under this Part have adequate internal administrative controls, accounting requirements, personnel standards, evaluation procedures, and other policies as may be necessary to promote the effective use of funds.

#### TITLE I—MISCELLANEOUS

##### MAINTENANCE OF STATE EFFORT

SEC. 401. No training program which is financed in whole or in part by the Federal Government under this Act shall be approved unless the Secretary of Health, Education, and Welfare satisfies himself that neither the State nor the locality in which the training is carried out has reduced or is reducing its own level of expenditures for vocational education and training, including program operation under provisions of the Smith-Hughes Vocational Education Act, titles I, II, and III of the Vocational Education Act of 1946 and the Vocational Education Act of 1963, as amended, except for reductions unrelated to the provisions or purposes of this Act.

##### OTHER AGENCIES AND DEPARTMENTS

SEC. 402. (a) In the performance of their functions under this Act, the Secretary of Labor and the Secretary of Health, Education, and Welfare, in order to avoid unnecessary expense and duplication of functions among Government agencies, shall use the available services or facilities of other agencies and instrumentalities of the Federal Government, under conditions specified in section 305(a). Each department, agency, or establishment of the United States is authorized and directed to cooperate with the Secretary of Labor and the Secretary of Health, Education, and Welfare and, to the extent by law, to provide such services and facilities as either may request for his assistance in the performance of his functions under this Act.

(b) The Secretary of Labor and the Secretary of Health, Education, and Welfare shall carry out their responsibilities under this Act through the maximum use of all possible resources for skill development available in industry, labor, public and private educational and training institutions, State, Federal, and local agencies, and other appropriate public and private organizations and facilities.

#### APPROPRIATIONS AUTHORIZED

SEC. 403. (a) There are hereby authorized to be appropriated \$75,000,000 for the fiscal year ending June 30, 1972, and for each fiscal year thereafter such amounts as may be necessary to carry out the provisions of title I.

(b) There are hereby authorized to be appropriated \$450,000,000 for the fiscal year ending June 30, 1972, and for each fiscal year thereafter such amounts as may be necessary to carry out the purposes of part A of title II.

(c) There are hereby authorized to be appropriated \$75,000,000 for the fiscal year ending June 30, 1972, and for each year thereafter such amounts as may be necessary to carry out the purposes of parts B and C of title II.

(d) There are hereby authorized to be appropriated \$115,000,000 for the fiscal year ending June 30, 1972, and for each year thereafter such amounts as may be necessary to carry out the purposes of part D of title II.

(e) There are hereby authorized to be appropriated \$300,000,000 for the fiscal year ending June 30, 1972, and for each year thereafter such amounts as may be necessary to carry out the purposes of title III.

(f) There are hereby authorized to be appropriated \$2,000,000 for the fiscal year ending June 30, 1972, and for each year thereafter such amounts as may be necessary to carry out the purposes of title IV.

#### ADVANCE FUNDING

SEC. 404. (a) For the purpose of affording responsible Federal, State, and local officials concerned, adequate notice of available Federal financial assistance for programs, services, and activities provided for under this Act, appropriations for carrying out this Act are authorized to be included in the appropriation Act for the fiscal year preceding the fiscal year for which they are available for obligation.

(b) In order to effect a transition to the advance funding method of timing the appropriation action, the provision of subsection (a) shall apply notwithstanding that its initial application will result in the enactment in the same year (whether in the same appropriation Act or otherwise) of two separate appropriations, one for the then current fiscal year and one for the succeeding fiscal year.

#### LIMITATIONS ON USE OF APPROPRIATED FUNDS

SEC. 405. (a) Funds appropriated under the authorization of this Act may be transferred, with the approval of the Director of the Office of Management and Budget, between departments and agencies of the Government, if such funds are used for the purposes for which they are specifically authorized and appropriated.

(b) The Secretary of Labor and the Secretary of Health, Education, and Welfare are authorized to accept and use in carrying out the provisions of this Act funds appropriated to carry out other Federal statutes if such funds are used for the purposes for which they are specifically authorized and appropriated. To the extent that the provisions of this Act are inconsistent with the provisions of such other Federal statutes, the provisions of the latter shall govern, except as provided under the Intergovernmental Cooperation Act of 1968.

(c) Any equipment and teaching aids purchased by a State or local education agency with funds appropriated to carry out the provisions of part A of title II shall become the property of the State upon certification

of the Secretary of Health, Education, and Welfare that such equipment or teaching aids are no longer needed for the instructional programs authorized by this Act.

(d) No portion of the funds to be used under part A, title II of this Act shall be appropriated directly or indirectly to the purchase, erection, or repair of any building except for minor remodeling of a public building necessary to make it suitable for use in training under part A.

(e) Funds appropriated under this Act shall remain available for one fiscal year beyond that in which appropriated.

#### AUTHORITY TO CONTRACT

SEC. 406. (a) The Secretary of Labor and the Secretary of Health, Education, and Welfare may make such grants, contracts, or agreements, establish such procedures (subject to such policies, rules, and regulations as they may prescribe), and make such payments, in installments and in advance or by way of reimbursement, or otherwise allocate or expend funds made available under this Act, as they may deem necessary to carry out the provisions of this Act, including necessary adjustments in payments on account of overpayments or underpayments. The Secretaries may also withhold funds otherwise payable under this Act in order to recover any amounts expended in the current or immediately prior fiscal year in violation of any provision of this Act or an approved State plan. Any funds so withheld shall be available for reappropriation by the Secretary of Labor and the Secretary of Health, Education, and Welfare in accordance with section 206: *Except*, That funds withheld during a fiscal year to cover amounts expended in a prior fiscal year shall be available for immediate reappropriation.

(b) The Secretary of Labor and the Secretary of Health, Education, and Welfare shall not use any authority conferred by this Act to assist in relocating establishments from one area to another. Such limitation shall not prohibit assistance to business entity in the establishment of a new branch, affiliate, or subsidiary of such entity if the Secretary of Labor finds that assistance will not result in an increase in unemployment in the area of original location or in any other area where such entity conducts business operations, unless he has reason to believe that such branch, affiliate, or subsidiary is being established with the intention of closing down the operations of the existing business entity in the area of its original location or in any other area where it conducts such operations.

#### ACCEPTANCE OF VOLUNTARY SERVICES

SEC. 407. The Secretary of Labor and the Secretary of Health, Education, and Welfare are authorized in carrying out their functions and responsibilities under this Act, to accept voluntary and uncompensated services, notwithstanding the provisions of section 3679(b) of the Revised Statutes (31 U.S.C. 665(b)).

#### DEFINITION

SEC. 408. For the purpose of this Act, the term "State" includes the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands.

#### EFFECTIVE DATE: TRANSITION PROVISIONS

SEC. 409. (a) This Act shall take effect July 1, 1971.

(b) Notwithstanding the repeals made by section 209, in order to permit an orderly transition from programs carried out under the provisions of law repealed, to programs carried on under this Act, the Secretary of Labor and the Secretary of Health, Education, and Welfare may continue to use the authority provided in such repealed provisions of law for such period to time as may be necessary, but not in excess of two years beyond the effective date of this Act.

## TERMINATION OF AUTHORITY

SEC. 310. (a) All authority conferred under title II of this Act shall terminate at the close of June 30, 1975.

(b) Notwithstanding the foregoing, the termination of title II shall not affect the disbursement of funds under, or the carrying out of, any contract, commitment, or other obligation entered into prior to the date of such termination: *Provided*, That no disbursement of funds shall be made pursuant to the authority conferred under title II of this Act after December 30, 1975.

## STRIP MINING

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

Mr. SEIBERLING. Mr. Speaker, I want to recommend to my colleagues an article in the May 24 Wall Street Journal which discusses the almost insurmountable obstacles to effective reclamation of stripmined lands.

As the article points out, reclamation may, in many cases, have been feasible 25 years ago when much smaller equipment was used to stripmine. But where today's enormous shovels are used—some of them capable of digging down 160 feet—it is, in most cases, virtually impossible to restore the land to any semblance of its original condition.

I have visited the stripmined areas in southeastern Ohio and can testify personally to the appalling destruction wrought by this modern equipment. It is difficult to conceive of this land ever being restored to its former beauty and productivity. This is why strip mining of coal should be outlawed forever.

I ask that the article be printed in the RECORD at this point.

[From the Wall Street Journal, May 24, 1971]

**HIDING THE SCARS—SOME STRIP-MINED LAND NOW IS BEING RECLAIMED, BUT TASK IS ENORMOUS; TODAY'S MASSIVE MACHINERY MAY BAR FUTURE RECOVERY; TOUGH LEGISLATION URGED—HOW TO MAKE INDIAN MOUNDS**

(By Everett Groseclose)

Gene Lanning, a maintenance supervisor for Ohio Ferro Alloys Corp., likes nothing better than to see Friday afternoon roll around. As soon as the whistle blows at the factory in Philo, Ohio, he jumps into his camper and roars out into the sticks.

In southeastern Ohio, weekend camping is as common as strip mining for coal—and that's really common. One thing, however, sets Mr. Lanning apart from outdoorsmen in other parts of the country, and that is his favorite camping ground.

"To look at this," Mr. Lanning declares as he waves his hand to indicate the wooded hillsides and ponds that stretch for miles southward from the hamlet of Cumberland, "you might never know it's been strip-mined. Why, the way it is now, it's almost as good as it was before the miners came in." Streams and ponds are alive with fish; deer hunting rates as some of the best in the state; beaver and muskrat are trapped during the winter.

It hasn't always been that way. Barely 20 years ago the valley that yawns southward from a small mountain known as Windy Hill looked more like a moonscape than a landscape, the handiwork of miners in pursuit of coal. Hundreds of acres, often as far as the eye could see, were chewed up and spit out by giant power shovels, leaving a terrain of jagged rock, deep trenches and mountains of raw, desolate earth.

## ENVIRONMENTAL DESTRUCTION CONTINUES

Throughout the Appalachian coal belt, thousands of acres, laid waste by miners as soon as they had scooped out the last chunks of coal, are still the way the countryside near Cumberland once was. Moreover, such environmental destruction is still going on, because strip mining for coal, one of the cheapest of industrial fuels, continues to grow. Thus, the coal-mining industry is booming, particularly in states such as Ohio, Pennsylvania, Kentucky and Tennessee.

But changes are clearly in the wind. Two counties in Kentucky have outlawed strip mining. In West Virginia, the state legislature has enacted a two-year ban on strip mines in 22 counties so far untouched by them. In 33 other counties, strip mining remains legal, but efforts to outlaw it are believed to be gaining support. And in Ohio, a bill backed by powerful conservationists would, among other things, require strip miners to restore land to its original contour.

In addition, President Nixon recently proposed federal regulations that would require all states to set standards for reclamation within two years. But Rep. Ken Hechler, a West Virginia Democrat who calls the Nixon proposal "toothless," wants faster and more decisive action. He introduced a bill that would ban strip mining for coal within six months after enactment and provide federal funding of reclamation in a limited number of instances.

## THE HAVOC OF STRIP MINING

Whether legislation to control strip mining and force reclamation of old sites will ever get through Congress remains to be seen. But a visit to southeastern Ohio, where two of the country's largest strip-mine operators have been working and reclaiming some land for years, gives an observer a fairly good picture of the havoc brought by strip mining and what a certain amount of land might eventually look like if stiff reclamation laws are passed. It also helps explain why many students of strip mining are convinced that reclamation of land currently being stripped by mammoth machines may be impossible.

"The first thing that hits you when you get into strip-mining country is the mind-boggling immensity of the problem," says Richard L. Lancione, a lawyer in Bellaire, Ohio. He heads a group called Citizens Concerned About Strip Mining, which is sponsoring the Ohio law. "Literally thousands and thousands of acres have been turned upside down, destroyed for all practical purposes," he says.

The kind of devastation Mr. Lancione is talking about is much in evidence about 10 miles west of Cumberland, where Ohio Power Co., a unit of America Electric Power Co., operates what is said to be the world's largest power shovel. Known as "Big Muskie," the machine's boom is so long the operator frequently can't see the 220-cubic-yard shovel in the early-morning fog. The shovel, operating from the bottom of a trench, is capable of stripping off soil—called overburden—to a depth of more than 160 feet to expose a layer of coal. Once the overburden is stripped off it is called the "spoil bank"—a term critics say is extremely accurate.

Surrounding the shovel are hundreds of acres of devastated earth and jagged rock. Trudging along the bottom of the trench, Walter Smith, a young forester who is superintendent of reclamation for Ohio Power, says that "as soon as the stripping is finished, the bulldozers move in to grade the surface," in effect shaving off cones of piled soil. After grading, Mr. Smith says, "we move in to plant seedlings."

## THE TREE-PLANTING APPROACH

Ohio Power's basic approach to reclamation involves planting trees, which the company hopes may someday be reaped as lumber. "We plant about 1,000 seedlings per

acre, and we reclaim about 1,300 acres per year," Mr. Smith says. But even to the untrained eye, it is clear that areas mined in recent years can never regain their original appearance and vegetation, largely because mining machines in use today leave such devastation.

Areas mined years ago, generally with much smaller equipment that left much smaller scars, are usually the spots that companies point to with pride as having been reclaimed. And, indeed, some such areas are relatively attractive. For instance, the wilderness area frequented by Mr. Lanning of Ohio Ferro Alloys was mined with small equipment more than 25 years ago.

Trees that were planted then are now up to 40 feet tall and 18 inches in diameter. They help hide the ugly "final cuts"—trenches more than 50 feet deep on their uphill side left when the shovel made its final pass. How such areas would look today if larger mining equipment had been used is sheer guesswork. But critics familiar with the techniques of mining agree with 47-year-old Mr. Lanning, who has watched strip mining all his life, when he says he believes that "it would look absolutely terrible."

Nonetheless, such areas illustrate what can be accomplished in certain locations with reclamation. With its trees growing nicely, Ohio Power decided in 1964 to polish up its image by carving out primitive campsites in the reforested acreage south of Cumberland. Currently the company has 18 such campsites. Visitors, who must obtain a free permit from the company, can hunt on the property or fish in some of the 300 ponds the company has created—most of them by damming up final cuts every few hundred yards. "On the weekends during the summer, I'll give you a dollar for every pond you can find that doesn't have a fisherman on it," Mr. Smith says.

If Ohio Power's reclamation projects are partially successful, they are also partly "showcase" efforts. Others have gone even further. A striking example of showcase reclamation and what can be done if enough money and effort are pumped into the job can be found near the village of Cadiz, about 35 miles northeast of Cambridge, Ohio. There, Hanna Coal, a division of Consolidation Coal Co., has built a 400-acre public park. Called Sallie Buffalo, the park comprises a 27-acre lake, parking space for house trailers, a lodge for parties and facilities for picnicking and camping.

Thousands of lovers of the outdoors visit Sallie Buffalo each year, and long-time residents of the area are the first to say the park is a vast improvement. Walking along the shore of the lake as he flips a lure into the water and then retrieves it, Herman Eberling, a retired steelworker, tells how he has "lived around here all my life." Mr. Eberling adds: "This park is certainly a lot better than the way it was when this country was all torn up, but it's still old beat-up mining country."

## PROVING IT CAN BE DONE

C. Arthur Wallace, general superintendent for land use and reclamation for Hanna Coal estimates that Hanna has put \$130,000 into the park and its facilities. "Yeah," he concedes "it's awfully expensive—too expensive to do very much of it. We did it mainly just to prove it could be done, but I think it's worthwhile from everyone's viewpoint."

Hanna Coal has also been working on a far more economical approach to reclamation near Cadiz. The company has planted 12,000 acres of strip-mined land with a perennial legume called crown vetch. On certain types of soil, the legume grows well and cattle thrive on it.

Showing a visitor across the gently rolling pastureland stocked with registered Hereford cattle that the fussiest rancher would take pride in owning, Mr. Wallace says that Hanna Coal is "making a tiny profit" on its cattle

operations. "The company keeps asking me what we're going to do with all this (stripped) land," Mr. Wallace declares. "My answer is that five years from now we're going to be in the cattle business in a big way."

In Hanna Coal's case, that may be true. But certainly it isn't true for many other coal-mining concerns. The reason: Hanna Coal is unusually fortunate. The overburden on much of the land mined by the company is mostly limestone. Unlike so-called acid sandstone, which covers most seams—or layers—of coal, plant life grows relatively well on limestone spoil banks. Says Mr. Smith of Ohio Power: "When you've got a spoil bank that's acid sandstone, you just plant your trees and pray."

The type of spoil created by strip mining is indeed a crucial factor in the difficulty of reclamation. Nothing will grow on soil that contains small chunks of coal or powdered coal. The earth directly above most coal seams is heavily acid. This type of material is sometimes the last to come out of the final cut; thus it is what occasionally goes on top of the spoil bank.

#### GETTING RID OF THE "GOB"

In addition, numerous companies have run into difficulty in disposing of a waste product from coal that is called "gob." Essentially, gob is inferior coal. In many cases, it is removed from mined coal before the fuel is shipped to its user. Companies have tried various means of disposing of gob, usually involving one kind of attempt or another at burying it in low-lying areas and covering it over with nontoxic soil.

Frequently burying gob works poorly. Hanna Coal's Mr. Wallace, for instance, says that attempts to bury gob on about 250 acres near Cadiz have been only partly successful. The problem is that rainwater tends to seep through the non-toxic overlayer into the gob, drain downhill and emerge at a lower terrain level, polluting both land and streams. Such seepage often results in drainage almost the color of blood. "That water will eat the nails right out of your boots," says Donald E. Richter, field director of the Ohio Reclamation Association, a group formed in 1945 by coal-mining concerns to handle much of their reclamation work.

Rugged terrain also sometimes makes it impossible for miners to reclaim strip-mined land. Particularly in mountainous Appalachia, experts say, the terrain is simply so rough that power shovels can make only one pass, throwing the spoil downhill. In many instances, the mountain is so steep that the spoil disperses itself as it tumbles downhill, leaving only the ugly final cut and no spoil bank to grade.

Most critics object the loudest to abandoning final cuts with little or no effort to reclaim the land. The reason, of course, is that the final cut is the most obvious and lasting scar. Even in countryside that isn't particularly mountainous, the final cuts are almost never filled. Instead, they are dammed up every so often, which allows the toxic materials left in the bed to be covered by water. Once these cuts are covered, the poisonous effect of coal is contained. Fish, beaver and other forms of wildlife can thrive in such ponds.

#### THE COST OF FILLING

Still, critics decry the scars and generally contend that coal-mining companies should fill them in. Thus far, in most parts of the country, coal companies have successfully resisted drives to require them to fill final cuts. Their motivation is simple. "The cost of filling in the high wall is very, very expensive. That's why it's not done," declares Mr. Richter of the Ohio Reclamation Association. Besides, he adds, "by knocking off the top of the high wall, you only ruin more surface areas."

Still another major reason companies are reluctant to put money and effort into reclamation projects is that they plan to mine most areas again. Take Hanna Coal's crown-vetch pastureland, for example. "We're nowhere near through mining around here," Mr. Wallace says. With the development of larger equipment capable of digging ever deeper after one of the 12 seams of coal below the surface in Ohio, companies can reach coal that wasn't possible before.

Typical of what has happened and what is continuing to happen is Mr. Wallace's prized pastureland. It was first mined almost 40 years ago with an eight-cubic-yard shovel. Then came a 22-cubic-yard machine. Later came longer-boomed shovels that would move 45 and 65 cubic yards in one bite. Currently a 105-cubic-yard Hanna Coal machine is operating in the area, and larger machines, such as Ohio Power's Big Muskie, are being developed.

A variety of other problems also make reclamation difficult; not the least of these is time. For many areas, planting trees is the most logical step. But a year-old tree usually is barely more than a sprig one foot to three feet tall. Ten-year-old trees usually have attained a height of only 10 to 20 feet, depending on the type of tree and the soil condition. Generally trees take 20 to 25 years to mature.

More mundane difficulties aren't unusual, either. A constant problem for operators attempting to grade strip-mined land is dispersal of huge chunks of rock, sometimes as large as a two-story house. "When you run into a rock so big you can't move it, you just pile dirt around it and call it an Indian mound," Mr. Wallace says.

#### UNITED NATIONAL POLICY NEEDED IN RELATION TO ENERGY RESOURCES

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

Mr. DAVIS of Georgia. Mr. Speaker, although there are a number of diverse Federal programs and directives relating to energy resources, there seems to be little, if any, activity designed to bring together all of these programs under a united national policy directed toward a specific goal.

The Federal Power Commission franchises and regulates services and rates; the Tennessee Valley Authority and the Rural Electrification Administration provide and underwrite the cost of electrical power; offices in the Department of the Interior and corresponding agencies in the States preside over the quantity and manner of mineral extraction; the Atomic Energy Commission licenses and subsidizes nuclear power sources; but comparatively little is done in the way of comprehensive planning and policy guidance.

The steadily rising public demand for more energy and the need to develop and consume our energy resources in a manner consistent with the Nation's needs for clean air and water, the location of power transmission lines, the siting of plants and refineries, and the public's degree of acceptance of nuclear power plants, have led to a host of public policy considerations not thought of a decade ago.

Last September, unexpected warm

weather caused power shortages from the Carolinas to New York.

Already a number of utility companies are refusing to take on new industrial customers.

Basic fossil fuels are in short supply, and the resulting competition for available supplies is adding measurably to our inflationary spiral.

Rising fuel and power costs last year accounted for roughly half of the increase in the industrial commodity index.

In the next 10 years, according to the Chase Manhattan Bank, the petroleum industry alone will have to spend at least \$300 billion on capital and exploration.

In the last decade, the industry spent only one-half that amount.

If higher interest rates persist, utilities will be forced to request additional rate hikes.

Increases in royalty payments, such as we have seen recently in Libya, will act to raise the cost of imported fuels.

Antipollution, mine health, and safety laws will also exert upward pressure on the cost of extracting, refining, and consuming fuel.

Spiraling construction costs will have to be absorbed in higher consumer costs.

The current high level of concern for environmental quality is dramatizing the basic conflict between the growing need for power, the prudent exploitation of fuels and minerals, and the necessity to keep our air breathable and our water potable.

The House Commerce Committee Report of the Air Quality Act of 1967 emphasized that the well-being of the Nation depends on an adequate supply of low cost energy, and the same report stressed that research aimed toward technological breakthroughs in the production of power consistent with the Nation's clean air and water requirements ought to be of the highest priority.

We are all aware, Mr. Speaker, that a serious energy gap is no longer remote, and that such a gap would have grave implications for the future prospects of further increasing our productivity and standard of labor.

It is my belief that a comprehensive oversight of this Nation's energy resources and all the various implications of their availability and use is now sorely needed, and I commend House Resolution 155, to establish a select committee with such oversight, to my colleagues.

STATEMENT OF HONORABLE FERNAND J. ST GERMAIN, U.S. REPRESENTATIVE IN CONGRESS, FIRST DISTRICT, RHODE ISLAND, ON THE FLOOR OF THE HOUSE OF REPRESENTATIVES, WHEN INTRODUCING A BILL TO GIVE FEDERAL INSURANCE AND CERTAIN REIMBURSEMENTS TO THE AMERICAN FISHING INDUSTRY, WEDNESDAY, MAY 26, 1971

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

Mr. ST GERMAIN. Mr. Speaker, the mercury ruling by the Food and Drug

Administration has virtually wiped out the swordfish industry in this country. Most Americans have eaten their last swordfish dinner unless the mercury guideline can be changed.

The swordfish catastrophe, however, is just one of a series of blows that have hit the American fishing industry in the past 2 years. Last year coho salmon fishing was eliminated in Lake Michigan as a result of DDT contamination. This year DDT residues in chubs have risen above FDA requirements, eliminating a \$3 million product. Lake Michigan is now a "Dead Sea" as far as commercial fishermen are concerned. Fishing vessels stand idle and fishermen are without jobs throughout the Great Lakes region.

Southern California fishermen have lost the kingfish to DDT. In times past the kingfish meant an annual catch of 500,000 pounds worth up to \$100,000.

In the past year mercury findings have been particularly damaging. Fisheries with an annual production of \$2.5 million, drawing on the Western Basin of Lake Erie, the Pickwick Reservoir in Tennessee, and Lake Calcasieu in Louisiana have closed, because the fish in these waters contained excessive mercury.

The tuna fish industry has suffered a \$2.4 million inventory loss due to mercury findings.

The FDA impoundment of swordfish has meant an inventory loss estimated at 4 to 5 million pounds with a value of up to \$2.5 million. To the swordfishermen of New England, southern California, and the gulf, it also means the obsolescence of their vessels or the cost of refitting them for other use unless the FDA changes its mercury guideline.

Now there are rumblings about other foreseeable contaminants—cadmium, arsenic, selenium, PCB, and so forth.

The fishing industry is naturally concerned that these toxic substances might result in hazardous concentrations in one fish after another before proper environmental safeguards can be instituted.

Commercial fishing has always been a risky business, but the fishing industry today faces greater uncertainties than ever before. It can be rightfully asked why one segment of our society should have to bear the consequences of several generations of environmental carelessness on the part of our society.

In an attempt to set up some economic protections and safeguards, I am introducing a bill which would establish an insurance program for the fishing industry much like crop insurance for the farmer.

My bill would create a Federal insurance corporation so that fishermen and fish dealers could take out insurance on the produce they sell—insurance that their fish remains marketable. It would provide indemnity against excessive losses caused by health authority action preventing the marketing of fish as a result of environmental disasters, or newly discovered toxic contaminants.

If, for example, high mercury levels were discovered in another fish in the future, an insured fisherman would not be plunged into debt at the same time that his livelihood was taken away, as happened with swordfish. His insurance would offset to some degree the loss of future earnings.

Suppose an oil tanker spills its contents over a clam bed and wipes out a year's clam harvest. The insured shellfisherman could collect a year's earnings for the loss of his product.

Two years ago Hurricane Camille disrupted the oyster growing waters in the Gulf. The health quality of the waters could not be assured and consequently the oyster beds were closed. The oyster harvest was lost for an extended period. The insurance program I am proposing would protect the earnings of the shellfishermen to some extent from such unpredictable disasters.

While title I of my bill, the insurance proposal, is designed for the future, I am convinced that something must be done to assist the fishing industry in recovering from recent losses.

The swordfish situation stands out dramatically. In December the FDA ordered that cold storage stocks of swordfish not be marketed after testing 62 samples and finding that the average mercury content exceeded the 0.5 parts per million guideline. Shipments from Japan the major source of swordfish to this country, were discontinued. The swordfish dealer in the country cooperated by keeping their product off the market.

The swordfish dealers were forced to hold more than 4 million pounds of swordfish as FDA testing proceeded. After 3 months of testing the FDA announced on May 6 that between 89 percent and 95 percent of the swordfish tested was above the guideline and that the mercury level averaged more than 1 part per million.

The FDA recommended "that the public stop eating this fish until or unless the situation can be remedied." It is hardly likely that the situation will be remedied unless the FDA changes its guideline. The tested swordfish were caught worldwide. They came from every major fishing ground. It appears highly improbable that swordfish will be found in some new fishing area without similar mercury residues.

It also appears that the methyl mercury in swordfish is due to a centuries old natural leaching process and is not the result of manufacturing effluents dumped into the oceans and thus subject to correction by pollution control efforts. Manmade mercury pollution of water bodies is reversible, as the recent reopening of the Brunswick, Ga., estuary has shown. In May of 1970, fishing was stopped there as a result of mercury contamination from a chemical plant. The plant stopped dumping and by the end of the year the waters were again yielding noncontaminated seafood.

But a drive by environmentalists will not save the swordfish. Stopping the dumping of mercury effluents by manufacturing firms will not give us mercury-free oceans. Museum specimens up to 100 years old preserved at the Smithsonian Institute have been tested for mercury and have been found to exceed the FDA limits. Mercury appears to be present in the oceans without the help of modern technology. Thus there is little hope among those in the swordfish industry that the mercury level will fall below the guideline 5 or 10 years from now. Modern technology has only served

to detect mercury in what our ancestors have eaten for hundreds of years.

There are still almost 4 million pounds of unmarketable frozen swordfish sitting in dealers' warehouses. This represents a substantial investment to the dealers. Financially speaking, only what is bought back by importing countries can be salvaged. The rest, according to FDA regulations, cannot even be sold as cat food. Nor can it be mixed with another fish into some form of fishcake to lower the concentration of mercury below the 0.5 parts per million guideline. It is a total loss.

Title III of my bill authorizes direct grants to companies holding impounded swordfish stocks. Funds are also designated to reimburse fishermen for obsolete vessels and equipment. This section of my bill is also applicable to the chub fishermen of Lake Michigan where as many as 35 vessels may be rendered obsolete. Three million dollars is proposed for reimbursement purposes this year and a similar amount for next year.

Title II would give swordfishermen, and other commercial fishermen in similar circumstances, subsidies to make up for the loss of a year's business. This could be as much as 70 percent of their previous year's gross earnings.

I consider title II and title III as emergency provisions necessary at this time. The creation of a Federal insurance program for the fishing industry would make such measures unnecessary in the future.

The fishing industry is a \$3 billion business at the wholesale level. It is a vital part of our economy. It provides employment for 140,000 people. It is an essential part of our food production. It must not be allowed to decline. My bill would give some economic stability to the fishing industry and take some of the uncertainty out of a business which has today become even riskier than it was in the past.

MIAMI NEWS POLITICAL WRITER,  
CHARLES HESSER, TO RETIRE ON  
MAY 28

(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, May 28 marks the retirement of one of Florida's most outstanding political writers. On that date Charlie Hesser will retire after 30 years as a reporter. For the last 25 of these 30 years, Charlie has been associated with the Cox newspaper chain's Miami News. Since joining the News in 1946, he has been the only reporter the paper has assigned to cover sessions of the Florida Legislature in Tallahassee. As a result of this long association with the legislature, Charlie's impact on Florida government has been considerable.

Charlie has been a reporter in the finest tradition of the profession. His reporting has always been thorough, objective, and fair.

One of his editors has noted that his hallmark has been the fact that Charlie always had the confidence of all parties involved in a story. He is known as a newsman who could be trusted—who would get the story straight. His editor

also says he has more lines to more people than anyone else in business in Florida. He goes on to say that there were no secrets in politics for Charlie. On his beat, he was constantly ahead of the day-to-day events, and always got the inside story.

Charlie's counterpart on the competing newspaper, the Miami Herald, John McDermott, started out with Charlie 30 years ago when they both worked for the Columbus, Ga., Ledger Inquirer. Now, McDermott is political reporter for the Knight newspaper, the Miami Herald, a morning paper, while Charlie's career took him to the Miami News, an evening paper. Although they have been competitors for many years, McDermott has called Charlie—

A hell of a newspaperman and a gentleman. I have never known a more honest or more solid citizen, nor a more competent gatherer and reporter of the news.

I recall seeing Charlie once in a hallway at the 1956 Democratic National Convention. He was conducting a 20-minute indepth interview with a national political figure with no more equipment than a pencil stub and a matchbook cover to write on. The next day, he wrote an entire column based on that interview, and it was almost a verbatim transcript of that conversation.

One of his primary interests has been education. He backed a State university for Dade County for years, arguing that the population justified it. When Florida International University came into being, Charlie justly felt that his numerous articles over a 5 or 6 year period significantly contributed to making the university a reality.

He was also a strong crusader for teacher salary increases and campaigned vigorously for a special session of the legislature to raise teachers' pay.

Always an intense student of government, Charlie long supported governmental reform. As an astute political writer, he was constantly aware of the ins and outs of the Florida political scene and reported it faithfully.

He was also an early advocate of the Sunshine State Turnpike, and can now ride on it proudly, knowing that perhaps his articles helped to pave its way.

Charlie was born in Fort Scott, Kans., on February 3, 1911. He began school there, later moving with his family to St. Louis, Mo., and Tampa, Fla., finally settling in Dunnellon, Fla., where he graduated from high school.

He attended the University of Florida where he started out to be an architect, but soon switched to journalism. One of his journalism professors says Charlie was the brightest student he ever had.

Following his graduation from college, he started a weekly newspaper in High Springs, Fla. There, he met the former Pauline McGriff, whom he married in Tampa on May 8, 1937. Their daughter, Susan, was born in 1946. She is married to Stephen C. Knapp, and has one son. Susan has inherited her father's interest in the news media and works for the Fort Lauderdale News.

From High Springs, the Hessers moved to Lake City, Fla., where Charlie served as advertising business manager for the

Lake City Reporter for 2 years. He then became assistant advertising manager of the Columbus, Ga., Ledger Inquirer, where he later served as Sunday magazine editor and then promotion manager.

During World War II, he served in the Navy with the Public Information Unit stationed in Charleston, S.C. Upon his discharge he began his career with the Miami News.

During the course of his career, he has been offered high-level jobs by at least two Florida Governors. However, he chose to stay with his chosen profession of journalism. He has served as president of both the Florida Press Club and the Florida Legislative Press Club, and has appeared regularly as an interviewer on a local television program. He has also had a Sunday column in the Atlanta Journal Constitution for 15 years and plans to continue writing it.

Over the years, he has had personal contact with Presidents Truman, Eisenhower, and Kennedy and all of Florida's Governors for the last 25 years. Six former Governors, including the Honorable Spessard L. Holland, Fuller Warren, Charley Johns, Leroy Collins, Farris Bryant, and Claude Kirk and our present Governor Reubin Askew, plus a host of State and community leaders and personal friends, plan to attend a dinner in Charlie's honor on May 28 at the Standard Club in the DuPont Plaza Hotel, Miami, Fla.

As a former member of the Florida House of Representatives, I got to know Charlie well. Later, when I came to Congress, he continued to cover my activities, along with the other members of the Florida congressional delegation.

On May 5, 1971, the Florida Senate honored Charlie Hesser by passing a resolution which says, in part, that his qualifications included "A passion for the truth; aggressiveness in seeking out the complete truth; accuracy in reporting that truth; and at the same time, a deep respect for his fellow man as has been evidenced by his steadfast refusal 'to make news' at the expense of a person's reputation."

Mr. Speaker, I ask our colleagues, and particularly those in the Florida delegation, to join with me in expressing our best wishes to Charles Hesser and the hope that he will enjoy a well-deserved retirement.

#### POSTMASTER GENERAL BLOUNT DEDICATES MISSOURI'S SESQUICENTENNIAL STAMP

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

Mr. RANDALL. Mr. Speaker, Saturday, May 8, was a significant day, both for my home city of Independence, Mo., and the State of Missouri. It was my privilege to leave the city of Washington early that morning with Postmaster General Winton M. Blount and Deputy Postmaster General in Charge of Operations, Jim Josendale, to head west to the Truman Library for the dedication ceremonies of Missouri's sesquicentennial stamp. It was one of those first-day ceremonies

which stamp collectors all over the world gather to be sure that they will have first-day covers. This stamp was different from any other because the Missouri statehood stamp was the first 8-cent postage stamp in the history of our country.

It was a thrill to be accorded the opportunity with General Blount to have a brief visit with our 32d President, Harry S. Truman, at his home on North Delaware on his 87th birthday. At the Truman home that morning were such distinguished visitors as our former Vice President and now Senator from Minnesota, HUBERT HUMPHREY, former Secretary of the Treasury, John Snyder, and former Treasurer of the United States, Georgia Neece Gray. Hundreds of well-wishers stood in the beautiful May sunlight just outside the gate on North Delaware Street waiting and hoping Mr. Truman would emerge in order that they could give their own special greeting for the "Man of Independence" they all love so much. The entire city was enveloped in a festive mood. Like St. Charles, Mo., earlier this year, Independence, the "Queen City of the Trails" added its jewel to the firmament of continuing events that comprise Missouri's sesquicentennial celebration of 1971.

It was no accident that the Postmaster General chose May 8 for the first day issue of Missouri's sesquicentennial stamp. It was Mr. Truman's 87th birthday. The face of the special issue stamp was a reproduction of a mural by that distinguished artist, Thomas Hart Benton. The original is on the north wall of the main hall of the Truman Library in Independence. It is the first sight a visitor sees as he comes into the library through the main entrance. And it was also no coincidence that Mr. Truman's birthday was chosen for the dedication of this stamp not only because the mural entitled "The Winning of the West" is a part of his library but because at the time Mr. Benton was on the scaffold working on this mural, Mr. Truman stepped up to ask that he might be handed the brush to help on the mural. Today, the famous brush marks of our former President are preserved as a part of the azure blue sky in the upper right hand portion of the mural. These very same brush marks are faithfully carried on the Missouri sesquicentennial stamp.

Saturday, May 8, was a beautiful day on the south steps of the Truman Library at Independence. There was a large crowd of several thousand assembled. Mr. Truman's old field artillery battery provided the presidential salute.

After introduction of the artist, Thomas Hart Benton, our Lt. Gov. William S. Morris and other dignitaries including members of the Missouri Legislature, city officials, Federal and State judges were introduced. Gov. Warren E. Hearnes then welcomed to Missouri our Postmaster General and proceeded to introduce him as the principal speaker to present Missouri's sesquicentennial stamp and to announce its first day of issue on May 8, 1971.

General Blount did not talk long but he said a lot in his brief remarks. He pointed out that the painting by Thomas

Hart Benton, in its mural sweep, contained a panorama of history. Earlier the Governor had pointed out that our State of Missouri had sent forth writers, artists, patriots, and statesmen of the quality that enriched America. He predicted our No. 1 citizen, President Harry S. Truman, would be accorded a place in history as one of the greatest American Presidents.

Postmaster General Blount in his speech made reference to Senator Benton, forefather of the artist and proceeded to describe the move from the temporary capital at St. Charles Mo., to the permanent State capital at Jefferson City, Mo., in 1826. Following his description of the mail service from Washington to St. Louis and on to Jefferson City in 1823, General Blount pointed out there is no more sensitive barometer to trace the growth of a nation than its postal history. He saluted the Butterfield Overland Mail Service of 1858 and described the Pony Express of 1860. He said the history of carrying the mails parallels the history of the development of our Nation.

In his closing moments he made reference to launching of the U.S. Postal Service on July 1, 1971, expressing the hope it will mean better service to the 200 million mail customers in the United States.

The remarks of Postmaster General Winton M. Blount in my judgment deserves to be perpetuated as a part of the CONGRESSIONAL RECORD. That is why I would have his speech made a part of the RECORD at this time. General Blount's remarks follow:

REMARKS BY POSTMASTER GENERAL WINTON M. BLOUNT

It is a pleasure to be with you today. Being in Missouri reminds me of one of the more outlandish requests we received for a commemorative stamp—and believe me, we receive some pretty far out requests.

Not too long ago, we were asked to bring out a stamp commemorating what was claimed to have been the first daylight armed bank robbery in the country. This event occurred in Liberty, Missouri, in 1866, and the participant was said to be one of the best known men of his day—Jesse James.

I hope that the bank robbery people—who did not get their stamp—will settle for this one.

Missouri, indeed, has a colorful heritage and that heritage will be recalled in programs sponsored statewide by the sesquicentennial commission. I hope that issuance of this stamp will encourage tens of thousands of Americans from beyond your borders to come here and see for themselves what the show me State has to show them.

The names of three prominent Missourians come to mind today. Two are named Thomas Hart Benton. When your State was born, Senator Benton—as perhaps the most powerful western legislator—helped to make history. His grandnephew has painted that history with a vividness that has brought him world renown.

It is his mural in the Truman Library, of course, that is the basis of our postage stamp. I am told that Mr. Benton had an apprentice painter to help him on this project. The third prominent Missourian, President Truman, applied the first brushstroke of paint to the mural. Today, by the way, is President Truman's 87th birthday anniversary. To honor this great American, we chose this day to dedicate this stamp. I know that I speak for all of you when I say, "happy birthday, Mr. President."

In terms of Missouri progress, quite a span has separated the two Thomas Hart Bentons.

When Senator Benton was representing the new State in Washington, D.C., Jefferson City was not much of a city, either. In 1826, when the legislature moved there from the temporary capital at St. Charles, Jefferson City was, in fact, a community of 31 families. Pigs wandered through the streets. Business and industry consisted of a general store, a gristmill, a distillery, some tanneries and a hotel.

But Missouri was on its way to development. Postmaster General John McLean reported to President Monroe in 1823, and I quote, "There will be in operation the next year, stages for the conveyance of the mail from the city of Washington to St. Louis . . . the weight of the mail required stages (rather than post riders) on this route."

Postmaster General McLean would have been dismayed if he could see the weight of today's mail. We delivered more than 84 billion pieces of mail last year and that total will be higher this year.

I don't suppose there is a more sensitive barometer to trace the growth of a nation than its postal history. Our commemorative postage stamps colorfully and dramatically capture the forward surge of America.

Two such events are centered in Missouri—the inception of the Butterfield Overland Mail Service in 1858, and two years later, a faster service that also excited the Nation—the Pony Express.

John Butterfield telegraphed President Buchanan the good news, and I quote, "The overland mail arrived today at St. Louis from San Francisco in twenty-three days and four hours."

The President replied: "It is a glorious triumph for civilization and the union."

A more glorious triumph was just over the horizon. The pony express carried mail on a record-breaking run from St. Joseph, Missouri to Sacramento, California in a mere seven days, 17 hours.

Those were high moments in the history of carrying the mails and in the development of our Nation.

The dynamics of America, that surging insistence to get the job done better and faster, were exemplified in this 19th century era.

Eras come into being, serve their times, and fall out of being. An era begins July 1 with the launching of the U.S. Postal Service.

Postal traditions for service will remain, but the mechanics for advancing these will take a drastic departure.

First of all, the Postal Service is removed from politics. As a criterion for naming Postmasters, we no longer express curiosity as to how the applicant for the job cast his vote. Merit will motivate.

Second, there will be collective bargaining in good faith between postal management and employees to determine working conditions and wages.

Third, postal rates, pegged to eliminate deficits, will be set by postal management on recommendation by a panel of expert rate commissioners, and

Fourth, there will be authority to obtain adequate financing for the postal system by issuing bonds.

What will all of this mean to the 200 million mail customers in the United States? It will mean better service.

Just two weeks ago we announced a plan whereby we intend to provide next day delivery for air mail letters going to principal cities within a 600 mile distance. We intend to provide second day delivery to other principal cities throughout the United States.

This is only the first step of a master plan to provide better mail service for our customers. This is a major challenge for all of our employees. However, based on what I have seen thus far, they are adopting a "can-do" attitude and getting the job done.

We have come a long way from the seven day, seventeen hour delivery time from St.

Joseph to Sacramento on the Pony Express. But we still have a big job ahead of us.

With the tools made available to us by the Postal Reorganization Act, I promise you that this job will be done.

#### DROUGHT IN TEXAS AND OKLAHOMA

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

Mr. PURCELL. Mr. Speaker, a drought as serious as those of the "dust-bowl" days has been ravaging Texas and Oklahoma. The attention of this House has been brought to the problem before. I am convinced we have reached a point in time, though, at which every additional day of neglect for the economy of this area will be felt in pocketbooks in every State from Maine to Hawaii.

In Wichita Falls, Tex., 2.13 inches of measurable precipitation were recorded between the 1st of January and the end of April. The city has recently finished a 55-day stretch without any measurable precipitation. To date just over 30 percent of the normal rainfall for the same period has occurred.

Wichita Falls is a city of almost 100,000 people. Surrounding it are literally dozens of counties with almost 100 percent agriculturally oriented economies. I have flown over them, and I have been in nearly every one of them in the last several weeks. Half of the stock tanks in the western half of my district are bone dry, Mr. Speaker.

In bad dry spells people often have to trim their cattle to their foundation herds and maintain them until better conditions arrive. In my district ranchers have been selling even their foundation herds—just to keep from having to haul carcasses out of their pastures.

Vernon, Tex., is 50 miles west of Wichita Falls. Vernon, whose average rainfall for the first quarter is 3.49 inches, had just 0.76 of an inch during the first quarter of this year.

Vernon is the county seat of Wilbarger County. The utterly critical nature of this drought is beyond belief. In 1970 the farmers of Wilbarger County raised 69,966 acres of wheat. This year the wheat crop will not be harvested. In the same county, 43,913 acres of feed grains were raised. Only a small portion of the 1970 yield will be realized.

The story is the same or worse for dozens of counties in that area. The next county west of Vernon is Hardeman County. There will not be enough wheat harvested to use for seed next year. Not only will there be no income this year, but next year's seed will cost \$3 per bushel.

It is obviously not just the farmers who have been victimized, though. The towns in these counties are in existence from day to day because of the agriculture industry which surrounds them.

The hardware store operator cannot go buy a new pair of slacks because the farmers have not been able to buy any of his implements. The clothing store operator cannot buy the new fence for his backyard from the hardware store because no one has been able to buy any of his merchandise. He could not get a

fencepost in the ground out there anyway.

This drought has now gone beyond the stage in which it solely affects the farmer. The store operators, the business community, and the things like donations to keep the local Scout troop running have all suffered—and suffered significantly.

The banks in these towns are pressed to the limit. They have done all they can to help the communities—farmers and businessmen alike. But when an area's earning power is broken, everything disintegrates with it. I was asked by a man in Quanah, Tex., the other day if it was going to take a tornado killing a hundred people to get the kind of assistance they needed.

Further to the northwest is Amarillo, Tex. In the last 12 months Amarillo has received 8.71 inches of measurable precipitation; 1.65 inches of that came in the form of a prairie blizzard, drifting most of the helpful moisture against fences and hedgerows. In March, a critical month for the development of the 1971 winter wheat crop, the Amarillo area received 0.10 of an inch of rain.

The normal annual rainfall for Potter County is 19.67 inches. The last time a year's aggregate precipitation reached that average was 18 months ago.

Southwest Oklahoma is no better off. Lawton, Okla., a city 60 miles north of Wichita Falls, has received 2.9 inches of precipitation during 1971. In the first 4 months of the year less than 10 percent of the normal annual rainfall total had been recorded.

Time is past, Mr. Speaker, for economic assistance just for the farmer. Just as the rural townspeople trailed the farmers and ranchers into the economic ravages of this drought, so will they follow them out of it. That is, there will be a considerable time lag between getting the farmer back on his feet and getting the rural communities back on theirs.

For this reason, I strongly believe the administration, the Department of Agriculture, and the Office of Emergency Preparedness must reconsider the recent announcement of limited assistance to the drought stricken areas. Agricultural assistance alone is no longer the crying need for this area.

The Secretary of Agriculture has issued a declaration of which falls short of the assistance which is needed. That assistance can come only from a Presidential declaration. Under the present situation, the Department of Agriculture is the only Federal authority which can provide assistance.

Even so, the farmers and ranchers are baffled at some of the special emergency assistance. I was sent a two-page form the other day by a farmer who wanted me to fill it out. He could not understand all the certifications and regulations demanded of him in the application. When representatives from the Department came to my office last month. I specifically asked if there would be procedural logjams. I was given an explicit no and 2 weeks later received a form they had told me would not be used. This fuels the resentment northwest Texas has developed at the Federal Government's drought actions to date.

Presently, Commodity Credit Corpora-

tion-owned feed grain is for sale at reduced prices to ranchers caught by the drought—if they can get their applications filled out properly. Others have been allowed to graze livestock on cropland taken out of production under the cropland adjustment program. These things are helpful, but they do not replace water.

Nor do they replace critical drops in retail sales, of the absolute loss of the area's earning power. In stark terms, the limited assistance which has been granted under the Secretary's declaration does not put dollars where they are needed.

A presidential declaration would bring all the emergency assistance capabilities of the Government to the area. If this administration's commitment to rural America is as good as its word, this will be done.

Additionally, loans should be made available for business as well as agriculture. Over \$100 million in rural water and sewer system construction grants, which have been appropriated by Congress but impounded by the administration, should be released. They should be released not as loans, but as grants as we designed the programs in this very room.

If the commitment is genuine, Mr. Speaker, public works of all kinds will be accelerated throughout the area. Relief should be given to those facing eviction for a failure to pay mortgages as a consequence of the disaster. Efforts should be made to see to it that business losses will be at least offset somewhat for those communities depending so heavily upon agriculture.

I earnestly hope the commitment of this administration to rural America is real. Hundreds of thousands of Texans and Oklahomans are waiting for proof—and help.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. COTTER, for Tuesday and Wednesday, May 26 and 27, on account of attending Senator Dodd's funeral.

Mr. KEE (at the request of Mr. Boggs), for today, on account of official business.

Mr. GALLAGHER (at the request of Mr. Moss), for Wednesday, May 26, through June 4, 1971, on account of official business.

Mr. BROOKS (at the request of Mr. Wright), on account of serving as an official delegate to NATO Interparliamentary Conference.

Mr. ROONEY of New York, for balance of today and tomorrow, on account of official business.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. MELCHER, for 60 minutes, on June 7, to revise and extend his remarks and include extraneous material.

Mr. RYAN, for 15 minutes, today, to revise and extend his remarks and include extraneous material.

(The following Members (at the re-

quest of Mr. SHOUF) and to revise and extend their remarks and include extraneous matter:)

Mr. HOSMER, for 5 minutes, today.

Mr. MILLER of Ohio, for 5 minutes, today.

Mr. HOGAN, for 5 minutes, today.

Mr. STEELE, for 15 minutes, on May 27.

Mr. FINDLEY, for 10 minutes, today.

(The following Members (at the request of Mr. DAVIS of South Carolina) and to revise and extend their remarks and include extraneous matter:)

Mr. ROSENTHAL, for 10 minutes, today.

Mr. CORMAN, for 10 minutes today.

Mr. FLOOD, for 20 minutes, today.

Mr. RABICK, for 15 minutes, today.

Mr. GONZALEZ, for 10 minutes, today.

Mr. HARRINGTON, for 20 minutes, today.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. HOLIFIELD, to extend his remarks made in Committee and include extraneous material.

Mr. RANDALL, in two instances and to include extraneous matter.

Mr. GROSS and to include extraneous matter.

Mr. CARTER to extend his remarks immediately following those of Mr. QUILLEN today.

(The following Members (at the request of Mr. SHOUF) and to include extraneous matter:)

Mr. BURKE of Florida.

Mr. GUDE.

Mr. McCLORY.

Mr. BAKER.

Mr. DERWINSKI in two instances.

Mr. MORSE.

Mr. HANSEN of Idaho.

Mr. HOSMER in two instances.

Mr. ZWACH in two instances.

Mr. BOB WILSON in two instances.

Mr. CHAMBERLAIN in two instances.

Mr. HALL.

Mr. SCHWENDEL in two instances.

Mr. MILLER of Ohio.

Mr. ASHBROOK in two instances.

Mr. HUNT.

Mr. MYERS.

Mr. SCHMITZ in two instances.

Mr. SEBELIUS.

Mr. PELLY in two instances.

Mr. CARTER in two instances.

Mr. DENNIS.

Mr. DICKINSON.

Mr. KEMP.

Mr. DUNCAN.

(The following Members (at the request of Mr. DAVIS of South Carolina) and to include extraneous matter:)

Mr. ADDABBO.

Mr. CORMAN.

Mr. ROONEY of Pennsylvania in two instances.

Mr. O'NEILL in two instances.

Mr. ROY.

Mr. BADILLO in three instances.

Mr. ZABLOCKI in three instances.

Mr. PEPPER.

Mr. DOW.

Mr. RODINO.

Mr. BLANTON in two instances.

Mr. DANIELS of New Jersey in two instances.

Mr. VANIK in two instances.

Mr. WOLFF in three instances.

Mr. DRINAN.  
 Mr. RARICK in three instances.  
 Mr. HAGAN in two instances.  
 Mr. BEGICH in five instances.  
 Mr. HAMILTON.  
 Mr. CARNEY in two instances.  
 Mr. FOLEY in two instances.  
 Mr. BENNETT in two instances.  
 Mr. GONZALEZ in three instances.  
 Mr. BRASCO.  
 Mr. ROGERS in 10 instances.  
 Mr. DINGELL.  
 Mr. MAHON in two instances.  
 Mr. DELANEY in two instances.

#### SENATE ENROLLED JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

S. J. Res. 29. Joint resolution to provide for the designation of the calendar week beginning on May 30, 1971, and ending on June 5, 1971, as "National Peace Corps Week," and for other purposes.

#### BILL PRESENTED TO THE PRESIDENT

Mr. HAYS, from the Committee on House Administration, reported that that committee did on May 25, 1971, present to the President, for his approval, a bill of the House of the following title:

H.R. 4209. An act to amend the Revised Organic Act of the Virgin Islands.

#### ADJOURNMENT

Mr. DAVIS of South Carolina. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 34 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, May 27, 1971, at 10 o'clock a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

762. A letter from the Secretary of the Army, transmitting the annual report of the U.S. Soldiers' Home for fiscal year 1970, and a copy of the report of the annual general inspection of the Home for 1970 by the Inspector General of the Army, pursuant to 24 U.S.C. 59, 60; to the Committee on Armed Services.

763. A letter from the Director, Office of Emergency Preparedness, Executive Office of the President, transmitting the semiannual report on the strategic and critical materials stockpiling program for the period ended December 31, 1970, pursuant to section 4 of the Strategic and Critical Materials Stock Piling Act; to the Committee on Armed Services.

764. A letter from the Commissioner of the District of Columbia, transmitting the annual report of the Office of Civil Defense of the District of Columbia, pursuant to section 6 of Public Law 686, 81st Congress; to the Committee on the District of Columbia.

765. A letter from the Chairman, Indian Claims Commission, transmitting the final determination of the Commission with respect to docket No. 281, *The Creek Nation East of the Mississippi, Plaintiff, v. The*

*United States of America, Defendant*, pursuant to 60 Stat. 1055; to the Committee on Interior and Insular Affairs.

766. A letter from the Chairman, Indian Claims Commission, transmitting the final determination of the Commission with respect to docket No. 334-D, *The Absentee Shawnee Tribe of Oklahoma (on behalf of the Shawnee Nation), Plaintiff, v. The United States of America, Defendant*, pursuant to 60 Stat. 1055; to the Committee on Interior and Insular Affairs.

767. A letter from the Assistant Secretary of State for Congressional Relations, transmitting a draft of proposed legislation to prohibit the importation into the United States of pre-Columbian monumental and architectural sculpture, murals and any fragment or part thereof, exported contrary to the laws of the country of origin, and for other purposes; to the Committee on Ways and Means.

#### RECEIVED FROM THE COMPTROLLER GENERAL

768. A letter from the Comptroller General of the United States, transmitting a report on improvements needed in management of training under the Government Employees Training Act in the Department of Defense; to the Committee on Government Operations.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. POAGE: Committee on Agriculture. H.R. 1161. A bill to amend section 402 of the Agricultural Trade Development and Assistance Act of 1954, as amended, in order to remove certain restrictions against domestic wine under title I of such act; (Rept. No. 92-229). Referred to the Committee of the Whole House on the State of the Union.

Mr. POAGE: Committee on Agriculture. H.R. 4263. A bill to add California-grown peaches as a commodity eligible for any form of promotion, including paid advertising, under a marketing order; with amendments (Rept. No. 92-230). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 1. A bill to amend the Social Security Act to provide increases in benefits, improve computation methods, and raise the earnings base under the OASDI program, to make improvements in the medicare, medicaid, and maternal and child health programs with emphasis on improvements in their operating effectiveness, to authorize a family assistance plan providing basic benefits to low-income families with children with incentives for employment and training to improve the capacity for employment of members of such families, to achieve more uniform treatment of recipients under the Federal-State public assistance programs and otherwise improve such programs, and for other purposes; with amendments (Rept. No. 92-231). Referred to the Committee of the Whole House on the State of the Union.

Mr. HÉBERT: Committee on Armed Services. H.R. 8687. A bill to authorize appropriations during the fiscal year 1972 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes; with amendment (Rept. No. 92-232). Referred to the Committee of the Whole House on the State of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of California:

H.R. 8723. A bill to impose an additional excise tax on cigarettes, with the proceeds being used for cancer research programs through a newly established cancer research fund; to the Committee on Ways and Means.

By Mr. HANSEN of Idaho:

H.R. 8724. A bill relating to manpower requirements, resources, development, utilization, and evaluation, and for other purposes; to the Committee on Education and Labor.

By Mr. BINGHAM (for himself and Mr. ROSENTHAL):

H.R. 8725. A bill to provide for the settlement of certain land claims of Alaska natives, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BOW:

H.R. 8726. A bill to amend title 5, United States Code, to authorize the payment of increased annuities to secretaries of justices and judges of the United States; to the Committee on Post Office and Civil Service.

By Mr. BUCHANAN:

H.R. 8727. A bill to amend section 112 of the Internal Revenue Code of 1954 to remove the dollar ceiling on the amount of combat pay received by commissioned officers which may be excluded from gross income; to the Committee on Ways and Means.

By Mr. CHAMBERLAIN:

H.R. 8728. A bill to amend the Public Health Service Act so as to promote the public health by strengthening the national effort to conquer cancer; to the Committee on Interstate and Foreign Commerce.

By Mr. CHAPPELL (for himself, Mr. SIKES, and Mr. MATHIS of Georgia):

H.R. 8729. A bill to amend the Small Business Investment Act of 1958; to the Committee on Banking and Currency.

By Mr. DON H. CLAUSEN:

H.R. 8730. 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.

H.R. 8731. A bill to amend the Internal Revenue Code of 1954 to exempt from the tax on the use of civil aircraft amateur-built aircraft which are operating under experimental certificates; to the Committee on Ways and Means.

By Mr. COLLIER:

H.R. 8732. A bill to establish a National Research Data Bank; to the Committee on Government Operations.

By Mr. DINGELL (for himself and Mr. CARNEY):

H.R. 8733. A bill to amend the Railroad Retirement Act of 1937 to provide for the purchase of certain securities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FORSYTHE:

H.R. 8734. A bill to require no-fault motor vehicle insurance as a condition precedent to using the public streets, roads, and highways, in order to promote and regulate interstate commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. HARRINGTON:

H.R. 8735. A bill to authorize \$2 million for assistance to municipalities in planning waste treatment facilities; to the Committee on Public Works.

H.R. 8736. A bill to amend section 8 of the Federal Water Pollution Control Act, relating to grants for the construction of treatment works, in order to increase the Federal share of construction costs and to authorize the obligation of certain amounts for such grants, and to amend section 10 of the act

relating to water quality standards, and for other purposes; to the Committee on Public Works.

By Mr. HARSHA:

H.R. 8737. A bill to establish drug abuse control organizations in the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. JOHNSON of California (for himself and Mr. WYATT):

H.R. 8738. A bill to establish methods of payment for national forest timber, and for other purposes; to the Committee on Agriculture.

By Mr. JONES of Alabama (for himself and Mr. BEVILL):

H.R. 8739. A bill to establish within the Bankhead National Forest in Alabama the Sipsey National Recreation Area and the Bee Branch Wilderness; to the Committee on Agriculture.

By Mr. KOCH:

H.R. 8740. A bill to amend the Internal Revenue Code of 1954 to provide that the deduction for expenses paid for care of dependents shall be fully available to both male and female taxpayers without regard to their marital status, and to increase the dollar limits on such deduction; to the Committee on Ways and Means.

By Mr. KOCH (for himself, Mr. BADILLO, Mr. WOLFF, Mr. EDWARDS of California, Mr. LINK, Mr. ROSENTHAL, Mr. ELBERG, Mrs. GRASSO, Mr. ADDABBO, Mr. HARRINGTON, Mr. ROYBAL, Mr. BELL, Mr. METCALFE, and Mr. HELSTOSKI):

H.R. 8741. A bill to provide for the treatment of members of the Armed Forces who are narcotics addicts; to the Committee on Armed Services.

By Mr. KOCH (for himself, Mr. BADILLO, Mr. EDWARDS of California, Mr. FRENZEL, Mr. LINK, Mr. ROSENTHAL, Mr. FORSYTHE, Mr. ELBERG, Mrs. GRASSO, Mr. ADDABBO, Mr. HARRINGTON, Mr. ROYBAL, Mr. BELL, Mr. ST GERMAIN, Mr. METCALFE, and Mr. HELSTOSKI):

H.R. 8742. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide for the development and operation of treatment programs for certain drug abusers who are confined to or released from correctional institutions and facilities; to the Committee on the Judiciary.

By Mr. KOCH (for himself, Mr. BADILLO, Mr. WOLFF, Mr. EDWARDS of California, Mr. FRENZEL, Mr. LINK, Mr. ROSENTHAL, Mr. FORSYTHE, Mr. ELBERG, Mrs. GRASSO, Mr. ADDABBO, Mr. HARRINGTON, Mr. BELL, Mr. METCALFE, and Mr. HELSTOSKI):

H.R. 8743. A bill to amend the Social Security Act to provide that Federal welfare payments may be made with respect to an individual who qualifies therefor on the basis of drug-caused disability or incapacity only if such individual is undergoing appropriate treatment; to the Committee on Ways and Means.

By Mr. McMILLAN:

H.R. 8744. A bill to amend the District of Columbia Police and Firemen's Salary Act of 1958; to the Committee on the District of Columbia.

By Mr. MATSUNAGA:

H.R. 8745. A bill to provide that a guarantee of repayment made by the State of Hawaii may be accepted by the Farmers Home Administration in lieu of a real property lien; to the Committee on Banking and Currency.

By Mr. MEEDS:

H.R. 8746. A bill to require an immigrant alien to maintain a permanent residence as a condition for entering and remaining in the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. MINISH:

H.R. 8747. A bill to provide for the establishment of a Metropolitan Drug Addiction Commission to coordinate and make more effective in the New York metropolitan area the various Federal, State, and local programs for the control, treatment, and prevention of drug addiction; to the Committee on Interstate and Foreign Commerce.

H.R. 8748. A bill to establish the Office of Drug Abuse Control within the Executive Office of the President; to the Committee on Interstate and Foreign Commerce.

By Mr. MYERS (for himself and Mr. CLEVELAND):

H.R. 8749. A bill to amend the National Traffic and Motor Vehicle Safety Act of 1966 to require the establishment of standards related to rear-mounted lighting systems; to the Committee on Interstate and Foreign Commerce.

By Mr. PATMAN (by request):

H.R. 8750. A bill to provide for increased participation by the United States in the International Development Association; to the Committee on Banking and Currency.

By Mr. PERKINS:

H.R. 8751. A bill to amend the Railroad Retirement Act of 1937 to provide that a spouse otherwise qualified may be entitled to a full spouses' annuity at age 55; to the Committee on Interstate and Foreign Commerce.

By Mr. QUILLEN:

H.R. 8752. A bill to amend title II of the Social Security Act to reduce from 60 to 50 the age at which a woman otherwise qualified may become entitled to widow's insurance benefits; to the Committee on Ways and Means.

By Mr. ROBINSON of Virginia:

H.R. 8753. A bill to amend part II of the Interstate Commerce Act in order to completely exempt certain farm vehicles and farm vehicle drivers from the provisions thereof; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSENTHAL:

H.R. 8754. A bill to amend the Federal Aviation Act of 1958 in order to authorize free or reduced rate transportation to handicapped persons and persons who are 65 years of age or older, and to amend the Interstate Commerce Act to authorize free or reduced rate transportation for persons who are 65 years of age or older; to the Committee on Interstate and Foreign Commerce.

By Mr. UDALL (for himself, Mr. RHODES, and Mr. STEIGER of Arizona):

H.R. 8755. A bill ratifying and confirming an agreement by the Secretary of the Interior providing for the issuance of a lifetime grazing permit to the Gray family now consisting of Jack Gray, Henry Gray, and Robert Louis Gray, relating to the grazing of cattle within confines of the Organ Pipe Cactus National Monument; to the Committee on Interior and Insular Affairs.

H.R. 8756. A bill to provide for the establishment of the Hohokam Pima National Monument in the vicinity of the Snaketown archeological site, Arizona, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. VANIK:

H.R. 8757. A bill to amend the Internal Revenue Code of 1954 to provide for the taxation of gains at death; to the Committee on Ways and Means.

By Mr. BOB WILSON:

H.R. 8758. A bill to amend titles 10 and 37, United States Code, to provide equality of treatment for married female members of the uniformed services; to the Committee on Armed Services.

H.R. 8759. A bill to amend titles 10 and 37, United States Code, to provide for equality of treatment for military personnel in

the application of dependency criteria; to the Committee on Armed Services.

By Mr. WOLFF (for himself, Mr. PODELL, Mr. SCHWENGLER, Mr. BADILLO, Mr. MIKVA, Mr. ROSENTHAL, Mr. MITCHELL, Mrs. CHISHOLM, Mr. McCORMACK, Mr. MAZZOLI, Mr. REID of New York, Mr. SEIBERLING, and Mr. HALPERN):

H.R. 8760. A bill to prohibit commercial flights by supersonic aircraft into or over the United States until certain findings are made by the Administrator of the Environmental Protection Agency and by the Secretary of Transportation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WYDLER:

H.R. 8761. A bill to require the protection, management, and control of wild free-roaming horses and burros on public lands; to the Committee on Interior and Insular Affairs.

By Mr. BUCHANAN:

H.J. Res. 667. Joint resolution authorizing the President to designate the week consisting of the first 7 days in July of each year as "American Creed Week"; to the Committee on the Judiciary.

By Mr. CARTER:

H.J. Res. 668. Joint resolution to authorize the President to proclaim the month of January of each year as "National Volunteer Blood Donor Month"; to the Committee on the Judiciary.

By Mr. HUNGATE (for himself, Mrs. CHISHOLM, Mr. COUGHLIN, Mr. DANIELSON, Mr. DINGELL, Mr. ERLÉNBERG, Mr. ESCH, Mr. FORSYTHE, Mr. GARMATZ, Mr. GUDE, Mr. HARVEY, Mr. HECHLER of West Virginia, Mr. HORTON, Mr. MANN, Mr. MAYNE, Mr. MIKVA, Mr. MITCHELL, Mr. MOORHEAD, Mr. SARBANES, Mr. SEIBERLING, and Mr. SYMINGTON):

H. Con. Res. 322. Concurrent resolution urging review of the United Nations Charter; to the Committee on Foreign Affairs.

By Mr. RYAN (for himself, Mr. BUCHANAN, Mr. GUDE, Mr. MORSE, Mr. O'NEILL, Mr. SCHEUER, Mr. ADDABBO, Mr. ANDERSON of Illinois, Mr. ANNUNZIO, Mr. ARCHER, Mr. ASHLEY, Mr. BADILLO, Mr. BARRETT, Mr. BIAGGI, Mr. BINGHAM, Mr. BOLAND, Mr. BURKE of Florida, Mr. BURKE of Massachusetts, Mr. BURTON, Mr. CAREY of New York, Mr. CELLER, Mr. CRANE, Mr. DANIELSON, and Mr. DONOHUE):

H. Res. 454. Resolution calling upon the Voice of America to broadcast in the Yiddish language to Soviet Jewry; to the Committee on Foreign Affairs.

By Mr. RYAN (for himself, Mr. DOW, Mr. DRINAN, Mr. ECKHARDT, Mr. EDWARDS of California, Mr. ELBERG, Mr. ESCH, Mr. FISH, Mr. FLOOD, Mr. FOLEY, Mr. GALLAGHER, Mr. GAIAMO, Mr. GONZALEZ, Mrs. GRASSO, Mr. HALPERN, Mr. HATHAWAY, Mr. HAWKINS, Mr. HECHLER of West Virginia, Mr. HELSTOSKI, Mr. HORTON, Mr. KOCH, Mr. KYROS, and Mr. LENT):

H. Res. 455. Resolution calling upon the Voice of America to broadcast in the Yiddish language to Soviet Jewry; to the Committee on Foreign Affairs.

By Mr. RYAN (for himself, Mr. LONG of Maryland, Mr. MAZZOLI, Mr. McDADE, Mr. MELCHER, Mr. MIKVA, Mr. MINISH, Mr. MOORHEAD, Mr. NIX, Mr. PEPPER, Mr. PODELL, Mr. POWELL, Mr. PRICE of Illinois, Mr. PUCINSKI, Mr. REES, Mr. REID of New York, Mr. RIEGLE, Mr. ROSENTHAL, Mr. ROSTENKOWSKI, Mr. SISK, Mr. STAFFORD, Mr. TERNAN, Mr. WHITEHURST, Mr. WOLFF, and Mr. YATES):

H. Res. 456. Resolution calling upon the Voice of America to broadcast in the Yiddish language to Soviet Jewry; to the Committee on Foreign Affairs.

#### MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

194. By the SPEAKER: Memorial of the Legislature of the State of California, relative to the use of surplus unsubsidized agricultural food products; to the Committee on Agriculture.

195. Also, memorial of the Legislature of the State of Tennessee, relative to daylight saving time; to the Committee on Interstate and Foreign Commerce.

#### PETITIONS, ETC.

Under clause 1 of rule XXII,

79. The SPEAKER presented a petition of the Marshall Islands Nitijela, Majuro, Marshall Islands, Trust Territory of the Pacific Islands, relative to its appreciation for the improvement of conditions throughout Micronesia, which was referred to the Committee on Interior and Insular Affairs.

## SENATE—Wednesday, May 26, 1971

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. ELLENDER).

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

God of grace and God of glory make us mindful of that great "cloud of witness" before whom we run life's race. We thank Thee for those Americans whose last march is ended, whose battles are all fought, whose victories are all won, and who lie awaiting the final bugle call. May our memorial to them be a world at peace where justice abounds and love prevails.

Bless us as we work this day. Give journeying mercies as we travel. Watch over us in our separation. And return us safely to this Chamber, restored in heart and mind and spirit.

In all our ways help us to reflect the truth "Blessed are the pure in heart, for they shall see God." Amen.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Berry, one of its reading clerks, informed the Senate that, pursuant to the provisions of section 1, Public Law 86-420, the Speaker had appointed Mr. UDALL as a member of the U.S. delegation of the Mexico-United States Interparliamentary Group.

The message also announced that the House had agreed to the amendments of the Senate to the concurrent resolution (H. Con. Res. 316) providing for the adjournment of the Congress from May 27, 1971, until June 1, 1971.

The message further announced that the House had passed House Joint Resolution 556, a joint resolution providing for the observance of "Youth Appreciation Week" during the 7-day period beginning the second Monday in November of 1971, in which it requested the concurrence of the Senate.

#### ENROLLED JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled joint resolution:

S.J. Res. 29. A joint resolution to provide for the designation of the calendar week beginning on May 30, 1971, and ending on June 5, 1971, as "National Peace Corps Week," and for other purposes.

The enrolled joint resolution was signed by the President pro tempore.

#### HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H.J. Res. 556) providing for the observance of "Youth Appreciation Week" during the 7-day period beginning the second Monday in November of 1971, was read twice by its title and referred to the Committee on the Judiciary.

#### ENROLLED JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, May 26, 1971, he presented to the President of the United States the enrolled joint resolution (S.J. Res. 29) to provide for the designation of the calendar week beginning on May 30, 1971, and ending on June 5, 1971, as "National Peace Corps Week," and for other purposes.

#### THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, May 25, 1971, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT NEXT WEEK FROM TUESDAY TO WEDNESDAY AT 11 A.M.; FROM WEDNESDAY TO THURSDAY AT 10:30 A.M.; AND FROM THURSDAY TO FRIDAY AT 10 A.M.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business on Tuesday next, it stand in adjournment until the hour of 11 a.m. on Wednesday; that when it completes its business on Wednesday, it stand in adjournment until 10:30 a.m. on Thursday; and that when it completes its business on Thursday, it stand in adjournment until 10 a.m. on Friday.

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

(Subsequently, the order was changed to provide for the Senate to convene at 9:30 a.m. (instead of 11 a.m.) on Wednesday, June 2, 1971.

#### COMMITTEE MEETINGS DURING SENATE SESSION TODAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees

be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

#### EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider a nomination on the Executive Calendar.

There being no objection, the Senate proceeded to consider executive business.

The PRESIDENT pro tempore. The clerk will state the nomination.

#### UNITED NATIONS

The legislative clerk read the nomination of W. Tapley Bennett, Jr., of Georgia, to be Deputy Representative of the United States of America in the Security Council of the United Nations, with the rank of Ambassador.

The PRESIDENT pro tempore. Without objection, the nomination will be considered and confirmed.

Mr. MANSFIELD. Mr. President, I request that the President be immediately notified of the confirmation of the nomination.

The PRESIDENT pro tempore. Without objection, the President will be so notified.

#### LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate return to legislative session.

There being no objection, the Senate resumed the consideration of legislative business.

#### ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of two unobjected-to bills on the calendar, Calendar Nos. 131 and 132.

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

#### MARITIME APPROPRIATION AUTHORIZATION, 1972

The Senate proceeded to consider the bill (H.R. 4724) an act to authorize appropriations for certain maritime programs of the Department of Commerce, which had been reported from the Com-