

Choquette, Stefan P., XXXX
 Clark, Gary G., XXX-XX-XXXX
 Cork, Timothy R., XXX-XX-XXXX
 Costello, Benjamin L., XXX-XX-XXXX
 Cox, Joseph M., XXX-XX-XXXX
 Crepeau, Robert P., XXX-XX-XXXX
 Cruz, Michael G., XXX-XX-XXXX
 Currie, Van A., XXX-XX-XXXX
 Dances, Joseph S., XXX-XX-XXXX
 Darcy, Edward J., XXX-XX-XXXX
 Davila, Nestor A., XXX-XX-XXXX
 Deshazer, Macarthur, XXX-XX-XXXX
 Doss, James H., XXX-XX-XXXX
 Eckhart, Michael A., XXX-XX-XXXX
 Egiziano, Robert U., XXX-XX-XXXX
 Egmon, Gary W., XXX-XX-XXXX
 Evans, David L., XXX-XX-XXXX
 Evans, John L., II, XXX-XX-XXXX
 Faggioli, Vincent J., XXX-XX-XXXX
 Fojt, Alan S., XXX-XX-XXXX
 Fuoco, Samuel, XXX-XX-XXXX
 Calloway, David A., XXX-XX-XXXX
 Ganninger, Richard W., XXX-XX-XXXX
 Garrison, Dennis V., Jr., XXX-XX-XXXX
 Gorres, Roger L., XXX-XX-XXXX
 Graski, George M., XXX-XX-XXXX
 Griffin, Howard S., XXX-XX-XXXX
 Guffey, David M., XXX-XX-XXXX
 Guthmiller, Donald L., XXX-XX-XXXX
 Hale, Ronald L., XXX-XX-XXXX
 Hammonds, Gary L., XXX-XX-XXXX
 Hampel, Gary G., XXX-XX-XXXX
 Hernandez, Arthur B., XXX-XX-XXXX
 Hertig, Mark E., XXX-XX-XXXX
 Hervey, Paul M., XXX-XX-XXXX
 Hickman, Michael M., XXX-XX-XXXX
 Hicks, Paul W., XXX-XX-XXXX
 Householder, Gary E., XXX-XX-XXXX
 Howrey, Edward L., XXX-XX-XXXX
 Hughes, Michael, XXX-XX-XXXX
 Hurd, Charles W., Jr., XXX-XX-XXXX
 Hylton, Milford D., Jr., XXX-XX-XXXX
 Iossi, Charles M., XXX-XX-XXXX

Jemiola, Richard W., XXX-XX-XXXX
 Jones, Leonard D., XXX-XX-XXXX
 Jones, Randall D., XXX-XX-XXXX
 Kassigkeit, Henry C., XXX-XX-XXXX
 Keleher, Michael P., XXX-XX-XXXX
 Kennedy, John D., XXX-XX-XXXX
 Kennedy, Robert J., XXX-XX-XXXX
 King, Sidney D., XXX-XX-XXXX
 Klenowski, Charles S., XXX-XX-XXXX
 Knapp, Stanley K., XXX-XX-XXXX
 Kopec, Julius L., XXX-XX-XXXX
 Labin, Danie L., XXX-XX-XXXX
 Lindsey, Charles B., XXX-XX-XXXX
 Lipton, Patrick P., XXX-XX-XXXX
 Liu, Louw Shiang, XXX-XX-XXXX
 Lyle, Woodrow R., XXX-XX-XXXX
 Marcello, Carlo J., Jr., XXX-XX-XXXX
 Markunas, Peter J., XXX-XX-XXXX
 Mathes, Todd D., XXX-XX-XXXX
 McKean, Michael J., XXX-XX-XXXX
 McPhail, James D., XXX-XX-XXXX
 Messerknecht, Craig L., XXX-XX-XXXX
 Milton, Theodore R., Jr., XXX-XX-XXXX
 Minnich, Scott G., XXX-XX-XXXX
 Moody, Donald J., XXX-XX-XXXX
 Nelson, William E., Jr., XXX-XX-XXXX
 Nishimoto, Castle K., XXX-XX-XXXX
 Norden, Stephen B., XXX-XX-XXXX
 Oncken, William, III, XXX-XX-XXXX
 O'Sullivan, Jay D., XXX-XX-XXXX
 Palmer, James T., XXX-XX-XXXX
 Parkins, Bruce M., XXX-XX-XXXX
 Peach, Gregory W., XXX-XX-XXXX
 Pearl, Barton Lee, XXX-XX-XXXX
 Perkins, Kenneth R., XXX-XX-XXXX
 Perry, Brewster, Jr., XXX-XX-XXXX
 Perry, Michael L., XXX-XX-XXXX
 Phinney, David G., XXX-XX-XXXX
 Poole, Trachanzie P., XXX-XX-XXXX
 Price, Daniel G., XXX-XX-XXXX
 Pumphrey, Robert S., XXX-XX-XXXX
 Quinones, Edgardo E., XXX-XX-XXXX

Ritter, George P., XXX-XX-XXXX
 Rose, Douglas M., XXX-XX-XXXX
 Rose, Richard P., XXX-XX-XXXX
 Rothlein, Julius, XXX-XX-XXXX
 Rowan, Robert T., Jr., XXX-XX-XXXX
 Schaaf, Randy C., XXX-XX-XXXX
 Scott, David D., XXX-XX-XXXX
 Scott, Peter B., XXX-XX-XXXX
 Shaw, Rayford L., XXX-XX-XXXX
 Shenberger, Paul S., XXX-XX-XXXX
 Siebold, James R., XXX-XX-XXXX
 Skudlarek, William J., XXX-XX-XXXX
 Sloan, John W., III, XXX-XX-XXXX
 Staples, Winthrop R., III, XXX-XX-XXXX
 Stricklin, William G., XXX-XX-XXXX
 Swenson, Gary G., XXX-XX-XXXX
 Tant, Hugh B., III, XXX-XX-XXXX
 Thompson, Kenneth P., XXX-XX-XXXX
 Thues, Stanley R., XXX-XX-XXXX
 Walkenshaw, Barry G., XXX-XX-XXXX
 Walkenshaw, Philip S., XXX-XX-XXXX
 Ward, Russell D., Jr., XXX-XX-XXXX
 Waronicki, Theodore W., Jr., XXX-XX-XXXX
 Welles, Peter B., XXX-XX-XXXX
 Wenger, Lowell E., XXX-XX-XXXX
 Werb, Thomas J., XXX-XX-XXXX
 Williman, Glenn S., XXX-XX-XXXX
 Wilson, Jon S., XXX-XX-XXXX
 Wright, Steven W., XXX-XX-XXXX
 Wysocki, Henry V., XXX-XX-XXXX

CONFIRMATIONS

Executive nominations confirmed by the Senate June 1, 1971:

IN THE COAST GUARD

The nominations beginning Edward A. Howard, to be chief warrant officer (W-2), and ending Ronald A. Simons, to be lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on April 30, 1971.

HOUSE OF REPRESENTATIVES—Tuesday, June 1, 1971

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

The fruit of the spirit is found in all that is good and right and true.—Ephesians 5: 9.

Eternal God, our Father, as we enter a new month and begin a new week we acknowledge our dependence upon Thee and offer unto Thee once again the devotion of our hearts. Throughout this month may we feel sustained by Thy spirit, led by Thy love and guided by Thy wisdom as we endeavor to walk in the ways of truth and justice and good will.

We pray that our life as a nation may be rooted more deeply in moral and spiritual truth and that the fundamental principles of our land may be founded more securely on religious foundations. Only thus can our belief in the Fatherhood of God and the brotherhood of man arise to new reality in our day and only thus can our profession and our practice come to closer agreement.

So may it be now and forever more. 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.

AN EXASPERATING EXPERIENCE WITH THE CONGRESSIONAL POUCH MAIL SERVICE

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

Mr. HOWARD. Mr. Speaker, along with practically every other American, I have been constantly frustrated with the operation of the U.S. Postal Service. My most recent exasperating experience with delivery of the mail came last week when I, for the first time, tried to utilize the Postal Service's highly publicized congressional pouch mail service.

This pouch mail absolutely, positively guarantees that air mail delivered to the House Post Office before 2 p.m. will positively, absolutely be delivered in New Jersey the very next day.

Mr. Speaker, that does not seem unreasonable since New Jersey is not so very far away from our Nation's Capital.

When I informed my secretary that we were going to try this great new pouch mail service, she was skeptical and called the congressional relations office to be reassured that a communication being sent by me to the Governor of New Jersey and all of the newspapers in my district would arrive the very next day. She was assured that this would be the case.

Mr. Speaker, you can guess the ending. The mail did not arrive in New Jersey until 2 days later.

Perhaps we should heed the advice of

our colleague, the gentleman from Arizona (Mr. UDALL), who recently stated that we should take the operation and responsibility for the war in Vietnam from the Department of Defense and give it to the U.S. Postal Service. They may not stop the war, but they will sure as hell slow it down.

BOBBY SEALE SHOULD STAND TRIAL

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

Mr. SIKES. Mr. Speaker, Bobby Seale—Black Panther, revolutionary, and public nuisance—is a free man today because a judge decided he is too well known to stand trial for murder. The court has held that no jury could fairly judge him for the crime of which he stands accused.

It sickens me to consider the victory this man has won over decency. Today, this radical among radicals is free to walk the streets, shouting his denunciation of the United States, spreading hate and fear, spewing his irrational venom to the eager ears of his fellow revolutionaries, and thumbing his nose at rational society.

Bobby Seale undoubtedly now considers himself immune from the law. There will be others like him who claim equal exemption from the laws which govern those who respect processes of justice.

And how did he achieve this ugly fame which now shelters him from restrictions binding the common man? He gained it on the front pages of newspapers and on the television screens of America by hating, by lying, and by talking as a traitor to his own country. His words have been dutifully reported and recorded and his name has come to be associated with dissent and destruction.

Eventually, his name came to be associated as well with murder and he is charged with this crime. But the court determined that he now has become too famous to face a murder charge, that no jury could fairly judge him for the crime of which he stands accused. And so, he is free and his freedom is a disgrace to all Americans. Further, his freedom is a threat to our system of justice. If the Bobby Seales of this world can escape trial solely on the basis of the notoriety they can accumulate, they will have contributed to the destruction of America just as they have threatened to do.

The time has come for serious examination as to the means by which the Seales gain attention. It would seem they have only to scream obscenities, disrupt courtrooms, advocate violence, wave a Vietcong flag, or take off their clothes in public and their actions are blown out of proportion by the cameras which always seems to be on hand at such times.

And, having once achieved this dubious publicity, they then seem to be able to transcend all decency and, as is the case with Seale, even manage to escape the bar of justice on murder charges.

Bobby Seale is not above the law, Mr. Speaker. No man can be above the law, whatever his calling may be. A man accused of murder should be tried on that charge regardless of how much attention he has received in the press. Bobby Seale should be tried for murder, not because he is a leader among undesirables but because he has been accused of taking a man's life. I do not accept the premise that Bobby's Seale's press clippings should shield him from facing a murder charge. The trial should proceed and, regardless of how long it may take, the trial should be concluded either with a verdict of innocence or guilt.

The Seale case cannot become a turning point in American justice. Let it not be said we surrendered the rights of all of society just because it would be too much trouble to defend those rights.

PERSONAL EXPLANATION

Mr. MAZZOLI. Mr. Speaker, due to official business last week, I was unavoidably absent and missed rollcall No. 106, regarding the investigative authority of the Post Office and Civil Service Committee. Had I been present I would have voted "nay."

On rollcall No. 108 on the amendment to disagree with Reorganization Plan No. 1, I would have voted "yea."

PRIVATE CALENDAR

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

CLINTON M. HOOSE

The Clerk called the bill (H.R. 1824) for the relief of Clinton M. Hoose.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

MRS. ROSE THOMAS

The Clerk called the bill (H.R. 2067) for the relief of Mrs. Rose Thomas.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

ROSE MINUTILLO

The Clerk called the bill (H.R. 2816) for the relief of Rose Minutillo.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

PAUL ANTHONY KELLY

The Clerk called the bill (H.R. 3475) for the relief of Paul Anthony Kelly.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

ESTATE OF CHARLES ZONARS, DECEASED

The Clerk called the bill (H.R. 2127) for the relief of the estate of Charles Zonars, deceased.

Mr. BROWN of Michigan. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

MRS. FERNANDE M. ALLEN

The Clerk called the bill (H.R. 5318) for the relief of Mrs. Fernande M. Allen.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

ROBERT F. FRANKLIN

The Clerk called the bill (H.R. 5420) for the relief of Robert F. Franklin.

Mr. BROWN of Michigan. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

MARIA LUIGIA DI GIORGIO

The Clerk called the bill (H.R. 2070) for the relief of Maria Luigia Di Giorgio.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

WILLIAM D. PENDER

The Clerk called the bill (H.R. 5657) for the relief of William D. Pender.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

JOHN BORBRIDGE, JR.

The Clerk called the bill (H.R. 5900) for the relief of John Borbridge, Jr.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

JANIS ZALCMANIS, GERTRUDE JANSONS, LORENA JANSONS MURPHY, AND ASJA JANSONS LIDERS

The Clerk called the bill (H.R. 6100) for the relief of Janis Zalcmanis, Gertrude Jansons, Lorena Jansons Murphy, and Asja Jansons Lidars.

Mr. BROWN of Michigan. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

ROGER STANLEY, AND THE SUCCESSOR PARTNERSHIP ROGER STANLEY AND HAL IRWIN, DOING BUSINESS AS THE ROGER STANLEY ORCHESTRA

The Clerk called the bill (H.R. 4667) for the relief of Roger Stanley, and the successor partnership, Roger Stanley and Hal Irwin, doing business as the Roger Stanley Orchestra.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

MRS. MARIA G. ORSINI

The Clerk called the bill (H.R. 1899) for the relief of Maria G. Orsini (nee Mari).

Mr. HALL. Mr. Speaker, I ask unani-

mous consent that the bill be passed over without prejudice.

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

MISS MARGARET GALE

The Clerk called the bill (H.R. 1995) for the relief of Miss Margaret Gale.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

MRS. ANNA MARIA BALDINI DELA ROSA

The Clerk called the bill (H.R. 3713) for the relief of Mrs. Anna Maria Baldini Dela Rosa.

Mr. BROWN of Michigan. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

REFERENCE OF H.R. 4473 TO THE CHIEF COMMISSIONER, COURT OF CLAIMS

The Clerk called House Resolution 240, to refer the bill, H.R. 4473, entitled "A bill conferring jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon the claim of John T. Knight" to the Chief Commissioner of the Court of Claims in accordance with sections 1492 and 2509 of title 28, United States Code.

Mr. BROWN of Michigan. Mr. Speaker, I ask unanimous consent that the resolution be passed over without prejudice.

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

There was no objection.

REFERENCE OF H.R. 6204 TO THE CHIEF COMMISSIONER, COURT OF CLAIMS

The Clerk called House Resolution 401, to refer the bill (H.R. 6204) entitled "A bill for the relief of John S. Attinello" to the Chief Commissioner of the Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code, as amended.

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

H. RES. 401

Resolved, That H.R. 6204 entitled "A bill for the relief of John S. Attinello", together with all accompanying papers, is hereby referred to the Chief Commissioner of the Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code, for further proceedings in accordance with applicable law.

The resolution was agreed to.

ESTATE OF JULIUS L. GOEPPINGER

The Clerk called the bill (H.R. 2110) for the relief of the estate of Julius L. Goepfinger.

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

H.R. 2110

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any provision of the Commodity Credit Copooration Charter Act (62 Stat. 1070) or any other statute, regulation, or policy, the President of the Commodity Credit Corporation is authorized and directed to pay out of the funds of the Corporation to Walter W. Goepfinger, of Boone, Iowa, as executor of the estate of Julius L. Goepfinger, the sum of \$1,213.51 in full settlement of all claims of the estate against the Corporation for the amount stipulated on sight draft numbered G 2279466 which was issued to Julius L. Goepfinger by the Corporation on August 13, 1957, and rendered nonnegotiable by the Corporation on December 19, 1968.

Sec. 2. No part of the amount appropriated in the first section of this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 4: Strike "Copooration" and insert "Corporation".

The committee amendment was agreed to.

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

SALMAN M. HILMY

The Clerk called the bill (H.R. 6998) for the relief of Salman M. Hilmy.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

ARNOLD D. SMITH

The Clerk called the bill (H.R. 1907) for the relief of Arnold D. Smith.

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

H.R. 1907

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Arnold D. Smith of San Jose, California, is hereby relieved of liability to the United States in the amount of \$174.10, representing overpayments paid to him while a member of the United States Navy as the result of an administrative error made in his leave record on June 30, 1961, which error occurred without fault on his part. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full

credit shall be given for the amount for which liability is relieved by this Act.

Sec. 2. (a) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Arnold D. Smith an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, with respect to the indebtedness to the United States specified in the first section of this Act.

(b) No part of the amount appropriated by subsection (a) of this section in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

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

JOHN A. MARTINKOSKY

The Clerk called the bill (H.R. 4042) for the relief of John A. Martinkosky.

Mr. BROWN of Michigan. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

EUGENE M. SIMS, SR.

The Clerk called the bill (H.R. 7085) for the relief of Eugene M. Sims, Sr.

Mr. JAMES V. STANTON. Mr. Speaker, I ask unanimous consent that these bill be passed over without prejudice.

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

There was no objection.

MRS. ELEANOR D. MORGAN

The Clerk called the bill (H.R. 7569) for the relief of Mrs. Eleanor D. Morgan.

Mr. BROWN of Michigan. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

ROY E. CARROLL

The Clerk called the bill (H.R. 2846) for the relief of Roy E. Carroll.

Mr. BROWN of Michigan. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

FAITH M. LEWIS KOCHENDORFER AND OTHERS

The Clerk called the bill (H.R. 3201) for the relief of Faith M. Lewis Kochen-

dorfer; Dick A. Lewis; Nancy J. Lewis Keithley; Knute K. Lewis; Peggy A. Lewis Townsend; Kim C. Lewis; Cindy L. Lewis Kochendorfer; and, Frederick L. Baston.

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

H.R. 3201

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$51,133.42 to Faith M. Lewis Kochendorfer; the sum of \$17,044.47 to Dick A. Lewis; the sum of \$17,044.47 to Nancy J. Lewis Keithley; the sum of \$17,044.47 to Knute K. Lewis; the sum of \$17,044.47 to Peggy A. Lewis Townsend; the sum of \$17,044.47 to the First National Bank and Trust Company of Bismarck, North Dakota, as the guardian of the estate of Kim C. Lewis; the sum of \$17,044.47 to Faith M. Lewis Kochendorfer as the guardian of the estate of Cindy L. Lewis Kochendorfer; and, the sum of \$4,500.00 to Frederick L. Baston in accordance with the opinion rendered in Congressional Reference Case Numbered 4-68, filed on December 30, 1970, to-wit: Faith M. Lewis Kochendorfer; Dick A. Lewis; Nancy J. Lewis Keithley; Knute K. Lewis; Robert P. Hendrickson as Guardian of the Estates of Peggy A. Lewis, Kim C. Lewis and Cindy L. Lewis Kochendorfer; and Frederick L. Baston versus The United States. The payments provided for in this Act are to be made in full and final satisfaction of all claims against the United States of the individuals named herein for compensation for the death of Gene A. Lewis and property loss as the result of an aircraft accident near Cheyenne, Wyoming, on December 15, 1959, involving a military aircraft operated by a member of the Wyoming Air National Guard, participating in National Guard training, which collided with an aircraft operated by Gene A. Lewis.

No part of the amount appropriated in this Act in excess of 20 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

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

The SPEAKER. This concludes the call of the Private Calendar.

EMERGENCY EMPLOYMENT ACT OF 1971

Mr. DANIELS of New Jersey. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 3613) to provide during times of high unemployment for programs of public service employment for unemployed persons, to assist States and local communities in providing needed public services, and for other purposes.

The SPEAKER. The question is on the

motion offered by the gentleman from New Jersey.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 3613, with Mr. BOLAND (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee rose on Tuesday, May 18, 1971, the gentleman from New Jersey (Mr. DANIELS) had 59 minutes remaining and the gentleman from Minnesota (Mr. QUINN) had 58 minutes remaining.

The Chair recognizes the gentleman from New Jersey (Mr. DANIELS).

Mr. DANIELS of New Jersey. Mr. Chairman, I yield myself such time as I may consume.

(Mr. DANIELS of New Jersey asked and was given permission to revise and extend his remarks.)

Mr. DANIELS of New Jersey. Mr. Chairman, I rise in support of the Emergency Employment Act of 1971. That title is no accident. We do face an emergency. The emergency is that of people without jobs, and there is no more desperate situation than that faced by the man or woman who wants to work but for whom there is no work. That desperate plight is faced right now by over 5 million of our fellow citizens, and it is a plight that we cannot ignore.

The Employment Act of 1946 stated that it was the policy of the United States to assure all Americans seeking work opportunities useful, regular, full-time employment at reasonable wages.

Today, 25 years later, this goal is still not a reality for millions of Americans.

Administration economists paint us a rosy picture of how everything will turn out well in the long run—but men cannot eat in the long run, they need to eat every day. They need a paycheck to buy that food, not in the long run, but this week and next week.

The Emergency Employment Act; for which I ask your support, is designed to deal with that emergency. A national unemployment rate of 6.1 percent requires not more speeches, but more jobs, and more jobs is what this bill is all about.

This bill creates jobs—not dead end leaf-raking jobs, but real jobs that need to be done and are not being done solely because our State and local governments are not able to raise the money to pay for the services that they need.

This bill deals not only with the crisis faced by the unemployed. It also deals with the crisis faced by our local governments which cannot provide the funds to pay for the work that needs to be done. We have cities that need workers, and we have workers that need jobs. The Emergency Employment Act provides jobs for the unemployed workers and funds for the cities to enable them to hire the workers they need.

Those are the purposes of H.R. 3613:

First, to put unemployed persons to work; and, second, in so doing, to pro-

vide needed public services to our citizens.

The National Commission on Technology, Automation, and Economic Progress reports that there are 5.3 million potential public service jobs in such fields as education, pollution control, welfare, public protection, medical and health services, transportation, urban renewal, parks and conservation, and sanitation.

Yet, as their residents become hard pressed, State and local governments have dwindling resources as their tax bases decrease, and they are unable to provide services to these people when they are most in need of them.

Along with giving jobs to the unemployed—the principal benefit of this legislation—State and local officials who cannot now afford to do so will be able to hire persons to work on improvement projects, to make additions to the work force in the vital area of public safety, to improve and expend recreation programs, public education, and to do many other things that will benefit their communities.

The bill will provide about 150,000 jobs for the unemployed in providing needed public services. This is a job program, not a training program. And under the circumstances that we have today, that is exactly what we need. I have always been a strong supporter of job-training programs, but training is not the answer where the problem is not lack of skills, but lack of employment opportunities.

My bill authorizes the Secretary of Labor to enter into agreements with applicants to make financial assistance available to unemployed and underemployed persons in jobs providing needed public services. Under section 4, eligible applicants are units of Federal, State, county, and municipal governments, public agencies and institutions that are subdivisions of State or general local government, institutions of the Federal Government, and Indian tribes. As an example, incinerator, sewer, sanitation and water authorities, and veterans hospitals would qualify for funds.

Section 5 of H.R. 3613 authorizes \$200 million for fiscal year 1971, \$750 million for fiscal year 1972, and \$1 billion for the 3 succeeding fiscal years. If the national unemployment rate grows to 4.5 percent or more for 3 consecutive months, the Secretary could begin to contract for programs. The funding mechanism is designed to be retroactive, so our present economic conditions would make this act immediately effective. If the national unemployment rate goes below 4.5 percent for 3 consecutive months, the Secretary may no longer make any obligation of funds.

This bill also contains an innovative provision called the special employment assistance fund. The bill authorizes to be appropriated for deposit in this fund \$250 million initially for the fiscal year ending June 30, 1972, and for each of the 3 succeeding fiscal years whatever sums may be necessary to keep the fund at a level of \$250 million. Amounts appropriated under section 5 that are not

available for expenditure shall be deposited in the special employment assistance fund without fiscal year limitation.

In order to be eligible for assistance under this section, an applicant must have an area within its jurisdiction that has had a rate of unemployment of 6 percent or more for 3 consecutive months. This provision focuses funds into local areas of great need that are pockets of chronic unemployment. So, the local trigger is designed to take effect regardless of the national rate of unemployment.

There are two provisions in this bill that are of particular importance which I would like to single out for your attention.

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

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

The Clerk will call the roll.

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

[Roll No. 111]

Abzug	Frelinghuysen	Nichols
Alexander	Fulton, Tenn.	Nix
Anderson, Tenn.	Gallifanakis	Pelly
Aspin	Gallagher	Pepper
Baring	Gettys	Pettis
Betts	Gialmo	Pickle
Blaggi	Goldwater	Pirnie
Blackburn	Gray	Podell
Blatnik	Green, Oreg.	Price, Tex.
Bolling	Green, Pa.	Railsback
Brademas	Halpern	Randall
Brasco	Hammer-schmidt	Rarick
Brown, Ohio	Harrington	Rhodes
Broyhill, Va.	Harvey	Robison, N.Y.
Burke, Fla.	Hastings	Rooney, N.Y.
Burleson, Tex.	Hébert	Rostenkowski
Camp	Hicks, Mass.	Rouselot
Carey, N.Y.	Hillis	Roybal
Carney	Howard	Runnels
Celler	Ichord	Ruppe
Chappell	Jarman	Ruth
Clark	Johnson, Pa.	St Germain
Clausen, Don H.	Jones, Ala.	Sandman
Clausen, Del	Jones, Tenn.	Saylor
Clay	Karh	Shibley
Conte	Kazen	Snyder
Conyers	Kee	Spence
Culver	Keith	Steed
Danielson	Kemp	Steiger, Ariz.
de la Garza	Kluczynski	Steiger, Wis.
Delaney	Kyl	Stephens
Denholm	Leggett	Stratton
Dent	Lennon	Stuckey
Derwinski	Lent	Symington
Devine	Long, La.	Talcott
Dickinson	Lujan	Teague, Tex.
Diggs	McClory	Thompson, Ga.
Drinan	McCormack	Thompson, N.J.
Dulski	McCulloch	Thompson, Wis.
du Pont	McDade	Tierman
Dwyer	McEwen	Udall
Eckhardt	McKevitt	Udall
Edwards, Ala.	Madden	Veyssey
Edwards, La.	Maillard	Whalen
Eilberg	Metcalfe	Whalley
Eshleman	Miller, Calif.	Whalley
Evins, Tenn.	Mills, Ark.	Wiggins
Flowers	Mink	Wilson,
Flynt	Minshall	Charles H.
Ford,	Morgan	Winn
William D.	Morse	Wydler
Forsythe	Moss	Yates
Fraser	Murphy, Ill.	Young, Tex.
	Nedzi	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BOLAND, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 3613, and finding it-

self without a quorum, he had directed the roll to be called, when 276 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN pro tempore. When the Committee rose, the gentleman from New Jersey (Mr. DANIELS) had consumed 7 minutes. The Chair recognizes the gentleman from New Jersey (Mr. DANIELS).

Mr. DANIELS of New Jersey. Mr. Chairman, at the time the Committee rose, I was making the point that there are two provisions in this bill, H.R. 3613, that are of particular importance; namely, veterans' preference and limitations of provisions with reference to veterans' preferences.

Veterans' preference: The committee wishes to give special recognition to the need for jobs for veterans who served in the Armed Forces in Indochina and Korea after August 4, 1964. Over 90,000 young men begin looking for work each month, far too often without success. In order to meet this crisis our bill gives veterans preference. Each applicant must provide assurances that preference in filling public service jobs will be given to persons who served in the Armed Forces during this period.

Limitations of professionals: Every applicant must give assurances that no more than one-third of the participants in the program will be professionals within the meaning of section 13(a) (1) of the Fair Labor Standards Act, although the Secretary may waive the limitation in exceptional circumstances. This restriction does not apply to classroom teachers.

In addition, there is a maximum of \$12,000 on the salary that may be paid to any person employed in a public service job.

Eighty percent of the funds appropriated under section 5 will be distributed among and within the States on the basis of the proportion which the total number of unemployed persons in an area or State bears to such total numbers, respectively, in the State or nationally. The remainder may be distributed as the Secretary deems appropriate.

Some of my colleagues are opposed to this legislation.

Why this opposition to giving work to the unemployed? Why this opposition to helping our local governments solve their problems?

There are two reasons, Mr. Speaker, and neither one of them can stand close scrutiny. The first reason harks back to the President's veto of last year's comprehensive manpower bill. The second requires a brief look at the so-called manpower revenue sharing bill.

Let us look at the President's veto first. The President objected to last year's manpower legislation because it would supposedly provide "dead-end, WPA-type" jobs. I believe his objectives were mistaken, that he was misadvised about the contents of the bill. But, in any event, the Emergency Employment Act is different from last year's in many respects:

The emergency bill operates only in periods of high unemployment, while the vetoed bill provide public service jobs regardless of the state of the economy.

The emergency bill sets a salary limit of \$12,000 a year; the vetoed bill had no limit.

This year's legislation provides that not more than one-third of the participants can be in professional jobs; the comprehensive manpower bill had no comparable provision.

H.R. 3613 has a special funding provision for localities with high unemployment; the vetoed bill did not.

The emergency bill gives special emphasis to jobs in occupational fields that are likely to expand as unemployment recedes; the vetoed bill did not.

H.R. 3613 provides financial assistance to governmental bodies only; the vetoed bill included nonprofit organizations.

Finally, one of the most important differences is that the emergency bill gives Vietnam veterans special preference, while the vetoed bill did not.

The "dead-end, WPA-type" job argument against this bill is unfounded; and so is the second argument that we should substitute the manpower revenue sharing bill.

Manpower revenue sharing is a new and untried and unexamined idea. It is utterly inconsistent with what the administration recommended last year—and even the Secretary of Labor is not too clear about what it really means. The fact that an idea is new does not mean that it is bad. The fact that a proposal is different from last year's administration proposal does not mean that it is bad. But it does mean that it deserves examination. Manpower revenue sharing has not been examined. And it cannot be enacted with the speed that the current unemployment crisis demands.

It is interesting that the substitute offered by the minority does not even adopt the manpower revenue sharing bill as it was proposed by the administration. It would be sheer folly to adopt this proposal before it has received proper scrutiny in hearings and committee consideration. The manpower revenue sharing bill has had neither hearings nor committee consideration.

It is too vague and presents too many unresolved problems to be put before the House of Representatives at this time. No one can say that it will have any impact in reducing unemployment. The emergency employment bill will reduce unemployment—it deserves immediate consideration.

H.R. 3613 provides relief now, when it is needed, not at some distant future date. It gives us time to deal with the larger task of manpower reform without a crisis hanging over our heads.

I trust that the administration and Members on both sides of the aisle will support this bill. Unemployment is not a partisan problem, and if, as the President promised in his state of the Union message, economic policies will reduce our unemployment, the bill will automatically become inoperative. But until that happy time, we need to provide

work for the unemployed now. That is what my bill does—and that is why it deserves quick consideration and rapid enactment.

The CHAIRMAN pro tempore. The gentleman from New Jersey has consumed a total of 14 minutes.

Mr. DANIELS of New Jersey. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio (Mr. SEIBERLING).

Mr. SEIBERLING. Mr. Chairman, the week before last, in Akron, the Northeastern Ohio Congressional Council, composed of representatives from the Greater Cleveland-Akron metropolitan areas, held the second in its series of public hearings to give citizens an opportunity to express themselves on subjects of national concern.

Among those who testified was Kenneth Herbert, director of the Akron Manpower Training Center and president of the Ohio Association of Manpower Center Administrators.

Mr. Herbert, speaking on behalf of the Ohio Association of Manpower Center Administrators, made an urgent plea for continuation of the Manpower Development and Training Act of 1962, and rejection of the President's manpower revenue sharing program and the Esch amendment to the Emergency Employment Act.

I have visited the Akron Manpower Training Center, and have seen first hand the magnificent job they are doing in training people to be productive, self-sufficient citizens.

It would be tragic to kill this program. Yet, as Mr. Herbert points out in the statement he made at the hearings, under revenue sharing manpower training will most assuredly be low on the list of priorities of the Nation's financially hard-pressed mayors.

Mr. Chairman, I request unanimous consent to revise and extend my remarks, so that Mr. Herbert's statement and a statement by Victoria Rodgers of Akron can be printed in the RECORD at some point in the debate.

The CHAIRMAN pro tempore. The gentleman will have to get that permission in the House.

Mr. SEIBERLING. Thank you, Mr. Chairman.

The material referred to follows:

OHIO ASSOCIATION OF MANPOWER
CENTER ADMINISTRATORS,

May 21, 1971.

HON. JOHN F. SEIBERLING,
Washington, D.C.

DEAR CONGRESSMAN SEIBERLING: On behalf of the Manpower Development and Training Administrators of Ohio I would like to urge that the Manpower Development and Training Act be retained as a separate piece of legislation and that it be modified and renewed before its expiration date of December 31, 1972.

We strongly urge that it should not be eliminated with the idea of placing this responsibility with local or state governments. There is little doubt that if revenue sharing is adopted and the mayors with their tremendous problems of financing city operations must choose between maintaining or expanding city services or assisting the disadvantaged in securing training to make

them employable, the present function of Manpower Training will have a low priority. Why should it be necessary for a mayor to make this decision to help the poor or not help the poor to become employable.

Instead we urge that a U.S. Department of Education and Manpower be established and that the function of administering the Manpower Development and Training Act become the responsibility of this Department.

Since the public schools of the nation are in dire financial straits, they cannot afford to carry the financial burden for either vocational education or Manpower Development and Training for even a short period. Neither can they or any other local or state government afford to provide a training allowance to a person attending Manpower classes.

You will remember that it was necessary to close the Mahoning Valley Vocational School, although it was very successful. It was closed because training allowances were not available and the trainees could not afford to attend. It was a horrible disaster after the tremendous success of graduates of that school.

The same thing can happen to every Manpower Development and Training Center in the United States (now about 75) while the mayors are deciding if they can spare the funds to operate them.

It is our firm belief that the suggested change in the delivery system will almost inevitably eliminate these successful Skill Centers.

On behalf of hundreds and thousands of disadvantaged persons yet to be trained, we urge that the MDT legislation be expanded and changed so we can do the job we are capable of doing for the disadvantaged individual or the veteran needing skill training in order to secure employment.

We have dedicated the Skill Centers to the function of helping the disadvantaged help themselves. It is a positive way of providing the individual with needed skills, but also with the confidence needed to become a valuable citizen and employee.

Respectfully yours,

KENNETH J. HERBERT.

STATEMENT

I, Victoria Rogers, am employed by The University of Akron as the Key Punch Supervisor.

I was able to reach this position because of the Manpower Development and Training Skill Center giving me the opportunity and assistance to improve my skills and abilities, and The University of Akron by letting me put my skill and training to use.

I shall refer to the Manpower Development and Training Center as the MDT Skill Center.

I dropped out of high school at an age when most people think that this is the thing to do.

But on my own, married and with a family, I soon realized that aside from my family life, I had no future; my life would be closed and meaningless. So I decided to go back to school.

I was accepted on the Stride Program. While on this program, I went to school from 8 A.M. until noon, worked for Vocational Planning Center from 1 until 5 P.M., and went to school again from 6 until 10 P.M. Believe me, I was determined.

With this amount of daily activity and a family to raise, I soon got pretty discouraged and my determination was slowly leaving.

The MDT Skill Center offered me the encouragement and assistance that convinced me I WAS doing the right thing. It provided me with the necessary background and credentials so that my lack of work experience was not an obstacle in my attempt to get a meaningful job and a chance to advance.

It also provided me with High School Credits, which meant I could have my long sought after High School Diploma.

After graduation—no, as a matter of fact, before graduation—I obtained my first position—Clerk Typist at Akron University.

The University was open-minded enough to realize my skills and abilities and gave me every opportunity to develop them.

Because of my training on IBM Key Punch at the MDT Skill Center, I was selected to learn to operate a teletype. I was even allowed to use my skills on a Key Punch. I learned a lot about the world of Computers, and when the opportunity appeared, they (The University) transferred me to a position where I could utilize my skills.

So, in three years, I went from High School Drop-out to Clerk-Typist to Data File Librarian—to become a Shift Supervisor of the Key Punch Section.

I think it is clear to see that the MDT Skill Center performs the function, and actually accomplishes the purpose for which it was developed.

The people who decide to take advantage of this opportunity by honestly putting their best foot forward cannot go wrong.

Thank You.

Mr. DANIELS of New Jersey. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois (Mr. PUCINSKI).

Mr. PUCINSKI. Mr. Chairman, we have been listening to this debate for some time. I am sure there is going to be a good deal more argument against the basic bill and the substitute before we come to a vote.

With all due respect to my colleagues on the other side, I submit, Mr. Chairman, that the substitute bill is a cruel hoax on the returning veterans coming home seeking jobs. It is a cruel hoax on the college students who are today experiencing the worst depression we have had among college students. It is a cruel hoax against those who have been dislocated in their jobs because of the recession.

This whole Esch substitute tries to create the impression that somehow by restructuring the manpower program we will create new jobs and give people a chance to earn their livelihood.

Mr. Chairman, I submit a sincere and careful examination of the substitute will show nothing like that will happen. Not one new additional job will be created by the substitute.

Conversely, the bill submitted by the gentleman from New Jersey (Mr. DANIELS) actually creates 150,000 new job opportunities.

I would say to my colleagues who have been tempted to support the Esch substitute that they are in the right church but in the wrong pew.

Surely we agree there are reforms necessary in the manpower program. The committee chaired by the distinguished gentleman from New Jersey (Mr. DANIELS) has under consideration a number of manpower reform bills, including my own. I am sure that in due time we are going to have manpower reform legislation, but I submit that the crisis now is of such proportions that what Americans need today most are jobs. The Esch substitute just will not provide such jobs.

The Esch substitute gives veterans pri-

ority on nonexistent jobs. They are now using the argument here and saying we take care of the veterans, also. But how can you take care of veterans when there are no jobs for them? They say they want to retrain them. I submit, Mr. Chairman, that the veterans coming back from Vietnam are sufficiently trained and qualified. They are truck drivers, medical aides, typists, stenographers, telegraphers, radio communicators. Our soldiers are coming back from Vietnam with a myriad of excellent skills. They do not need more training. What they need is a job.

I tell you that it is a national disgrace that this country has sent boys out to Vietnam to fight, but when they come home they cannot find job opportunities to feed their families.

When they talk about retraining veterans, that is a cruel hoax. These boys already have job skills and can move into the jobs now or tomorrow and do it in an excellent manner because of the training they have received in the armed services. The problem they have is to find the job.

They also want to retrain college graduates. Over the weekend you have seen reports coming out of the colleges showing that they have never suffered a greater depression in job opportunities. Young people with college degrees are searching aimlessly for jobs that are just not there.

What is the sense of talking about a manpower retraining program? What will you retrain them to do? They are trained now. They have spent 5 or 6 years in college getting training for jobs. But the jobs are not there. You talk about retraining people who have been trained in the aerospace industry and other industries that have been hard hit by the present recession. We have engineers who helped to put men on the moon, brilliant scientists and engineers, driving taxicabs today and tending bar and doing all sorts of other menial jobs because they have no opportunities in their professional categories. What will you retrain them for? They are well trained and capable. All they need is a job.

The Daniels bill provides funds for creating 150,000 meaningful jobs in hospitals; as teachers aides; and in the whole field of ecology. These scientists can be used in these jobs today, because the Daniels bill will provide for that.

Mr. Chairman, it is a cruel hoax to come before this House today and try to sell the House on a substitute dealing with major reform of the manpower program when indeed all this country needs is jobs.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DANIELS of New Jersey. Mr. Chairman, I will be glad to yield the gentleman 3 additional minutes.

Mr. PUCINSKI. Now, Mr. Chairman, I want to show further why I have said that this substitute is a cruel hoax.

This bill gives the highest priority to welfare recipients. God only knows that there are enough of those people in this country who could take up whatever new jobs this substitute bill conceivably would create. They give the highest pri-

ority to those on public aid and they repeat and duplicate the very proposal now incorporated in the welfare reform bill which is now on its way through the Committee on Rules and which has been reported out by the Committee on Ways and Means.

Mr. Chairman, the Committee on Ways and Means sets up \$800 million for new job opportunities for those on public assistance. The Daniels bill, is designed to create 150,000 new jobs for those who are unemployed because the sagging economy has closed off their job opportunities.

Mr. Chairman, I would be the first one to admit that we need manpower reform. The fact of the matter is that manpower reform will come when we have had some good hearings.

Mr. Chairman, the Esch substitute has not had one single day of hearings. The Esch substitute will emasculate the vocational education programs all over this country.

There are 9 million American students who are now preparing themselves for gainful employment in the various programs under the Vocational Education Act.

As chairman of the House Subcommittee on General Education I have had a deep interest in vocational education. However, I tell you that this substitute will emasculate our present vocational education programs.

This is why the American Vocational Association has clearly stated that it is opposed to the Esch substitute because of what it will do to vocational education.

So, my colleagues, I would hope that the House, after due consideration, would reject the substitute.

We will bring to the House a manpower reform bill. There is agreement among all of us that we do need reform in the manpower program. This was reflected in the bill which was enacted last year. But the fact of the matter is, right now the veterans of this country need jobs and not retraining, the college students and graduates need jobs and not retraining. The engineers, who have been displaced in the aerospace industry and various other industries, need jobs and not retraining.

Therefore, Mr. Chairman, I urge the House to reject the Esch substitute bill. I urge the House to go along with the bill which the gentleman from New Jersey has proposed in order to provide 150,000 urgently and desperately needed jobs.

Mr. BURKE of Massachusetts. Mr. Chairman, I rise today to say a few words in favor of the Emergency Employment Act of 1971, H.R. 3613, as reported out of the House Education and Labor Committee. I am supporting the bill as reported without the Esch substitute, H.R. 8141, described as being backed by the administration but, upon closer scrutiny, found to differ significantly from the grant consolidation proposal originally made by the administration.

But, I do not wish to spend time today in the interminable revenue-sharing arguments that have already bogged dis-

cussion on this bill down. I think many of us are aware that with the introduction of the Esch substitute, however closely it mirrors or does not mirror the administration consolidation proposals for existing manpower programs, the opening round in the discussion of the administration's revenue-sharing proposals is being forced upon us. I think this is the wrong time to begin to tackle this controversial package. I think the proponents of the administration proposals have chosen a poor time and the wrong vehicle to inject this element of controversy into the deliberations of this body. There have not been sufficient hearings on the matter by the appropriate committees. There will be plenty of time to weigh the pros and cons of the philosophy behind the Esch substitute. My point is that now is not the time. We are considering what is called an Emergency Employment Act and its aim is to tackle the problem without further delay and to put people to work in high unemployment areas right away.

Only slightly less critical are the jobs and services that would be performed by the presently unemployed. There is a considerable shortfall in our large metropolitan areas today of services in such vital areas as sanitation, law enforcement, fire prevention, health, and the like. The needed further services, in other words the jobs, are there. The needs are not being manufactured and they are compelling. The unemployed people are there as the unemployment statistics so eloquently demonstrate. The missing element at present is the Federal funds needed to put the unemployed citizens to work immediately within the municipalities throughout America performing worthwhile tasks. For all \$200 million would be public service jobs in the current fiscal year, \$750 million for fiscal year 1972, and \$1 billion for each of the 3 succeeding years.

Gentlemen, the time for action on this bill is now. The time for debate on H.R. 8141 is later and there is no reason to tie the fate of one to the uncertain future of another.

Mr. QUIE. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan (Mr. Esch).

Mr. ESCH. Mr. Chairman, at the outset, reference was made by the very distinguished gentleman from Illinois and the previous speaker to the effect that the Esch substitute would provide a cruel hoax on veterans. I think that accusation should be clarified at the outset.

Mr. Chairman, the difference between the committee bill and the substitute bill as it pertains to veterans is this. Under the committee bill, pursuant to an amendment which I sponsored in the committee, the veterans who have served in the Korean or Indochina theaters would be given preference for public service employment jobs.

Under the substitute bill they would be given preference not only for public service jobs but also for all manpower training programs and service, including job counseling.

So that I think that the fact of the matter as it pertains to veterans is this: that under the substitute bill preference will be given for those veterans from Korea and Indochina in all programs. I think it is important to recognize—

Mr. DANIELS of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. ESCH. I will yield in just one moment to the gentleman.

As I started to say, I think it is important to recognize that when we are dealing with the question of veterans it was attempted to be neutralized by putting in both measures as far as to the extent that it could be covered in both measures, and that was my intent, and that was why I offered the substitute to the committee bill.

I will now yield to the distinguished chairman of the subcommittee, the gentleman from New Jersey (Mr. DANIELS).

Mr. DANIELS of New Jersey. Mr. Chairman, I thank the gentleman for yielding.

Is it not true that under the bill H.R. 3613 that not only do we give veterans preference for consideration for employment, but in addition thereto that they are eligible for training?

Mr. ESCH. Under the committee bill they are eligible for training, but the committee bill does not affect the manpower training programs which are currently in the country today, and thus the veterans are not given preference for current manpower training programs other than the public service employment factor.

Mr. DANIELS of New Jersey. Mr. Chairman, will the gentleman yield further?

Mr. ESCH. I yield further to the gentleman from New Jersey.

Mr. DANIELS of New Jersey. Is it not true that recently the administration authorized the expenditure of \$1 billion for additional veterans training?

Mr. ESCH. There have been initiatives by the administration, and we laud them. I think the committee felt in its wisdom that additional measures should be needed not only in terms of manpower training and public service employment, but a tool comprehensive approach to veterans training.

Mr. DANIELS of New Jersey. I thank the gentleman for yielding.

Mr. ESCH. Mr. Chairman, as I said before, I think the record should be clarified that the substitute bill—and its provision for veterans preference—covers all aspects of the manpower training.

Mr. PUCINSKI. Mr. Chairman, would the distinguished gentleman yield?

Mr. ESCH. Not at this moment. I will be happy to yield later.

The second question was regarding the effect of the substitute bill on vocational education.

I think it should be pointed out at the outset that although many Members received communications from the American Vocational Association, they do not support either the substitute bill or the committee bill. And in a letter from Mr. Burkett, of the American Vocational Association, he said in part:

Our opposition to H.R. 8141, the Manpower Revenue Sharing Bill, is not to be construed in support of or in opposition to H.R. 3613.

So the record should be clear that the American Vocational Association does not support H.R. 3613, the committee bill.

Furthermore, it should be pointed out that they did not support the bill on manpower training which went to this House last year, and which forms the basis for the substitute bill.

One point to be made specifically as to the nature of the impact on vocational education of the manpower training bill which we propose, and that is for the first time, for the very first time in the manpower training program, we state in the substitute bill that to the maximum feasible extent the local technical schools, the local vocational schools, the local community colleges, and so forth, will be utilized by the local units of government in developing their own manpower training programs.

What is the impact of this? It means that for the first time we will begin to have a coordinated program with all vocational educators in the local communities. This, I would suggest, is the real strong need: to develop a coordinated program between vocational education and vocational educators on the one side, and the manpower training programs on the other.

So, contrary to what has been suggested by the American Vocational Association, if the Esch substitute is clearly understood by your local vocational educators, I think that they will support it because they would like to have an opportunity to participate to the maximum feasible extent in State programs or in local county or city programs. We must utilize those community colleges and other facilities, and this has been missing in the current manpower training program because they have been directed from a central source rather than a local source.

Now let us go on for a little bit more.

I think one of the most analytical and profound discussions of the merits of manpower revenue sharing is found in a dialog which was part of the March 7 "Meet the Press" program on NBC. On that program Dr. Leon Sullivan, the founder of Opportunities Industrialization Centers, a nationwide job-training program, pointed out the need from the standpoint of working at the grass-roots level, and he surely had experience in that, of solving the problems of the unemployed. He certainly gained a keen insight into this and I would read for you what he said regarding manpower training.

He was asked whether the Nixon proposal in terms of \$2 billion for manpower training programs under State and local governments—"Based on your experience with manpower training programs, do you think that is a good or a bad idea?"

Mr. SPIVAK. Reverend Sullivan, President Nixon the other day asked Congress for \$2 billion in revenue sharing funds for a man-

power training program to be under state and local government. Based on your experience with manpower training programs, do you think that is a good or bad idea?

Dr. Sullivan said:

It will be a good idea if the people in the communities where the problems are have the discretion and the ability to utilize those funds for the development of their own programs. As long as manpower programs are developed from the top down, rather than from the bottom up, they will not be successful. They will get caught in the old concept of big jobs, big salaries and big heads, where the money stays up rather than going down to help the people.

So I would say, if the money doesn't get caught in the old patronage bags, where people get the money, rather than money to help the people, it might work, and if the government decides not to try to run the programs. Because if the government tries to run them with their bureaucracy, they will ruin them. Programs, to succeed in manpower, have to come up from the people, and the people themselves must want them to help themselves.

Then he goes on to talk about the Philadelphia experience.

That is the essence of the substitute bill—an opportunity to have coordination and development and structuring of manpower training programs at the local level to meet the needs of the local community.

Let me make several other points: First and foremost, this is not an argument over whether we should have public service employment as part of our manpower programs. The substitute bill would authorize very large appropriations which could be used for public service employment programs and would authorize it now. It would authorize \$500 million in the first year as opposed to the committee bill authorizing \$200 million. This is not an argument over the need to respond to the problem of unemployment rates. The substitute bill will provide immediate assistance and larger in size than the committee reported bill and more responsive to the immediate needs.

This is not an argument over the details of our legislation which ought to be worked out in committee. If it is, then the points that should be made on both sides would be persuasive that we should recommit the bill to committee.

Arguments for and against the committee bill and arguments for and against the substitute have been aired equally during the committee hearings and have been discussed at length by this House and by this Congress over the last 2 years. The argument simply boils down to this then—are we going to add yet another defective and narrow program authorization to the dozen encumbering and already unwieldy and faulty system delivering manpower service to the unemployed or are we going to consider opportunities to fundamentally reform that system so as to be responsive in the most effective way to the needs of the States and the local needs and to the individual needs.

If the latter is our intention, then we

shall vote for the substitute bill tomorrow.

The CHAIRMAN. The time of the gentleman has expired.

Mr. QUIE. Mr. Chairman, I yield such time as he may consume to the gentleman from North Carolina (Mr. MIZELL).

Mr. MIZELL. Mr. Chairman, I rise at this time to express my opposition to the emergency employment bill, H.R. 3613, and to offer my strong support for the substitute amendment introduced by the distinguished gentleman from Michigan (Mr. Esch).

H.R. 3613 is not the remedy for unemployment that its sponsors say it is. The bill simply represents a continuation of the shortcomings and inadequacies of past manpower efforts, which time and again have proven to be of little effect in reducing unemployment.

What is needed, and what Mr. Esch has proposed, is a fundamental reform of manpower efforts, consolidating existing programs, making them more flexible, and allowing local authorities with widely differing job markets and training needs to tailor the programs to their own needs.

This more selective and effective approach, which embodies much of President Nixon's proposed manpower revenue sharing plan, hold forth the greatest promise of relieving the unemployment situation of any manpower legislation yet proposed.

It should be clear to us all by now that different kinds of unemployment can be solved only by initiating different kinds of responses to the problem in different areas of the country.

Job placement and training programs that might be effective in easing the aerospace industry's unemployment problem in the State of Washington would very likely not work as well when applied to the unemployment situation that exists in ever-increasing severity in the textile industry in the State of North Carolina.

By passing Mr. Esch's amendment, we can provide the means of giving local and state officials a large degree of leeway and flexibility in solving their own unemployment problems.

His amendment provides a way for local and state officials to fashion training programs that will fill local employment needs. We must all agree that training for jobs that exist is clearly preferable to training for jobs that will have to be created or for jobs that will require massive relocation.

The Esch amendment provides that on-the-job training, vocational education or technical training can be used in any combination that will assure the best results in training people for jobs, and then having jobs to put them in.

Another feature of the Esch amendment is the responsibility that would be given to local officials to continue those existing programs that have proven their effectiveness in job training and placement, and to discontinue those that have proven to be ineffective and a needless, worthless drain of public financial support.

This, to me, represents the most innovative and needed step toward providing truly effective manpower training and placement programs, a step toward far greater efficiency in Government spending.

We all know of instances of waste and ineffectiveness in past Federal manpower efforts, and the Esch amendment gives us the opportunity to do away with those programs that have given manpower development a bad name in so many communities across the Nation.

The choice to me seems clear: By passing the bill currently proposed, H.R. 3613, we simply lock ourselves in to yet another rigid and shortsighted program that offers no lasting solution to the unemployment problem, providing instead a system of tax-supported employment with no view toward removing those employees from public jobs as private employment becomes available.

By choosing instead the Esch amendment, we can, at substantially less cost, revolutionize and vastly improve the Federal Government's approach to manpower development, and really do something constructive about relieving unemployment in America.

I urge my colleagues to join with me in voting for the Esch amendment, and against H.R. 3613.

Mr. DANIELS of New Jersey. Mr. Chairman, I yield 5 minutes to the gentleman from New York (Mr. BADILLO).

Mr. BADILLO. Mr. Chairman, I rise in support of the Daniels bill.

Mr. Chairman, the United States is presently gripped in the firm clutches of a severe unemployment crisis. Last December unemployment reached a 9-year peak with a startling 6.2 percent rate. Since that time, the unemployment rate has not varied significantly and has remained at approximately 6 percent. In April the unemployment rate, as we all know, was 6.1 percent.

This current crisis is a direct consequence of the continuation of distorted priorities and the drastic economic dislocations we observe are a result of the current administration's poorly conceived and ineffectually implemented programs. Although 4.7 million Americans are unemployed, the Nixon administration has failed to offer any meaningful or effective solutions. It seems clear, therefore, that the Congress must take the initiative and exercise its responsibility to cope with this program. Thus, the passage of H.R. 3613 is not only desirable, it is a clear economic necessity.

Although we are sadly aware of the current situation, the need for this legislation is not new. If we are to fulfill the commitments made to protect and develop our physical environment and carry forward essential programs of social services, the personnel must be supported by Federal assistance. In 1965, for example, the Office of Economic Opportunity reported that 4.3 million new jobs could be filled in public service if the Government were to fulfill its obligations in the two aforementioned areas. Three years ago a W. E. Upjohn Institute study revealed that in 130 cities

with a population of 100,000 or more, there are 280,000 unfilled public service positions in those cities alone, of which 141,000 could be immediately filled by untrained or unskilled unemployed persons. Testifying before the Senate Labor and Public Welfare Committee earlier this year, Mayor Lindsay commented that New York could provide some 50,000 to 75,000 additional public service jobs if the funding was available.

As the second major requirement of H.R. 3613 stipulates, public service employment funds are not to be used to create dead-end, "leaf-raking" jobs. Rather, these will be positions which will assist States and local communities to meet the need for basic and improved public services while, at the same time, providing essential employment for unemployed persons. Persons who might otherwise be straining the welfare rolls could serve in such areas as sanitation, educational and nurses aides, practical nurses, parks and recreation employees and so on.

Mr. Chairman, the unemployment situation is especially critical in our urban areas—localities which are already plagued by so many social and economic ills. In April a New York Times article reported that the unemployment rate in the New York-New Jersey area increased by some 41 percent last year while the increase for New York City alone was 33 percent. In March of this year the unemployment rate in New York City was 5.1 percent whereas last year it was only 3.5 percent. Particularly hard-pressed are blacks and Puerto Ricans and their rate of unemployment is usually well above the overall rate.

Relief does not appear to be in sight and we cannot afford the luxury of waiting until the administration's highly touted but meaningless solutions are effected. We must act now and enact the legislation being considered today. Not only will this measure benefit the unemployed by providing useful jobs at decent wages but it will also furnish our statehouses and city halls with the manpower required to deliver urgently needed community services.

Furthermore, we must avoid any crippling partisan substitutes or amendments and enact H.R. 3613 in its original form as reported, by more than two to one, by the Education and Labor Committee.

Mr. Chairman, passage of the Emergency Employment Act is long overdue. The thousands of unemployed Americans are the tragic byproducts of our economic problems and their plight cannot be ignored. This measure is not intended as a panacea to immediately solve the entire unemployment crisis or to prevent future employment problems. It is, however, a stopgap measure designed to provide temporary relief for a relatively short period of time and its unique formula assures that it will be required only in periods of economic recession or depression. This bill is primarily aimed at dealing with the national emergency created by the crisis of unemployment and the collapse of vital public services

in our Nation's cities. It is just one element of what must be a more comprehensive and broader-based program aimed at halting spiraling unemployment and economic dislocation.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. BADILLO. I yield to the gentleman from Illinois.

Mr. PUCINSKI. I wish to congratulate the gentleman in the well for the excellent statement he is making. He proves with the statistics that he has cited more eloquently than anything anyone else around here has said and has demonstrated indeed that the substitute bill is a cruel hoax. My colleague from Michigan did not want to yield, but I want to ask him whether or not the manpower bill that he proposes creates any new jobs. What the manpower bill does is to promise nonexistent jobs. The gentleman from New York is correct in his statistics.

The way to deal with this problem is not to ignore it. The Daniels bill actually creates 150,000 new jobs in the public sector. I congratulate my colleague for his excellent statement.

Mr. BADILLO. I thank the gentleman.

Mr. ESCH. Mr. Chairman, will the gentleman yield?

Mr. BADILLO. I yield to the gentleman from Michigan.

Mr. ESCH. It is not true that the substitute bill would not create jobs. I refer specifically to title III of H.R. 8141. There is a provision in the substitute for \$500 million for public service jobs in the first fiscal year. It is left to the discretion of the local units of government as to how that money is spent, and I would submit that that is where the decision should be rather than making decisions as we now have in an uncoordinated program from Washington.

I reject categorically the gentleman from Illinois suggesting, No. 1, that it is a cruel hoax, when the facts are to the contrary; No. 2, trying to use the veterans issue one way or the other. It is very clear from the record as to what the two bills will do in terms of impact on veterans. The issue should be in terms of total needs of this country. Let's debate the facts, not wild charges. I thank the gentleman.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. DANIELS of New Jersey. Mr. Chairman, I yield the gentleman from New York 2 additional minutes.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. BADILLO. I yield to the gentleman from Illinois.

Mr. PUCINSKI. The very statement made by the gentleman from Michigan, the sponsor of the substitute, proves what a cruel hoax this substitute is. He may twist and turn any way he wants. He knows the manpower bill would not create jobs.

The manpower program is to train people for jobs, but this does not create new jobs. The gentleman has consistently refused to yield to have me ask him the question as to what new jobs he believes he is going to create in the sub-

stitute manpower bill he brought to this floor.

Mr. BADILLO. Mr. Chairman, I want to say at this point particularly I am very pleased to note that this legislation treats Puerto Rico on the same basis as the 50 States. Unemployment in Puerto Rico has reached disastrous proportions and no relief is in sight. As I mentioned in my speech last month, the official unemployment rate for the island is 12.2 percent, a rise of almost 2 percent over the past year. However, if you consider those who have despaired of finding employment and have dropped out of the labor force altogether, the realistic unemployment figure approaches 30 percent. The problem worsens almost monthly with additional plant closings and layoffs. As a consequence, even the employment which had been generated by Fomento—the Commonwealth's economic development agency—has declined. Last year the current economic crisis in the island resulted in a net loss of 1,800 jobs fostered by Fomento, a decline of 2.7 percent. Clearly, Puerto Rico must be a full participant in this emergency employment program.

Mr. Chairman, the tragic facts have been laid before us and we must regretfully acknowledge that 4.7 million of our fellow citizens were unemployed last month, more than 1 million of whom were unemployed for 15 weeks or more. The average duration of joblessness is almost 11 weeks—a trend which the Labor Department reports has moved upward. These men and women must be afforded all possible assistance and we have a clear responsibility to meet their needs. I urge that this legislation be favorably acted upon and that a workable program be formulated and effected at the earliest possible date in order that the vicious spiral of unemployment be halted and that our cities and States be given the opportunity to restore basic services to their citizens.

Mr. QUIE. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. Esch).

Mr. ESCH. Mr. Chairman, I wish to compliment the previous speaker, the gentleman from New York, and to point out that in terms of the substitute bill it likewise has a direct effect upon Puerto Rico. In fact, it allows for almost double the funds they have now in terms of the manpower training program. It treats Puerto Rico as I believe many of us feel Puerto Rico should be treated, as a State equal with other States.

Again I compliment the gentleman from New York for his interest in Puerto Rico.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. ESCH. I am happy to yield now specifically for a question to the gentleman from Illinois.

Mr. PUCINSKI. Would the gentleman be good enough to show me where in his legislation provision is made to phase out existing manpower programs, for which he is proposing \$500 million, to specifically create new jobs; and, which

manpower programs does he suggest be dropped to create these new jobs?

Mr. ESCH. I would advise the gentleman from Illinois that under both the substitute bill and the committee bill there are no appropriations of funds. Both are authorization bills. Both would require the Appropriations Committee to recommend appropriation of funds, before either bill can be enacted for operation. So on that basis it is very clear that in any case the problem will not be resolved until the House acts further in terms of appropriations.

It should be further pointed out that on page 22 of the substitute there is given specific phaseout capability in relationship to the local units of government in accordance with the terms of termination and in relationship to the recipient government which would give a full year, until December 31, 1972, for phasing out existing programs.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield further?

Mr. ESCH. I believe the point should also be made once again, in terms of response—the gentleman has asked me to respond directly in terms of veterans—that neither bill provides jobs until the Appropriations Committee acts.

Under H.R. 8141 it provides for an authorization of \$500 million for the first year. Under the committee bill it provides for \$200 million for the first year, in both of which funds would have to be appropriated. So it is obvious in one case or in both cases that the veterans would be affected by this legislation.

Mr. QUIE. Mr. Chairman, I yield such time as he may use to the gentleman from Tennessee (Mr. Baker).

Mr. BAKER. Mr. Chairman, I rise in support of the Esch amendment. We who are among those whom Mencken once called the "chronic hoppers of the world" have learned to temper optimism with caution. We have learned that it is easier to articulate problem dimensions than problem solutions. We know it is too easy to fall prey to the "Washington syndrome"—the simple-minded theory that social problems will simply disappear if the Federal Government throws enough dollars and statute books at them. And we know the cruel and exaggerated rhetoric of unkept promises can threaten the credibility of Government.

We have embarked on a great new mission of reform—redefining for our own age the meanings and functions of the Federal system—issues of organization and procedure, and of the rational allocation of power and responsibility. Our reform effort is proceeding under great pressure.

The whole point of reorganization, of grant consolidation, of grant streamlining and decentralization is to reverse the topheavy trend of governmental programs. Our effort proceeds from the premise that further proliferation of programs without comprehensive structural reform will be counterproductive in the worse sense because Federal dollars will not alleviate the human needs for which they were targeted.

Categorical programs by themselves too often encourage a narrow view. They focus on a specific product to the detriment of the needs of the group to be served. In the design and execution of public programs, we must have a coordinated strategy.

We believe the local governing units should make the decisions on specific allocations in accordance with a closer perception of need and a more flexible approach. This is the direction in which responsible and responsive government must move.

We seek to strengthen capacity for planning, evaluating, and training personnel for State and local programs.

I agree with President Nixon's statement, in his eloquent message to Congress, when he said:

By converting the Nation's manpower programs from categorical grants to Special Revenue Sharing, we can play to the strengths of the federal partnership, teaming federal dollars with state and local decision-making.

Within the context of the philosophy of revenue sharing, which I support, the manpower revenue-sharing proposal builds upon this concept of decentralizing manpower responsibilities.

Overall, Mr. Chairman, this proposal is designed to give more effective help to those who need it, and to give Americans full return for their tax dollars spent on manpower assistance in the years ahead. While building on the best experience of past manpower measures, it introduces bold new concepts to make our national manpower system more effective.

The committee bill, H.R. 3613, provides for public service employment opportunities for the unemployed. Just that. Nothing more. It simply adds that assistance category to those already in existence.

On the other hand, Mr. Chairman, the Esch substitute bill restructures manpower programs generally, as suggested in the revenue-sharing proposal, and includes public service employment as one component part of the entire program.

This is a new approach in funding, basically following earlier block grant concepts combined with the manpower revenue-sharing proposals of the President. It consolidates a dozen narrow categorical manpower training programs into a single, flexible approach. It decentralizes the administration of the program by giving the States and local government units control over the design of their local programs in order to meet local conditions and circumstances.

By emphasizing training, counseling, and placement, the Esch substitute works to move those persons into permanent jobs in either the public or private sector, freeing the public service employment slots for other unemployed persons. Under the committee bill, it is possible for persons to stay indefinitely on federally subsidized public employment.

The Esch substitute allows the local authorities to make determination as to what kind of program they will utilize.

At their discretion, they may employ any or all of the existing programs, but the decision is left at the local level where it belongs. The Department of Labor would stand ready to provide for staff functions of labor market information, staff training, and technical assistance under the program developed locally.

My distinguished and wise colleague, Mr. Esch, has posed the real question before us today: Are we going to add one more narrow categorical program, namely, public service employment, to the existing hodgepodge, admitting that it does not solve the unemployment problem, when committee statistics show it will cost \$5 billion and solve but 3 percent of the problem? Or, is this House going to take this opportunity to reform manpower training totally?

It is my sincere hope that we will take this opportunity to restructure our confused, overcentralized, unresponsive present programs into a delivery system that will meet the needs of the local community and of the unemployed individuals.

It is my sincere hope that this House will adopt the Esch amendment.

Mr. QUIE. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I am going to yield additional time later on to the gentleman from Michigan (Mr. Esch) so that if the gentleman from Illinois (Mr. PUCINSKI) wants to ask any questions, he will have a chance to do so, because we have enough time, but I want to take a few minutes here today to speak in behalf of the Esch substitute.

As I said the other day when this matter was before us, I would have preferred that we had considered the manpower programs all together with the public service employment bill and had hearings on those and brought out one big package, just as we did last year. However, that opportunity was not provided to us. The other day, however, we changed the rule which permits us to offer the Esch substitute, so we now have it before us. It is not that we never considered these matters before, because we did consider them last year and held extended hearings on manpower legislation then.

What this all boils down to is that the manpower programs are not effective today. They are not effective primarily because we are trying to find people to fit into slots in Federal programs. We need to revise our programs now that they have been in operation for a while so that programs can be developed to meet the needs of the people of each community. That means that we have to shift away from the strict Federal enforcement and administration as we did in the past where grants are requested from a Federal agency. Instead of that, the programs must be administered by the States, and we provide in some of the larger communities by the cities as well. My own preference is that all programs should operate through the States.

My colleagues who have listened to me for the last few years know that I believe the administrative unit should be

the State, through which all Federal domestic programs of this nature will operate. However, because of the fact that many cities are burdened by special problems and have not had good experience with the State in the past years that they feel they should be directly funded. In the larger cities the mayors may administer programs, as Governors are permitted to do in the Esch substitute.

I note many groups, especially in the field of vocational education, have had experience with the States. This is ordinarily a branch of the State department of education in each State. But they have not had the same experience with mayors. It is of extreme importance that programs be developed on the local level. Who else can you turn to but the person who is elected as the chief of a municipality, the mayor, to assume that administrative responsibility? It is not that he himself will be personally deciding every on-the-job training program or every other program that is available under the authority of the Manpower Development Training Act, under title I of the Economic Opportunity Act, but, rather, that he would set up his own local agency to do so.

The Esch substitute takes into consideration the language that he "shall make maximum feasible use of the existing educational institutions having a training capability such as—but not limited to—area vocational schools, technical institutes, junior and community colleges," recognizing that this would be a concern to some people. That is why that specific language is placed in the Esch substitute so that every Governor and mayor would know that is the intent of the legislation.

Mr. Chairman, the question has been raised about phasing out the present manpower programs into this new proposal of so-called special revenue sharing for manpower. This has been a concern to a number of people. But the gentleman from Michigan indicates on page 22 of H.R. 8141 in the language contained therein language which indicates that the new program will go into effect on January 1, 1972.

However, it will be the end of that year before the repeal of the existing legislation would take full effect. Any State or municipality which is qualified can move quite quickly after January 1, 1972, the beginning of the authorization contained under this new legislation. However, if they do not want to move as quickly as that, present programs can go on, not only until the end of the next fiscal year 1972, but the first 6 months of the fiscal year thereafter.

The CHAIRMAN pro tempore. The time of the gentleman from Minnesota has expired.

Mr. QUIE. Mr. Chairman, I yield myself 2 additional minutes.

The CHAIRMAN. The gentleman from Minnesota is recognized for 2 additional minutes.

Mr. QUIE. Mr. Chairman, one would expect that there would be a transitional period from January 1 until the end of

the fiscal year. However, the substitute provides that a full year is available in order that the transition period may be handled as wisely as possible and the States and municipalities would be able to handle their programs in an orderly fashion.

If we should find during the course of the consideration of this legislation that it finally would take additional time to get this worked out, and additional time would be needed, I do not think there would be any difficulty to get such time as is necessary in order that the transition can be made.

But, Mr. Chairman, I think it is of the utmost importance that we really move away from the hodgepodge of manpower programs that now exist, which definitely need coordination among the various prime sponsors who administer the programs locally, and where a truly coordinated program could be established locally so that there would be knowledge on the part of the unemployed and underemployed and returning veterans as to just what programs would be available to them and specifically designed to meet their needs.

Mr. Chairman, I think there is a likelihood that most need is for training for the kind of jobs that now exist. Under the substitute the States and municipalities also could develop public service employment jobs for a period of time so that work experience could be gained and the utilization of the skills unemployed have learned could be used on a job, a public service job, until a nonsubsidized job is available. In other words, the public service job can be used as a work training program and thereby they could substantially reduce the unemployment and the underemployment that now exists in this country. In many communities and States the Esch substitute would no doubt be used for straight public service employment, but it must be transitional.

Mr. DANIELS of New Jersey. Mr. Chairman, I yield 10 minutes to the gentleman from New York (Mr. SCHEUER).

Mr. SCHEUER. Mr. Chairman, I rise to support the bill which has been submitted by the gentleman from New Jersey (Mr. DANIELS), the distinguished chairman of the Select Labor Subcommittee, and at the same time to oppose the substitute bill sponsored by my distinguished and very able colleague on the other side of the aisle.

Mr. Chairman, I do this with regret because the new careers program, which is at the very heart of this substitute bill and which I sponsored 6 years ago, enjoys excellent bipartisan support.

So it is with a great deal of pain and regret that I must oppose the bill. I do it on two grounds. The minority bill presupposes a program for general revenue sharing for employment training programs. First, I share the general skepticism in Congress about an approach which would separate the power to tax from the power of spending. I have great skepticism about a program by which the Federal Government raises money, and then distributes it to States and municipi-

palities to spend without sophisticated, comprehensively designed Federal guidelines.

And, second, there seems to be no evidence whatsoever that the States or the municipalities of America have sufficient understanding of the needs of the unemployed, and particularly the hard core structurally unemployed, to justify confidence that they could spend such funds effectively without Federal guidance.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. SCHEUER. I am happy to yield to the gentleman from Illinois.

Mr. PUCINSKI. Mr. Chairman, I believe the gentleman from New York is making an excellent point.

The American Vocational Association in opposing the Esch substitute mentions as one of its reasons for opposing that bill the facts that—

1. H.R. 8141 repeals the existing manpower legislation. At the present time, that legislation provides funds for State educational agencies to implement manpower training programs; it provides for in-service training of teaching personnel; it funds skill centers and other institutional training programs conducted by vocational education personnel. The Esch substitute gives no assurance that these would be continued under Manpower Revenue Sharing.

2. H.R. 8141 totally lacks the assurance of educational quality which was contained in last year's Steiger Bill, H.R. 19519, the Comprehensive Manpower Act which the House of Representatives passed overwhelmingly (275-80) with the full support of the AVA, the Nixon Administration, and the Majority and Minority leadership of the House Education and Labor Committee.

The very principles that the gentleman in the well, Mr. SCHEUER, has fought so long to include in previous manpower bills, would all be negated and washed out by the substitute bill.

So, Mr. Chairman, I believe the gentleman in the well is making an excellent point on that score.

Mr. SCHEUER. Mr. Chairman, I thank my colleague, the gentleman from Illinois (Mr. PUCINSKI).

If anybody wishes to look for an institution that has been least sensitive to its real constituency and most blind to the real needs of society, one does not have to look further than the State Employment Services. These institutions are recruiters for the corporations and the businesses in the States in which they function. They have sought to screen out by means of over-credentialed and excessive experience requirements, those whom they deem to be least able quickly to attain proficiency in employment. Therefore they have not aimed mainly at serving the needs of those who are suffering from extended unemployment, but have instead aimed their services toward the needs of the business community. Thus they have hardened the problem of the long-term structurally unemployed, and have to a large extent been responsible for the desperate problem which this group finds itself in today.

Mr. Chairman, one thing we have learned from the early days of the pov-

erty program is that you do not achieve very much by just having training programs which give the job trainee a hunting license to find a job. That is particularly true when jobs in the free enterprise sector are extremely few and far between. Indeed, all too often we put an unemployed person through a training program, after which he has the frustration of not finding a job and must go through another training program and perhaps yet another training program. We not only offend the job trainee who cannot find a job and those who have confidence in the business of training people for employment, but we also offend, and rightly so, our Republican colleagues. They point out there is very little sense in programs that spend billions of dollars training people without ever finding jobs at the end of the pipeline. That is a wasteful process, both from the point of view of the spending of funds and from the standpoint of the frustration, disillusionment, and alienation of people that is created because they went into a training program in good faith and could not find a job.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. SCHEUER. I yield to the gentleman.

Mr. PUCINSKI. The gentleman from New York has made a magnificent analogy here by calling attention to "hunting licenses" for a job. That is the very guts of the difference between the Daniels bill and the Esch bill.

Mr. SCHEUER. Of course, it is.

Mr. PUCINSKI. The Esch bill provides no jobs. It is just like giving somebody a hunting license during the off season when you cannot go hunting. That is what it amounts to.

Mr. SCHEUER. Absolutely. This frustrates the people.

Mr. DRINAN. Mr. Chairman, will the gentleman yield?

Mr. SCHEUER. I am happy to yield to the gentleman.

Mr. DRINAN. Mr. Chairman, at this time I would like to introduce a very important letter which has arrived at all our desks this morning from the National League of Cities and the U.S. Conference of Mayors:

MAY 28, 1971.

HON. ROBERT F. DRINAN,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN DRINAN: The Emergency Employment Act of 1971, H.R. 3613, will soon come to the House floor for a vote. On behalf of the National League of Cities and the U.S. Conference of Mayors, representing the nation's mayors and city officials throughout the country, we urge you to vote for this bill as reported out of the House Education and Labor Committee. A similar measure was passed earlier this year in the Senate with a bi-partisan vote of 62-10. The passage of this legislation in the House is critical to the nation's cities, both large and small, since the unemployment picture worsens each month. Today, on the one hand, thousands of our citizens are without jobs and on the other hand municipal services in the areas of sanitation, law enforcement, fire prevention, health and the like, are direly needed and presently not being provided. The need for the services, the jobs, are there. The

unemployed people are there. The element missing and critically needed at this time is federal funds to put unemployed citizens to work immediately within municipalities throughout America performing worthwhile tasks for all. H.R. 3613 authorizes these needed funds for public service jobs by providing \$200 million for the current fiscal year, \$750 million for FY 72, and \$1 billion for each of three succeeding years.

The unemployment problem now confronting mayors at the local level cannot be over-emphasized. It goes beyond those on welfare. Returning Vietnam veterans, recent lay-offs resulting from shifts in federal expenditures causing a loss of jobs in certain areas, the overall shortage of jobs in the private sector, coupled with the hard core unemployment problem that many cities faced all along, means the picture is bleak. With this background in mind, an affirmative vote in the House on H.R. 3613 is a major legislative goal of the Conference and the League.

The parliamentary situation is complicated, however, by the offering of the Esch substitute, H.R. 8141, described as being backed by the Administration but significantly different from the grant consolidation proposal made by the Administration.

In our view, the Esch substitute should be rejected for the following reasons:

1. It fails to provide new money above and beyond funds authorized for conventional manpower programs. While H.R. 8141 would permit a public service element, the need cannot be met at the expense of ongoing programs, but must be authorized on top of and in addition to the already short funded manpower programs.

2. It seriously jeopardizes the shift of responsibility for conducting manpower programs from the federal to the local level. A key principle in manpower legislation adopted by the Congress last year and incorporated by the Administration suggested reform legislation this year is that local government should exercise control over the shape and direction of local manpower programs.

3. We are concerned over the funding formula contained in the Esch substitute. Secretary of Labor James Hodgson testified on May 6 before the Senate Subcommittee on Employment, Manpower and Poverty that his Department is having great difficulty in developing a formula to assure individual cities that their existing funding allocations will not be reduced. With the cities' need for funds in this area, (for current programs and public service jobs) staying even is unacceptable. Therefore, we are unable to endorse any formula until the Administration presents a clear reading of how such a formula would be applied.

Under these circumstances, the National League of Cities and the U. S. Conference of Mayors calls upon the Congress to enact H.R. 3613 without the Esch substitute.

Sincerely,

SAMUEL V. MERRICK,
Director, Congressional Relations.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. SCHEUER. I yield to the gentleman.

Mr. PUCINSKI. Mr. Chairman, it is quite obvious why the mayors have taken this very strong position. Coming from a big city, I can fully appreciate the tremendous difficulty that they are in. They have dozens of young people this summer who are looking for jobs.

Mr. SCHEUER. And thousands of graduates of training programs who cannot find jobs.

Mr. PUCINSKI. That is correct. That is why these mayors are issuing this very fervent appeal to this Congress to move now on the Daniels proposal and create these 150,000 jobs immediately. The consequence and the alternative to failing to produce jobs, meaningful jobs, for these young people will mean a great tragedy to this country. That is why these mayors have taken that position.

Mr. SCHEUER. I could not agree with my colleague more. It seems to me, if we believe in the rhetoric that work is good; that employment leads to self-respect, independence, and renewed self-esteem; that education and job training will lead to a new life, then we had better put some meat on the skeleton of our intentions and put some funding where the rhetoric is to provide jobs that are going to lead to that renewed self-esteem and self-respect.

Mr. Chairman, H.R. 3613 will generate 150,000 necessary, decently paid public service jobs linked to the fiscal needs of local government and the income needs of the unemployed. This legislation is not a panacea, nor a substitute for appropriate monetary and fiscal policy. But it is an essential tool in dealing with a prolonged crisis of unemployment. Since early 1969 the unemployment rolls across the country have been growing almost unchecked, affecting millions of workers in every State in the Union. Over 5 million workers are now unemployed. The national unemployment rate has been running at 6.2 percent in December, 6 percent in January, 5.8 percent in February, 6 percent in March, and 6.1 percent in April. Fifty-two of the 150 labor markets with a central city population of 50,000 or more have an unemployment rate of 6 percent or better, the highest such total since May 1962—almost a decade. The annual average jobless rate in the New York-New Jersey metropolitan area alone increased 41 percent in 1970.

Ironically, our committee heard extensive testimony about the vast number of public service jobs in State, county, and municipal governments that are going unfilled because of a lack of revenue. Hundreds of thousands of positions in public safety, environmental protection, health care, recreation, and education, to name just a few, are available across the country. While the downturn in economic activity has led the private sector to freeze or cut back its employment levels, public agencies face an increasing demand for services which require countless new positions. Six years ago when I sponsored the new careers program by amending the OEO legislation, an OEO commissioned study found that 4.3 million para-professional jobs could be filled in public service activities, 470,000 in the first year alone. Yet these job openings remain unfilled while millions of Americans, including experienced professionals as well as the untrained and disadvantaged, are unemployed.

So our committee proposes a national program of public service employment to match these unfilled jobs with those who are unemployed and seeking work. This

measure would provide an immediate, substantial, and flexible response to an emergency situation. Other measures must be taken to reverse the slump in economic activity which is the root cause of the high level of unemployment, but in the meantime there is a crying need for an immediate job creation program to meet the needs of millions of unemployed.

This legislation authorizes \$200 million for fiscal year 1971, \$750 million for fiscal year 1972, and \$1 billion for each of the 3 succeeding fiscal years for the Secretary of Labor to meet the full cost of providing jobs giving needed public services. The money would become available whenever the rate of national unemployment equaled or exceeded 4.5 percent for 3 consecutive months. This tie-in with the unemployment rate, referred to as a trigger mechanism, is a concept that has its origins in the administration's proposed Manpower and Training Act of August 1969. It has been further refined in this bill to include a special employment assistance fund to target \$250 million a year at those areas with rates of unemployment which equal or exceed 6 percent for 3 consecutive months.

Thus, the Secretary of Labor is authorized to make funds available only when there are periods of high unemployment—4.5 percent or greater—across the Nation, or when specific areas such as central cities are suffering from a 6 percent or greater jobless rate. In April 1971, 739 labor market areas would have qualified as applicants under this latter provision.

The legislation spells out in some detail how applicants for these funds would be required to utilize them. Persons employed under the act must be paid at least the minimum wage or the prevailing rate of pay for that job in the same area, with a maximum rate of \$12,000 a year. This provision would insure that a wage earner would receive at least \$3,328 a year, which is still almost \$500 below the poverty level for a family of four, and thus is an irreducible minimum.

The bill gives preference to hiring veterans of the Armed Forces, a preference they well deserve. Unemployment rates among returned Vietnam veterans are among the highest for any category of workers in the country. Each applicant must provide assurances that preference in filling public service jobs be given to persons who served in the Armed Forces in Indochina or Korea after August 4, 1964. Additionally, the applicant is required to make a special effort to acquaint such individuals with the program, and to coordinate his activities in this regard with those of others performing job counseling and employment services for veterans. This special attention to their needs is one important way to repay them for their service to their country in a dirty, faraway war.

The bill also includes typical "new careers" provisions to assure that the jobs for which funding is authorized are quality jobs with good prospects for advancement and upgrading. There is a strong emphasis throughout the bill on

placement in jobs in expanding occupational fields, and on linkages with other manpower programs. These provisions are aimed at preventing the creation of dead-end, leaf-raking type jobs. They also encourage public agencies to provide work experience for these new employees which will increase the likelihood of their being moved onto regular public payrolls or into private industry if the employment program is curtailed.

There are also provisions in the legislation which require applicants to eliminate barriers to employment, including their own city or State civil service job requirements which restrict employment for the disadvantaged. We have learned through the new careers program that one of the keys to success of any job creation program is the removal of unnecessary credentials and experience requirements which keep employees, particularly the disadvantaged, from moving beyond entry-level positions. The elimination of these artificial requirements can clear the way for hiring and advancement of new employees in thousands of positions that are not dead-ended throughout the public service.

This is a sound, carefully constructed bill. The concept of public service employment supported by the Federal Government has been endorsed in principle by the President, major labor unions, and a variety of experts in the field of manpower. The national level of unemployment has been at such high levels for such an extended period of time that an immediate program of action is desperately needed. Unemployment is at a 9-year high. Duration of unemployment is now averaging 10.9 weeks, the highest figure in over 5 years. Despite some indications of the beginning of an upturn in the economy, these unemployment figures are persistent and show no signs of lessening. The May 29 issue of Business Week, for example, using an econometric model prepared by the Wharton School of Finance, forecasts a general economic recovery this year, but still predicts that unemployment will remain between 5.5 and 6 percent by 1972.

Traditional Federal manpower training programs are not enough when there is an inadequate number of jobs to be filled. Appeals and incentives for the private sector to hire, train, and keep employed large numbers of unemployed have had pathetically limited success. It is highly probable that in these times of slow economic growth, the private sector, even with the best of intentions and support from the Federal Government, cannot find enough jobs in its production, commercial, and service activities to employ a large number of the unemployed. Yet local governments stand ready to employ hundreds of thousands of persons in jobs which are vital to the functioning of society and the economy.

The Republican members of the Education and Labor Committee argue that a public service employment program should only be enacted as a part of a comprehensive revision of all manpower programs of the Federal Government.

They would like to see such a job creation program, but only when it is neatly dovetailed with the \$2 billion special revenue sharing for manpower. I submit that we cannot ask millions of unemployed to sit on their hands while the Federal Government reorganizes and does some housecleaning. These revenue-sharing proposals are deserving of study, but the speediest possible action would not bring such legislation to the floor until next year. In the meantime, we can and must act on the thoroughly studied public service employment program. A similar proposal was contained in the comprehensive manpower bill passed by the Congress, but vetoed by the President last year. In the event a manpower revenue-sharing bill is enacted, the public service employment program could be easily integrated with it. The potential jobs are there, the unemployed are immediately available, and the need for increased public services has been clearly established. I urge my colleagues in the House to lend their support to this important program which will give greatly needed help to our Nation's unemployed and our struggling public services.

Mrs. GRASSO. Mr. Chairman, H.R. 3613, the emergency employment bill before us now, is not offered as a panacea.

Today there are about 5 million Americans out of work. Unemployment reached 6.1 percent in April, the second consecutive monthly increase, and brought the jobless rate to its highest point since December, when unemployment reached a 9-year high of 6.2 percent. In Connecticut, the rate of unemployment is 8.4 percent, well above the national average. And in the Sixth District, which I represent, there is 21.5 percent unemployment in the city of Bristol, and 12.1 percent in New Britain and the Torrington area.

Under the provisions of this bill, the present level of unemployment would authorize the use of \$1 billion in fiscal 1972, and \$1.25 billion in fiscal 73, enough for approximately 150,000 public service jobs.

The Kerner Commission recommended the creation of 1 million public service jobs in 1968, at a time when about half as many people were unemployed.

It is interesting to point out that in 1939 this country, with a population of around 125 million, was providing 4 million public service jobs. This program produced many constructive results, beyond and apart from providing employment for people who were in desperate circumstances. Today we are talking about a bill involving about 150,000 jobs in a country almost twice as large, with a gross national product several times as great.

Of course 150,000 jobs will not solve the crisis of unemployment, yet we must act now in a positive way to assist those Americans who want to work and find it impossible to locate a job.

Public service employment is very broadly defined in the bill. Examples of jobs include police and fire protection, sanitation, transportation, recreation,

education, conservation, housing and maintenance work.

Along with the principal benefit of this legislation which is providing jobs, runs another of almost equal importance. All the persons employed under this act will be engaged in the provision of public services to people. Communities will be able to expand health and education programs as well as increase their recreational facilities. The bill specifically calls for employment in areas likely to expand when the economy picks up.

Experience has taught us that even in times of high employment there are men and women who cannot find a place in private industry. This is particularly true for those over 45, and these older workers not only include the unskilled or low paid, but also the individual who has worked in a high paid job for 10 or 15 years and has been laid off during a recession. In many instances he will not be hired back and is finding it extremely difficult to get a job. There also is the younger worker from 18 to 25 without a college education who finds it hard to get an entry job in private industry. And the problem is still more distressing for members of minority groups.

High unemployment not only hits the individual pocketbook, it also diminishes the State and local revenues. The tax base is injured, retail sales are curtailed, forcing a cycle of increased layoffs. All of this causes cutbacks in the basic municipal services. Just last week I received a letter from a city councilman advising me that the entire physical education and recreation program of the school system was threatened for the coming school year due to the severe budgetary limitations placed on his city owing to the economic crisis.

This bill will only provide funds for the manpower to reinstate many of these services, but it will also put money back into the tax base to create a multiplier effect, thus stimulating more employment.

This bill is also carefully designed to trigger itself on and off according to specific economic indicators. It becomes operative after the unemployment level has been as high as 4.5 percent for 3 consecutive months and shuts off when the level falls below 4.5 percent for 3 consecutive months.

In addition to the nationwide 4.5 percent indicator, the bill authorizes a special employment assistance fund which would be used to create public service employment programs in specific localities where the local rate of unemployment is as much as 6 percent for three consecutive months. This special fund would continue to operate in those designated localities even if the national rate fell below the 4.5-percent figure. The provision is of great importance to me and a number of my colleagues who represent areas so devastated by unemployment that even when the national rate falls below 4.5 percent we can expect a long period of substantial unemployment above 6 percent.

I should emphasize that this legislation does not contemplate "leaf-raking"

jobs. There are hundreds of thousands of vitally needed public service positions that are unfilled for lack of local revenues. There will be no necessity for jobs to be invented. The real needs will far exceed the entitlements available under this act.

Obviously the answer to every employment problem is not an automatic increase in the amount of public service jobs. However, this bill fills an immediate and necessary need and strikes a sound proper balance with all our efforts to deal with unemployment.

These jobs are not make work, they are badly needed public services. I urge that we pass this legislation, for people desperately need the jobs that are being considered here. For some, it is a matter of survival; for all it is a matter of human dignity. We need public employment and we need it now.

Mr. QUIE. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan (Mr. ESCH).

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

Mr. ESCH. Mr. Chairman, at the outset I think it should be recognized that if there is any cruel hoax that has been presented, it may well be in the extent to which the committee bill would deal with the problem of unemployment in this country. The committee has admitted that it would create 150,000 jobs. We know there are somewhere between 4.8 million and 5 million unemployed. So by their own admission the committee bill will solve less than 3 percent of the problem. Yet they suggest that the emergency employment bill is the answer to the problem of unemployment in this country.

I suggest to you that the only answer is to begin to restructure the current hodgepodge of manpower training programs in this country into a meaningful delivery system, to give strength to the local units of government to develop manpower training programs that meet the needs of the local communities.

Second, during the presentation of the previous speaker, reference was made to the National League of Cities and the U.S. Conference of Mayors' letter which the Members received. I, too, have received that letter and I think that it should be explained to the Members of the House the great misunderstanding that is in that letter as it pertains to the substitute bill.

The letter states:

*** the Esch substitute should be rejected for the following reasons:

1. It fails to provide new money above and beyond funds authorized for conventional manpower programs.

The letter is completely mistaken in that sense, in that the substitute bill does provide \$500 million when the rate of unemployment goes over 4½ percent nationally, as opposed to \$200 million the first year in the committee bill.

I think it should be clear that the letter has a major misunderstanding in that funds are authorized, are indeed authorized under the substitute bill. Let me

remind the Members of the House that in both bills it is an authorization, not an appropriation.

The second point made in the letter is as follows:

2. It seriously jeopardizes the shift of responsibility for conducting manpower programs from the federal to the local level. A key principle in manpower legislation adopted by the Congress last year and incorporated by the Administration suggested reform legislation this year is that local government should exercise control over the shape and direction of local manpower programs.

Mr. Chairman, this specifically is what the substitute does. The committee bill only allows local control in public service employment. It continues on central Federal control by categorical programs of all other manpower training programs in the country. The substitute bill does provide—emphatically—for that key principle alluded to in the letter from the National League of Cities and the U.S. Conference of Mayors; that is, that local governments should exercise control over the shape and direction of local manpower programs.

The letter then concludes:

3. We are concerned over the funding formula contained in the Esch substitute.

Then it goes on to suggest:

With the cities' need for funds in this area, (for current programs and public service jobs) staying even is unacceptable. Therefore, we are unable to endorse any formula until the Administration presents a clear reading of how such a formula would be applied.

In the debate on the rule in the previous week's discussion I made it clear, and the administration has made it clear, that under the substitute bill no local communities and no State will receive less funding than what they are receiving now. Indeed, in virtually every case they will be receiving more funds than what they are receiving now. I think it should be clear not only that the substitute bill is an open-ended authorization, but that the administration is committed to spend substantially more funds. It is not just an authorization; they are committed to spend more funds during the fiscal year to see that the substitute bill is implemented.

The CHAIRMAN pro tempore. The time of the gentleman from Michigan has expired.

Mr. QUIE. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. ESCH. Mr. Chairman, I believe it is clear, from the standpoint of misinformation given in the letter from the National League of Cities and the U.S. Conference of Mayors that, first of all, new funds are provided in all cases; second, the substitute bill rather than the committee bill is the one that gives local control; third, the formula is so devised that no city will receive less funds and indeed they almost always will receive more funds.

I should think that the Members of this House would go back to their mayors and say to their mayors the only answer is to accept the substitute bill to get on with the problem of solving unemployment in this country, not a demagogic

approach of solving less than 3 percent of the problem but a realistic redirection of our manpower training programs so badly needed which can resolve the crisis we face.

Mr. DANIELS of New Jersey. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts (Mr. DRINAN).

Mr. DRINAN. Mr. Chairman, I should like to ask the distinguished gentleman from Michigan whether he could have for reproduction tomorrow a complete clarification by Samuel Merrick of his letter dated May 28. I have received everything from the National League of Cities and the U.S. Conference of Mayors, and have the greatest reliance on it. It seems to me, unless Mr. Merrick has erred seriously there is a profound misunderstanding here. It seems to me we have to rely on this unless by tomorrow morning we have a complete repudiation by Mr. Merrick of what he said here.

Mr. ESCH. Mr. Chairman, will the gentleman yield?

Mr. DRINAN. I yield to the gentleman from Michigan.

Mr. ESCH. I would respond to the gentleman by saying that is the responsibility of Mr. Merrick and not my responsibility. I should surely hope, given the misunderstanding that is contained in the letter from Mr. Merrick, that he would want to clarify for the Members of the House the great misstatements that are contained in the letter, as I have enumerated.

I surely would hope that the gentleman who wrote the letter would want to clarify that for the benefit of Members of the House. I have indicated specifically the facts related to the three objections. I believe it is very clear that on the basis of information in the letter there is a major misunderstanding.

Mr. QUIE. Mr. Chairman, I yield myself 1 minute.

I have no further requests for time. I should like to ask the gentleman from New Jersey if our understanding is correct that this is the end of the debate for today?

Mr. DANIELS of New Jersey. The gentleman from Illinois desires additional time, which I am inclined to grant. After that I propose to ask that the Committee rise.

Mr. QUIE. Mr. Chairman, how much time does the gentleman from New Jersey have remaining, and how much time do I have remaining?

The CHAIRMAN. The gentleman from New Jersey has 17 minutes remaining and the gentleman from Minnesota has 32 minutes remaining.

Mr. QUIE. Mr. Chairman, I will reserve the time, but I will have the understanding with the gentleman from New Jersey as stated to him privately, that tomorrow I will only use the amount of time that he has remaining. So even though there is a disparity as to the amount of time, we will go into the debate tomorrow on an equal basis.

Mr. DANIELS of New Jersey. I thank the gentleman.

Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. PUCINSKI).

Mr. PUCINSKI. Mr. Chairman, the response by the gentleman from Michigan to the request by the gentleman from Massachusetts for an analysis of the letter by the League of Cities was understandable. Obviously he could not elaborate on that letter because that letter is correct on all fours.

It is quite obvious from the debate today that everybody is out of step except our good friend from Michigan, the sponsor of the substitute. The League of Cities is out of step, is confused and misled. The ADA is out of step, confused and misled. Everybody is wrong.

The fact of the matter, in this whole debate, is that the gentleman from Michigan must admit that, no matter how much he wants to twist and turn on this bill, it just will not provide the new jobs we need for our unemployed workers.

The fact is that the Daniels bill sets up funds for immediately creating 150,000 public service jobs in this country so that people can go to work immediately. The difference in the Esch bill is it restructures the whole manpower program and sets up \$500 million for the entire program. The gentleman has been unable to tell us which present manpower program he wants to phase out in order to create funds to create new jobs. No programs are going to be phased out and no new jobs will be created. If the House is foolish enough to fall for this substitute bill, we will not have created one new job in this country, and the gentleman knows it.

Mr. DANIELS of New Jersey. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BOLAND, Chairman pro tempore of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 3613) to provide during times of high unemployment for programs of public service employment for unemployed persons, to assist States and local communities in providing needed public services, and for other purposes, had come to no resolution thereon.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE A PRIVILEGED REPORT

Mr. ANDREWS of Alabama. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file a privileged report on the legislative branch appropriation bill.

Mr. BOW reserved all points of order on the bill.

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

There was no objection.

BENEFITS OF NONZONING IN HOUSTON

(Mr. CASEY of Texas asked and was given permission to address the House

for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. CASEY of Texas. Mr. Speaker, Houston is the only major city in the United States without zoning. A recent study concluded that the absence of zoning has been beneficial for Houston. The study emphasized that the most important accomplishment of nonzoning is that it results in a greater satisfaction of the housing market than occurs under zoning. In view of the many unfilled housing needs in our country today, I believe this study deserves our attention.

Bernard H. Siegan, a Chicago attorney with 20 years of experience in zoning and real estate law, conducted the study on a fellowship from the University of Chicago Law School. He found that the private market, regulated by relatively few ordinances, has served Houston better than that mixture of planning, politics, and law known as zoning. The community has achieved such traditional objectives of zoning as use separation and esthetics to perhaps the same degree as would have occurred under zoning.

Most importantly, Mr. Siegan found that there has been considerable development of housing and nonhousing facilities which zoning would have prevented or curtailed.

Mr. Siegan believes that zoning is a superfluous and chaotic governmental operation that does not warrant its high cost to community resources. It causes increased rents and contributes to housing problems for families with average and lower incomes. He feels it is absurd and inexcusable that at a time of serious housing shortage, zoning laws exist to perpetuate and compound that shortage.

Mr. Siegan presented the conclusions of his study and talked about current governmental and private efforts in the area of zoning at a meeting in Washington, D.C., May 12, under the sponsorship of the University of Chicago Law School and the Journal of Law and Economics. I attended that meeting, and I would like to insert his remarks in the RECORD:

ZONING AND NON-ZONINGS TRENDS AND PROBLEMS

(By Bernard H. Siegan)

Much is astir in the world of zoning. The builder or developer who condemned zoning practices that were exclusionary toward his project, now finds himself in very respectable company. The Douglas Commission, several state and local commissions and a host of academicians, planners and commentators have also come to the conclusion that zoning is exclusionary. Legislation has been introduced in the Congress and in many of the states intended to eliminate alleged exclusionary practices toward low and moderate income housing. There are many cases in the courts seeking comparable objectives, and some important decisions on zoning have resulted and are anticipated.

In my remarks this evening, I shall discuss the feasibility and desirability of the changes being proposed to provide relief against so-called "exclusionary zoning," the situation in the courts, and the relationship and relevancy of all this to "non-zoning," the term I have used to describe the system of land use controls in effect in Houston and those other Texas cities which have not adopted zoning. I shall also give a brief description

of non-zoning and explain why it is the most preferable form of zoning.

CURRENT EFFORTS AGAINST "EXCLUSIONARY ZONING"

The primary push at present to change or amend zoning ordinances has an egalitarian-civil right orientation. It is contended that zoning has been one of the means used to exclude people of lesser incomes from the suburbs and suburban type areas of cities and counties. The objective would be to provide sites for public housing for the poor and some form of public-private housing for the not-so-poor whose incomes are too high to qualify for public housing and too low to purchase private housing available in the area. In other respects, the zoning powers of the municipalities would remain undisturbed—and exclusionary.

In my view, what these proposals will accomplish, in light of the great housing needs of the country, can be considered as almost in the nature of "tokenism"—if I may borrow that term—notwithstanding that some individuals would most certainly benefit from such tokenism.

As a practical matter, the most these endeavors can hope to obtain for a large suburban area are probably no more than several moderate and low income developments, each containing say about 100 to possibly 400 or 500 apartments. If, however, the zoning powers of the municipalities were to be generally curtailed, many more times that number of multiple and single family units would be established for the same area. Although most of these units would be for an average or higher income market, the substantial increase in production and availability will have a much more favorable impact on almost all levels of the housing market, including those for moderate and low income.

Consider with me the many problems involved in building new housing in suburbia for the low and moderate income families.

First, these projects will invariably require government participation, either as owner or subsidizer, because of the substantial costs of both land and construction. There are obviously difficulties in obtaining substantial appropriations for this purpose. Such a program has natural enemies: taxpayers, suburban home owners and non resident middle income groups for whom housing opportunities in the suburbs might be further reduced. But even assuming money is available, government agencies are not likely to make or be allowed to make disbursement indiscriminately without regard to the political consequences. Many of the target areas of suburbia would be able to avoid such housing on the ground that property values would be seriously jeopardized.

The HUD position on the location of interest subsidy housing projects in Houston provides an example of what to expect. HUD apparently has agreed in principle, not to approve sites for such projects in Houston, if they are likely to affect adversely adjoining homes or the neighborhood. State agencies will probably react similarly. As one example, the record of the Urban Development Corporation of New York, a state agency not bound by local zoning ordinances, does not suggest that its policy is any different.

Second is the question of how attractive are the suburbs for those of lesser incomes. Certainly the schools are often better, the environment cleaner and newer, and some places of employment closer. But there are also some strong negative factors. Commercial facilities there are oriented to the consumer taste preferences and credit practices of a higher income level. The absence of public transportation and the ownership of probably one older automobile will reduce considerably the mobility of a lesser income family. Housing is, of course, highly sensitive

to the racial frictions of our society. New kinds of ghettos may be created without the conveniences, familiarities and amenities of the old ones. Given the choice, many may prefer the older sections of the city despite the schools and even with two hours of driving to any from work.

Third, because there are substantial questions as to how great the demand is on the part of low and moderate income families, and therefore how feasible subsidy projects are, private sponsors may not be very plentiful. To accept the required profit limitations and suffer the agonies involved in obtaining FHA approval, the rewards should be relatively certain. As it is, the number of potential sponsors willing to undertake subsidy projects may have been reduced considerably by some adverse experiences. Maintenance, replacement and operating expenses have not infrequently turned out to be far in excess of projections.

Non-profit groups are limited both in number and practical experience and cannot provide sponsorship for very many projects. Therefore, for a substantial amount of subsidized housing to be erected in the suburbs, it would be mandatory for government to sponsor and own most of the projects, which is hardly the result many of us are presently prepared to accept. The average total development and land cost per apartment placed under construction in 1969 in FHA Section 221 below market interest program was about \$15,500 in most Northern areas of the country. At this rate, it would cost considerably over one billion dollars to build just 65,000 apartments. These costs are now at least 10% more. Moreover, the administration of the program and the absence of any private incentives would add considerably to the cost.

I worry sometimes that efforts at placing small subsidized housing projects in suburbs will be counterproductive to the goal of creating more housing opportunities. I know of several suburbs that have or are contemplating token-sized subsidized developments, and I fear they will use them as a pretext or perhaps justification to maintain even bigger exclusionary walls toward everyone else. Only the very prosperous and a few poor will thereafter be allowed entry. For one of middle income to move there, he might either have to strike it rich or go bankrupt.

ALL ZONING IS EXCLUSIONARY

However, notwithstanding the problems involved, discussion and analysis of exclusionary zoning has served an important purpose. It has focused attention on the serious problems created by the exclusions perpetrated by and under zoning. Exclusionary zoning is actually a redundancy. Exclusion is the name of the zoning game. The objective of zoning is to exclude certain uses of property and thereby those people who would live in the property excluded. Thus, there is no question that zoning has been the instrument by which thousands upon thousands of apartments for most income levels have been kept out of the suburbs.

It is absurd and inexcusable that at a time when there are numerous unfulfilled housing needs, zoning laws should exist that prevent many from being satisfied. Furthermore, these zoning laws also tend to create and continue adverse housing conditions.

According to a recent survey, undertaken at the Institute of Social Research of the University of Michigan, the construction of 1000 new housing units makes it possible for a total succession of about 3500 moves to occur to different and likely better housing accommodations. Thus, the addition of one new housing unit to the market serves not only its intended occupants, but also several other families or individuals, who are able to move as a result to other accommodations,

which presumably are more desirable. The same survey shows that more than 1/3 of those who move are likely to be in the lower and moderate income categories, and that these moves extend to older areas near the center of the city. These figures include both white and black families, although the authors conclude that blacks do not benefit nearly as much as whites. The consequences are certainly greater than what is connoted by the term "trickle-down" or "filter-down", the usual description for this process. The process set in motion by new construction, together with that construction apparently accounts annually for how and where about one-half of those who change residence will live. Government policy should be directed at stimulating this process, certainly not curtailing it as occurs under zoning.

In maximizing production and competition probably lies the best hope we have for improved housing conditions. The existence of a highly competitive market is a tenant's best guarantee of lower rents and better maintenance and repair. Those of average or lower incomes are most harmed by government policies that impede the production and supply of housing. For a family struggling to maintain financial solvency, a five or ten percent increase in rent can be a considerable hardship. These may well be the principal casualties of zoning.

TRENDS OF ZONING LITIGATION

Perhaps the most salutary "trickle-down" of the current efforts to provide lower cost housing in suburbia is that it has produced many lawsuits throughout the country challenging zoning ordinances. In 1926, in *Village of Euclid v. Ambler*, the Supreme Court validated the constitutionality of zoning in principle, and after deciding two additional cases in the next two years, has refused subsequently to hear any zoning cases.

Because of the frequency with which the question is being raised, it is doubtful that the court can refrain from considering some or all aspects of the issue. Forty-five years have elapsed since the original decision, and much has changed in society including the meaning and scope of the due process and equal protection guarantees of the 14th Amendment. We now also understand much better the ramifications of the zoning process.

When housing is involved, a zoning controversy is not simply one of a municipality versus landowner, or a case of people versus property; it is one of people versus people. It is more correctly viewed as a dispute between those who already live in a certain area and those who want to live in that or an adjoining area. Zoning allows existing residents of a community to greatly influence or even determine who can and who cannot move into that community. It gives inordinate powers and privileges to those who live at a particular time in the municipality over those: a) who want to move in; b) who would benefit from the trickle-down process; and c) who would benefit from the added competition in housing. Involved are restraints on mobility and opportunity and the creation of social and economic problems for those who by choice or circumstance are tenants or lower and average income home owners. One group, those who got their first, exercises considerable restraints over the production of housing intended to benefit many other groups. These are matters that have been and should be of concern under the equal protection and due process guarantees.

Now, the Supreme Court is not going to declare zoning unconstitutional. What is possible, however, is that it and/or federal and state courts will, through a series of decisions, reduce zoning powers of the municipalities over housing. It will still not be possible to build garden apartments in the midst of a new single family subdivision, but

it will be less difficult to obtain authorization for such construction on the land adjoining the subdivision. Since most zoning controversies are about land in these locations, that is, on the periphery of existing single family development, this change in the law would greatly limit exclusionary zoning powers.

If this were to occur, it would also have the interesting result of reducing the differences between land use controls under zoning and those operating under the Houston system of non-zoning. Non-zoning does not mean a generalized mixture of land uses. By the use of restrictive covenants, which are private agreements, most subdivisions in Houston are restricted solely to single family use for specified periods of time. The difference with present zoning practice is that Houston homeowners have no control over any property outside of their subdivision. Their exclusionary powers over land use terminate at the subdivision boundary line. Values of homeowners are thus reasonably protected as are those of the owner and potential inhabitants of the land adjoining the subdivision. By substantially limiting zoning powers, the courts may achieve similar results. When housing is involved, zoning powers might be largely limited to accomplishing the same objectives as restrictive covenants do in the non-zoned cities. (For those not familiar with restrictive covenants, I want to note that racial restrictions are unenforceable).

I strongly suggest that it would be even more equitable and desirable if zoning powers over commercial and industrial uses were also largely terminated. To anyone who suggests that zoning is essential in modern urban life, my reply is simple: Look at Houston! There is no need to hypothesize, or theorize or fantasize; the actual experience of Houston is available for all to see, study and evaluate. Non-zoning should not be feared; it should be welcomed. The land use experience of Houston and other non-zoned cities show that zoning is neither necessary nor desirable, that its absence is preferable to its presence. Despite the absence of any zoning ordinance, land uses on the whole are about as separated in Houston as they would be under zoning. But even if this is not entirely accurate, it is more than offset by the economic and social rewards emanating from the absence of government restraints over the development of property.

LAND USE CONTROLS UNDER NON-ZONING

How has this occurred without zoning controls? The answer is that Houston does have land use controls, but these are primarily economic, and they function effectively and with much more desirable social effects. Specifically, the use and development of land and property in Houston is controlled in three different ways. First, by the normal economic forces of the marketplace. Second, through legal agreements, principally the restrictive covenants, and third, through a relatively limited number of land use ordinances adopted by the city. Houston also does control building and development through subdivision, building, traffic and housing regulations that do not appear to differ appreciably from those of other cities in its region. But the contrast with zoning is clear: Unless the property is subject to an enforceable restrictive covenant, the city does not control the use that will be made of and on that property, whether it be for a mansion or factory or virtually anything else. Restrictive covenants affect only about 20 to 25% of the dollar amount of non-governmental construction in Houston, which means that there are few legal restraints over land use involved in over 75% of the dollar volume of building activity.

The politicians and city planners who control zoning seem to adopt the same approach

as did that individual who expressed a taste solely for large canvasses. When queried as to whether he was an art critic, he responded, "Not I; I'm a frame-maker."

Well, non-zoning shows that zoning schemes, grandiose and otherwise, are unnecessary—the real estate marketplace does not operate chaotically or haphazardly. Residential, commercial and industrial uses tend to develop separately from each other. Certain uses will develop only in certain places. The gas station and most other major commercial developments provide an obvious illustration; regardless of where they are permitted, they will locate only on heavy traffic streets. This means that major business and commercial uses generally will be absent from the residential or local streets which constitute close to 80% of total street mileage within Houston, and probably about the same elsewhere.

In areas of Houston no longer subject to restrictions, or in which restrictions were never imposed, these local streets contain relatively few commercial uses, probably no more than 5%. The bulk of these are home occupations and business that serve the residents of the area, and therefore, contrary to most conventional thinking on the subject, are probably compatible with the area.

Auto repair shops offer an interesting illustration of this. Although these shops may seem highly undesirable neighbors to those imbued with the delicacies and ideals of middle income housing, they do offer much convenience and service for a lower income family owning one usually older car in an automobile city. They are within walking distance, frequently employ used parts, and may provide liberal credit terms. Accordingly, they are present in some very stable lower income areas. But these shops are absent from the local streets of middle or higher income areas where mobility and wealth preclude the demand for the services they offer. In such areas auto repair shops are truly incompatible and undesirable.

There is also a great tendency for industrial uses to group and concentrate separately from residential. A comparison of maps showing the location of industrial uses in the metropolitan area of Houston with similar maps of Los Angeles or Dallas, cities with which Houston is often compared, suggests that the proliferation of industry in the Houston area is no greater than in these other metropolitan areas. There may be even less dispersal, although the large territories involved and differing definitions of industry make measurement very difficult.

It is generally too costly in terms of land prices and potential residential hostility for heavy industry to locate near new residential subdivisions. The plants and factories in the Houston area which are contiguous to and were erected subsequent to homes are usually "light" rather than "heavy" in character. In most instances their existence appears to pose no more and possibly less peril to residential values tastes than would be the case if the same property has been developed for an alternative use such as apartments. I doubt that where there is proximity of industry to residential in non-zoned cities that there is more harm to property values and tastes than in zoned communities.

There are substantial areas in and around Houston where there is minimum demand for multiple family, industrial and commercial development. These areas are suitable for and are being developed for single family occupancy.

Most single family developers in Houston, as well as in many other parts of the country before the advent of zoning, have traditionally imposed restrictive covenants to permit only the erection of houses within their subdivisions. Because many of the

earlier restrictive covenants in Houston were limited in duration or legally insufficient or not enforced by owners, zoning would probably have kept more areas as single family. It would thereby also have impeded development of much housing and also non-housing facilities that has occurred subsequently within Houston.

Most of the covenants created subsequent to World War II are much more durable and seem to offer a reasonably practical solution to the conflicting desires of allowing for change and yet maintaining stability. Most post World War II covenants contain an automatic extension provision. This provides for an initial duration period of 25 to 30 years, and an indefinite number of 10-year automatic extension periods. Agreement on the part of 51% of the owners may cancel or amend the covenants before the end of the initial period or before the end of any subsequent 10-year period. Under this provision, the majority of homeowners or owners control the destiny of their subdivision.

For restrictive covenants to remain effective and enforceable, the law requires that they be diligently enforced by the homeowners. Inasmuch as this can be costly for homeowners in lesser income subdivisions and small subdivisions, Houston adopted in 1965 an ordinance enabling the city to enforce these covenants.

Houston has also adopted an offstreet parking ordinance for residential development only and a relatively limited number of other government regulations designed to cure problems of land use not satisfactorily controlled by the private market.

Let me give you some visual proof as to the effectiveness of the marketplace in controlling uses. This is a slide of the land use map of Baytown, Texas, population 45,000, which has never adopted zoning. A close examination will show that most commercial uses are on major thoroughfares, and that the vast bulk of industry is concentrated within its own areas. I might add that Baytown has some of the heaviest industry in the Houston area as well as subdivisions where homes are valued upwards of \$50,000.00. Complete separation has occurred between these uses entirely without any governmental intervention.

Pasadena, Texas, population about 90,000 has never had zoning, and its land use map shows virtually all heavy industry has grouped itself. Much the same has occurred in Wichita Falls, Texas, population 98,000 and Laredo, population 70,000, both of which also do not have zoning.

However, close examination of the land use maps of each of these four cities (Baytown, Pasadena, Wichita Falls and Laredo) shows that the market processes have not been completely effective in avoiding the proliferation of industrial uses. Now let us see how much better zoning has done. Here are some slides of land use maps I have been able to obtain of medium sized Texas cities which do have zoning. Industrial use is shown as either purpose or gray on the following slides of Amarillo, population 123,000 zoned since 1931, Waco, population 95,000 zoned since 1932, Lubbock, population 150,000 zoned in 1941, and Abilene, population 90,000 zoned in 1946. Because land use maps are difficult to obtain, I do not know if these cities are representative. At the very least, however, these land use maps do create doubt as to whether zoning is more protective than non-zoning against the proliferation of industry.

ZONING ELECTIONS

Why do Houston, Wichita Falls and Baytown not have zoning? The answer is that these cities allowed their voters to decide this question in public elections. Houston voted twice against zoning. In the last vote in 1962, 57% voted against zoning and 43%

voted in favor. Zoning lost 3 out of 4 elections in Wichita Falls. The most recent election was held in 1963, and an overwhelming 82% voted against to 18% voting in favor. In 1969 in Baytown 68% voted against and 32% voted for zoning. Beaumont adopted zoning in 1954 despite the fact that over 70% of the voters rejected it in 1948. It has also come to my attention that Jefferson County, Missouri voted out county zoning and planning in November 1970 by a 56-44 margin.

The only pattern that I have been able to detect to explain the election results is based on income level. Covenants in many of the older subdivisions occupied by lesser income families had expired or never existed; and one might ordinarily expect these homeowners to favor zoning as a means of excluding diverse uses. It would also seem that in the newer, wealthier subdivisions there would be little demand for zoning since covenants are in effect and usually strictly enforced. Neither assumption is correct, however. In Houston and apparently elsewhere lesser income homeowners, living in the older areas have generally voted against zoning and those of higher income levels, living in the newer areas have voted for zoning. The principal reason, I suggest, why the less affluent reject zoning is that it would deprive them of the service and convenience afforded by neighboring commercial developments which zoning would take away. In addition, their approach to questions of esthetics and tastes appears to differ from that of wealthier groups.

In an area containing local auto repair shops, grocery stores and home occupations, the vote went 5 to 1 against zoning. The more affluent voters in the newer areas supported zoning about 2 to 1, and came out in much greater numbers to vote. But they could not overcome the larger majorities in the poorer neighborhoods.

RESULTS OF NON-ZONING IN HOUSTON

The single family dwelling is healthy and prospering in Houston. Values have been and are appreciating as elsewhere in the country. There are subdivisions at various levels of income, similar in appearance to their counterparts in zoned areas. In the wealthiest areas, restrictive covenants usually control esthetics, maintenance and architecture to provide an exclusivity that the most restrictive zoning code could not legally achieve; for they have virtually forbidden any construction that might injure values.

Restrictive covenants have also served well the interests of the less well to do, as these slides show. The covenants affecting less wealthy subdivisions are usually not as restrictive or often not as strictly enforced as those for the higher incomes and this is a market response to the life style of these income groups. There is consequently probably greater variety among subdivisions than would be found under the aegis of a monolithic zoning ordinance.

What has happened in Houston when restrictive covenants have expired? The answer depends upon the real estate pressures that have arisen in the area since the time when the covenants were imposed on the subdivision. Along expressways and the more heavily traveled streets, commercial, multiple family and possibly a few light industrial uses will in time generally develop. The answer may be quite different for areas adjoining interior or local streets where the traffic is light. In some instances, there will be virtually no changes because of the absence of economic pressures for other uses. As I have indicated, there will be relatively few commercial uses on the local streets due to the limited extent of traffic and accessibility. Substantial changes in interior areas will come about only where there is a strong

demand for multiple family uses. Since many are largely immune to the demand for apartments, there are substantial areas of Houston where despite the absence of covenants for long periods of time, single family remains largely the only use.

Here are two specific illustrations. First, a section known as "Denver Harbor." We surveyed all uses within this section in a rectangular shaped area of 3 blocks by 30 blocks. The area surveyed was first subdivided in 1911 and the balance in 1913, and there never were any covenants restricting building or property use. It is an area largely of lower and middle income where there is little demand for multiple family building sites. Although it is bordered on one side and at one corner by heavy industry and about 13% of the land is vacant, only approximately 1% of existing structures on local streets are occupied by industry and about seven percent by commercial uses. About 5% are duplexes and apartments, and about 2% trailers. New homes have probably been built in every decade since the 20's including some in the late 60's. Real estate values are and have been generally stable in this area.

The second example is provided by our survey of a 45 square block area of the "Montrose" section. In this area covenants expired in 1936, but the area still remains more than 60% single family. This is an area of strong demand for multiple family uses. There are no industrial uses, and interior streets contain few, about 4% light commercial uses. The structures erected within recent years on the interior streets have replaced older single family homes and consist largely of 2-story garden apartments and townhouses. They are being built by many different, usually smaller builders, and appear to blend in well with the remaining homes. Land values on interior streets are relatively high and this assures that the quality of new construction will likewise be relatively high. More accommodations are being provided for more people, and the forces of the marketplace have caused a high degree of compatibility between the old and the new.

As I have suggested, the most desirable influence of non-zoning at present is its effect on multiple-family dwellings. Let us look at some slides of apartment developments. If Houston had adopted zoning when proposed in 1962, restrictions of the ordinance would have resulted in less apartment production, and this means higher rents and a lesser number and variety of apartments. The absence of restrictions has made available a great number of building sites at lower cost, and this, together with the high density that is permitted has resulted in a larger supply of many different kinds of rental accommodations. Many have been able to afford new housing who would have been denied this if Houston had zoning.

Under non-zoning, site density, i.e., the number of units erected on a specific site, is a function of market demand not of planners' speculations and political expediences, which means far less wastage of that precious commodity we call "land." It also means more housing opportunities. Some years ago, proposals were submitted to Houston's city council but never adopted to reduce substantially the allowable density for certain types of single family rental developments. Had these proposals been successful, some of these developments, due to increased costs, would never be built. And others would have many less units. Probably the biggest loss would have been sustained by many people who would have had to continue living in less desirable quarters. When people move. It is likely that they are improving their conditions, which they should know and understand better than strangers,

notwithstanding that these strangers may be planners or politicians.

Nor has the absence of controls necessarily resulted in maximum land densities, for if it did, only high rises would be built. Market conditions have not been favorable for apartment high rises, and relatively few apartment buildings have been built with more than 3 stories. What it does mean in many, perhaps most instances, is maximum land density, once the city's off-street parking requirements are met, for the two and three story buildings. For those who can afford lower density construction, there are many rental developments with densities about the same, or even less than would have been allowed under the most restrictive multiple family provisions of the zoning ordinance proposed in 1962. Competition has caused many developers to maintain open space and install recreational facilities. At the same time, the city does not have the power to force such open space on the developers who seek to cater to tenants who cannot afford such luxury, or possibly who prefer "luxuries" in the interior rather than on the exterior.

If you analyze the land plans for multiple family developments, you will find that many could not have been built under the provisions of most zoning codes. In the case of some of these townhouses, for example, each unit has been individually designed and constructed on a separately owned lot and these structures would not comply with the individual lot requirements of the zoning ordinance proposed for Houston for 1962 as well as most zoning ordinances, even assuming that the property was zoned for multiple family purposes. Re-zoning, variances, a planned unit development or some other special dispensation would have been required. To gain approval, the developer may have had to make concessions and deals, legal and possibly extra-legal, which likely would have altered or eliminated much of what you see, and very probably for the worse.

The major thoroughfares in Houston are largely similar in appearance to those in zoned cities. Areas adjoining heavy traffic streets contain homes, apartments, townhouses, and businesses similar to what occurs under zoning. There probably are more businesses and apartments along thoroughfares than there would be under zoning because such uses bring a better land price than does single family. The result is also a greater number of houses on interior streets, all of which makes for a separation of uses not inconsistent with conventional planning objectives of compatibility and desirability. One can hardly fault economics that causes homes to be built on the local rather than on heavily traveled streets and, of course, vice versa, with respect to commercial uses.

Moreover, the absence of zoning restrictions allows for maximum development of strip areas. In zoned areas with their many classifications and subclassifications, it is often a matter of chance whether a particular parcel is zoned for the use intended. There is no such problem under nonzoning. The results in Houston appear even more favorable when compared with what develops when the planners, politicians, and possibly even the courts juggle the land to determine where the various uses along the thoroughfare will go. What land will get the lease valuable R-1, the more valuable C-1 and the most valuable C-6? Where should the B-1 district begin and where should it end? Which uses should be permitted in the B-2, B-3, B-4 and B-7 districts? Who will be allowed to live where? I suggest that the process is considerably more chaotic, disorderly and inequitable than what takes place in the non-zoned cities.

These are photographs of two subdivisions

containing over 230 homes which in the 70's will probably be the site of one of the major high rise commercial and apartment developments of Houston. The developer of Greenway Plaza, a commercial development adjoining these subdivisions, bought almost all of these homes in 1968 and 1969 at a price above market and with 5-year rent free privilege for each owner. A good deal apparently for both sellers and buyer, since upwards of 90% of the homeowners sold under these terms. Can you imagine what the developer would have had to do and go through to re-zone this property from single family to high rise commercial, how long it would have taken, and at what cost? I am convinced that because of the many problems involved, the developer would never have undertaken the project had zoning been in effect.

FINANCIAL ADVANTAGES OF NON-ZONING

The Houston experience is also helpful in evaluating one of the principal arguments cited by suburbs to justify zoning restrictions over housing. They contend that substantial, if not overwhelming costs and burdens would be caused by an influx of apartments. Many courts provide a short answer to this. A municipality cannot use zoning as an excuse to avoid added community costs. Otherwise it could curtail normal and natural growth. Newer communities would be able to force older, developed communities to bear an undue proportion of the burdens of urban life. A more palatable answer is provided by municipal economics. The construction of apartments is likely to help rather than hurt real estate tax receipts.

As a restrictive device on development, zoning impedes the maximization of real estate values for multiple family, commercial and industrial uses with a consequent diminution in real estate tax collections. There may be initial problems as there almost always are in servicing new developments, but the tax potential is much better for a cosmopolitan community than for one restricted largely to single family development.

The major portion of real estate taxes goes to the schools. Apartments containing efficiency and one-bedrooms produce few children, and these are highly advantageous to the taxpayer. Most apartment construction within recent years in both zoned and non-zoned areas has been for smaller apartments and this trend will probably continue. These benefits may be offset by larger apartments or townhouses with more children; but a combination of both—which is what is likely to occur—with the resulting commercial and perhaps even industrial developments they bring and support, will generally be more favorable for the taxpayers than a monolithic community of middle income homes.

In many of the predominantly single family school districts of Cook County, in which Chicago is located, a home must have a value of almost \$70,000 to fully support the annual cost of schooling for just one grade school student. As a result single family residences are taxwise generally a losing proposition, and the development of more homes will only exacerbate the problem. Removing zoning restrictions to allow only subsidized housing is obviously also financially harmful. The solution lies in the direction of removing restrictions generally. There are some additional burdens for a municipality in servicing rental and commercial enterprises, but again this is usually well compensated for by the real estate and other taxes they pay and produce.

The fact is that the situation is actually the reverse of the way it is commonly presented: We may well question whether America can afford zoning! Thus, to impose zoning restrictions on a community that has none can easily bring about a reduction of at least 5% annually in the amount of private

non-home construction—and I consider this a most conservative estimate. In Houston, this would have meant a loss of more than \$175,000 in ad valorem taxes during each of the last 3 years.

CONCLUSION

Zoning is determined through the political processes of government. It gives control over the use of land to a strange combination of politicians, planners, owners, courts, citizens, do-gooders, do-baders, etc., etc. As a result, a host of factors and forces are controlling land uses that have virtually no relationship to maximizing production, satisfying consumer demand, maintaining property rights and values, or planning soundly. In having greatly curtailed housing production, zoning has considerable responsibility for our social ills. The experience of Houston shows that we can in good conscience seek its substantial curtailment and ultimately its elimination.

DRUG ADDICTION AMONG SERVICEMEN

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

Mr. ROGERS. Mr. Speaker, during the past several months, we in the Congress and citizens throughout the Nation have heard with concern and alarm of the growing number of servicemen who have become addicted to drugs.

When I introduced legislation to detect, treat, and rehabilitate those men in our Armed Forces who have become addicted, I used the figure of 20,000 to 40,000 men in Vietnam whom we estimate will come home addicted. In addition, authorities estimated there is an estimated 50,000 veterans now in the United States who are addicted.

Although these figures are alarming, there is no comparison to be made until you come face to face with a person who is personally involved. Too often we here in Washington deal in statistics.

But this weekend I talked to the father of one of those statistics, the father of a man who is serving in our armed forces and who has become addicted.

A 20-year-old specialist fourth class, my constituent was admitted on November 4, 1970, to an Army hospital at Fort Bragg for treatment. His medical report states that he had "been addicted to drugs for quite some time." It also stated he had been experimenting with LSD and opium but recently had turned to heroin and was using four to five bags daily. He started detoxification and after one methadone treatment told authorities he did not need it any more.

He was then discharged for duty. The diagnosis stated: "Immature personality, severe, with drug addictions."

Needless to say he was not cured, because of no adequate treatment program.

His father's concern is for his son's health. But in addition, he is also concerned over the thousands of other servicemen who have met the same fate. This case is not the first which has come to my attention.

One mother told of her son's activity in Vietnam and of his returning home addicted. She signed the letter to me, "A mother of one of Uncle Sam's Junkies."

The news report of the legislation I have proposed prompted another letter from a tiny town in Iowa. His son, too, served in Vietnam and came home hooked. His concern was also for the thousands of veterans in a similar situation as his son.

There are others. Thousands more. And if we are to meet our responsibility, we must offer help and now.

I have asked the Appropriations Committee to accelerate its funding for Veterans' Administration clinics for drug addiction treatment to \$10 million for fiscal 1972.

And I am today writing to the Veterans' Administration and to the Department of Health, Education, and Welfare asking that every consideration be given to opening the Forth Worth clinic for use in treating veterans. Presently HEW is considering transferring this 750-bed facility, which is one of two major Federal addiction treatment hospitals, to the Justice Department to use as a prison hospital.

When there are veterans waiting in line for treatment, I think it is highly irresponsible for the Federal Government not to use every possible facility to give these men treatment.

OUTRAGEOUS INSINUATIONS

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

Mr. SCHWENGEL. Mr. Speaker, last week a Kearny, N.J. post marked envelope was delivered via the mail service to my home in Arlington, Va.

In the envelope was printed material, obviously antiwar in character.

The headline was "Son of Representative FRED SCHWENGEL—Killed in Action in Indochina."

The theme of the paper is that since Members of Congress have had no sons or grandsons killed or missing in the Vietnam war they cannot be or are not sensitive to the killing taking place in Vietnam.

This is an outrageous and dastardly insinuation.

It implies that President Nixon fixed the date for ending student deferments to protect his son-in-law, David Eisenhower, which is ludicrous. The fact that David Eisenhower has enlisted in the Navy should have dispelled that notion.

Mr. Speaker, as someone who has a son-in-law, an Army lieutenant colonel, serving his second tour of duty in Vietnam, I find the kind of material received at my home insulting and unconscionable.

The cowards who sent this material to my home hide behind the anonymity of a postmark. They did not have the intestinal fortitude to identify themselves. Yet, they have the gall to question the courage, sincerity, and integrity of the

President, Members of Congress, and other national leaders.

Mr. Speaker, whatever the view of any Member of this body on the war, I am sure that they join me in labeling this sort of thing cowardice and outrageous.

The full text of what I received follows:

"SON OF REPRESENTATIVE FRED SCHWENGEL—
"KILLED IN ACTION IN INDOCHINA"

(Whether or not you actually do have a son of draft age)—try to picture how you would feel to face this reality—Your own son killed in Vietnam!

However, you as a Member of Congress, by now must be aware that your chances of suffering this trauma are virtually NIL: that it is only your trusting constituents—(by whom you are paid and elected)—who are being compelled by all of you valiant arm-chair warriors to sacrifice their sons as your burnt offerings on the altar of the battlefield.

You engage in lip-service debates: while war drums keep on beating tunes of gory slaughter—safely ensconced in your cozy Congressional chambers—thousands of miles away from the carnage you create—untouched by human heartbreak, unmoved by human pleading, uncaring of the inhuman suffering you visit upon innocents.

Yes, our noble leaders stand nakedly revealed by a survey in the "Congressional Quarterly" (Feb. 13, 1970), which, taken at the height of American involvement in Vietnam, lists the military backgrounds of the 91st Congress' Members (and sons). *The results are incredible!*

Not one son or grandson of any U.S. Senator or Representative has ever been killed or missing in this Vietnam war!

(and only one ever slightly injured, 5 years ago).

The mind boggles! For no matter how charitably one may interpret the law of averages—with 535 Members of Congress, and their many sons—credibility rejects as mere 'coincidence' a Zero casualty rate, when contrasted with hundreds of thousands among all other mortal citizens.

The bitterest irony of all is that the very monies which support this destruction—and the perpetrators thereof—are funds forcibly extracted (via taxes) by you, Gentlemen of Congress, from the victims themselves! (One recalls not too long ago how the Nazis compelled their helpless captives to dig their own graves.)

Also, President Nixon: who exhorts his subjects to be patient, insisting we must destroy life to "preserve our honor" . . . that we must beat into submission a tiny nation one-tenth our size, so the U.S. will not be a "pitiful, helpless giant" . . . yet his patriotic fervor does not sway his principles sufficiently to send his own 2 sons-in-law to Indochina.

Mr. Nixon's motives were undoubtedly virtuous when he demanded that Congress erase all Student Deferments. However, he was most careful to say this should apply after April 1970: which date, by happy chance, coincided with son-in-law David's graduation from college . . . while leaving the other lucky laddie Eddie leisurely learning law, safely unplucked by the long bony arm of the Draft Board.

Recently, David sneered at the sincerity of anti-war demonstrators: ". . . When it got to hard issues of who's going to make the sacrifices, they start squirming . . ." [Newark News, May 12, 1971]. Yet numerous protesters were Vietnam veterans, many with combat medals and without legs—while Davey has bravely dodged all danger . . . (except marriage and college).

Like Nixon's California counterpart, Gov. Ronald Reagan, who announces: "Let's you

pay taxes." (while himself aloof from such crass mercenary chores)—so Richard the Righteous reiterates, "Let's you send your sons to die!" while excluding his own anointed kin, (and various other Sons of Big-Shots").

Now, you Congressmen whose sons have completed college a la draft exemptions (and the survey shows many), before you deny this same opportunity to the rest of America's youth—consider carefully the fact that the very people for whom our boys will be forced to give up their education, limbs, and lives—the SOUTH VIETNAM STUDENTS ARE DRAFT-EXEMPT. They do not fight for their own land.

Why decimate our own future leaders? We have sacrificed enough already.

Astonishment is exceeded by disgust, when more skeletons are discovered rattling within Congressional cloakrooms. *("Congressional Quarterly"—2/13/70)

The hypocrisy of the hawks stand exposed! for it is precisely the 'bravest' breast-beaters of destruction: the most passionate self-proclaimed 'patriots' who insist most loudly of all that we must stay enmeshed in this war. They have never served in the military! and/or their sons never served in Vietnam.

Here are just a few examples, similar to many others recorded: (Everyone should read this entire survey, available at most libraries.)

Sen. Stennis, John (D. Miss.): No Military Service; one son, Miss. Air Nat'l. Guard.

Rep. Rivers, L. Mendel (D. SC) (now deceased—succeeded by Rep. Hébert): No Military Service; one son, Naval Reserve.

Rep. Hébert, F. Edward (D. La): No Military Service; no son.

Sen. Goldwater, Barry (R. Ar.): (some Military Service WW2); both sons, physical deferments—yet Barry M. Goldwater, Jr. is Repub. Representative, Calif.

Similar startling statistics concern one group most strongly responsible for this war: *Of all 39 Members of the 91st Congress' House Armed Services Committee*—"there were no committee members reporting a son or grandson who had served or is serving in Vietnam!"

Then there is the casualty gap—Daily communiques report many helicopters downed, with several crewmen missing. But weekly Gov't. releases omit these totals. [In "Mandate for Change," (p.f.172) Ike said in 1952, after 2 years of war, there were "... 13,000 missing" in Korea.] How many men must be missing now, after 10 years in Indochina's jungles?

Weekly totals often omit 'non-hostile' deaths: as due to helicopter maintenance failures; 'fragging' fellow officers; 'friendly forces' fire; combat deaths called 'accidents'; heroin overdoses: (Officers estimate 50,000 GI addicts already!—"NY Times" 5/16/71).

And—How many of the 300,000 wounded eventually succumb of their grievous injuries (such as triple amputations, blindness, brain damage, massive burns, paralysis . . .) after sent to languish in pitifully understaffed Veterans Hospitals. A VA Director said nearly 20% die within 2 years—which means that 60,000 more American boys are dead—in addition to the admitted 56,000—because of this cruel war you finance.

Congress should ferret out the facts—(VA death checks paid might prove illuminating). Your conscience ought to care how much human cannon fodder you so carelessly expend in this foul war, easy via the 'permanent draft.' This mechanism enables the murderers lurking among you to replenish the national 'blood bank' with fresh deposits of raw recruits . . . and offers a blank check to make periodic withdrawals (for their vested interest) . . . The ghouls gratify frustrated killer lusts via proxy military adventures which they are too cowardly to enter.

How many men have been "wasted"?—to use the bitterly accurate Army term.

Ironically, the one before whom you 535 'men' bend the knee for moral leadership to end this war, is the same Richard Nixon who was the first to demand we start it; on April 17, 1954. The "N.Y. Times" told of an anonymous 'high Administration official' (revealed the next day as Vice President Nixon), who said of the French Indochina War then raging, "We must take the risk of putting American boys in the fighting."

Nixon (our 'strick constructionist') insisted that the Executive must send U.S. troops over "with or without the support of public opinion"—bypassing Congress' Constitutional right to decide war policy. He exhibited the same contempt for the people's wishes as he does now.

He also undercut his President. Eisenhower's official policy was clearly defined. As our greatest General, his military judgment was far superior to Nixon's. ("NY Times" 4/18/54) "The President said he could not conceive of a greater tragedy than to get heavily involved now in all-out war in the Far East. No one, he asserted, could be more bitterly opposed to ever getting the U.S. involved in a hot war in that region!"

In "Mandate for Change," Ike wrote that, when discussing possible U.S. intervention there, "the three Service Chiefs—Army, Navy, Air Force, had recommended against this course." He also said Prime Minister Winston Churchill was definite in his "recommendation against use of British or U.S. troops . . ." Key Congress leaders were opposed. Only Nixon wanted war!

Nixon often reveals a surprising solicitude towards foreign interests, contrasted with his shocking lack of concern for fellow Americans. . . . As he said on April 17, 1954: "The problem is not materials, but men—and they will not come from France, which is tired of the war. . . ."

Yet he demanded they come from America! He did not care that we were also very weary of war. That same day newspapers showed the first U.S. troops to arrive home after Korea's bloody war, with 157,530 casualties. . . . And just a few years prior, WW 2 cost us over a million casualties. . . . (Our losses now after a decade in Indochina exceed WW 1 casualties of 320,518) . . . over 20,000 dead after Nixon became President!

Whereas France—whose war fatigue was apparently Nixon's prime concern—had lost few men in WW 2 (she surrendered to Germany within 3 weeks, though France was far stronger); a sad tale of treachery and betrayal by a nation's own top politicians! Like Norway's Quisling; or King Badouin of Belgium's surrender, though his Cabinet and people wanted to resist; or Holland (a vast empire then) bowing in days. . . . It can happen—anywhere!

Nixon again shows his strange concern for foreign interests. He wanted to risk boys' lives to secure the benefit of Japan! . . . "The war in Korea is about Japan, and so is the war in Indochina." Yet Japan now trades briskly with Communists. The deeper goal? Japan's eventual dominance.

Nixon said: "the war in Korea is about Japan, he continued, and so is the war in Indo-China, which is essential to Japan's economic survival. Without trade with Indo-China and Korea, and with these countries under Communist control, Japan would become an economic satellite of the Soviet Union. 114/17/54—"N.Y. Times"

Eventually, Pierre Mendes-France ran for election, on his pledge to end the Indochina War—which he did within one month after becoming premier!

In "Mandate," Eisenhower said (re Korea), ". . . considered several possible lines of action. First of all would be to let the war

drag on. Continuing this way seemed to me intolerable."

Within 6 months from the day he became president, Ike ended the Korean war!

Contrast this with Nixon's present cruel tactic of gradual withdrawal, which inevitably must increase vulnerability of troops left behind, like sitting ducks. Who knows his real "secret plan"? He may suddenly reverse the flow and rush men to Thailand (a la his Laos and Cambodia surprises; the POW 'rescues') . . . or contrive a phony "Gulf of Tonkin attack" in Taiwan . . . etc.

In "6 Crises," Nixon admits he lies: "I was in the ironic position of appearing to be 'softer' on Castro than Kennedy, which was the exact opposite of the truth. The covert training of Cuban exiles . . . was due, in substantial part at least, to my efforts."

What covert coup can he be planning next? . . . Gentlemen of Congress, do not trust the intent of a politician who talks Peace but plots violence. End this war now! while ye still may.

THE CONSTITUTION OF THE UNITED STATES
CONGRESS, as Voice of the People, has Primary Power To Govern Our Country!

ARTICLE I
Section 1

"[Legislative powers vested in Congress.] All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

"[To enact laws necessary to enforce Constitution.—18.] To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

"This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land.

"The Senators and Representatives shall be bound by oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

"Shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.

Congress controls Finances: Commerce, Disbursements, etc.:

"[Regulation of commerce.—3.] To regulate Commerce with foreign Nations, and among the several States.

"All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

"The Congress shall have power to lay and collect taxes on incomes.

"The President shall, at stated Times, receive for his Services, a Compensation, which shall be neither be increased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

Why does Pres. request extra "allowances"? "A regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time."

DRAFT inequities/(Politicians' Sons)—etc.

"1. The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

"Nor shall any person be deprived of life, liberty, or property, without due process of law;

"Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States,

CONGRESS has TOTAL AUTHORITY Relating to ALL FACETS OF WAR.

"[General powers of Congress.] The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States;

"[Piracies and felonies.—10.] To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

"[War; marque and reprisal.—11.] To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

"[Armies.—12.] To raise and support Armies, but no appropriation of money to that use shall be for a longer term than two years;

"[Navy.—13.] To provide and maintain a Navy;

"[Land and naval forces.—14.] To make Rules for the Government and Regulation of the land and naval Forces;

"[Calling out militia.—15.] To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

"[Organizing, arming and disciplining in militia.—16.] To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Services of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;"

Why has Congress allowed the giveaway by the Exec.—of the Bonins, Ryukus, & soon Okinawa, to Japan

Certain Gigantic OIL DEPOSITS!

Generals say: this will lead to WW3. Nearest US Base—Guam, 1500 mi. away.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States;

Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful buildings.

WHY AND HOW has Laird shut down many vital U.S. Defense Bases?

"Westmoreland-Japan Award?"

"[Titles of nobility not to be granted; acceptance by government officers of favors from foreign powers.—8.] No Title of Nobility shall be granted by the United States; And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind, whatever, from any King, Prince, or foreign State."

People—Voting Shareholders

Congress—Board of Directors

President—Foreman

Constitution—U.S. By-Laws

entire Pres. Military Role given LESS THAN 1 SENTENCE IN CONSTIT!

The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments.

NOTE* commas render meaning, that Pres. military status to be valid re Army and Navy

and Militia, only "When called into the actual service of the United States"—which Congress alone so decides!

"[Oath to be taken by the President.—7.] Before he enters on the Execution of his Office, he shall take the following Oath or Affirmation:—"I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States."

"He shall take Care that the Laws be faithfully executed,

"The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

"Power of impeachment.—5.] The House of Representatives shall choose their Speaker and other Officers; and shall have the sole Power of Impeachment.

"*—6.] The Senate shall have the sole Power to try all Impeachments.

"When the President of the United States is tried, the Chief Justice shall preside:

"Congress may Impeach & Try Pres.* and may even select a different President! . . . Via new XXV Amendment; plus 12th and 20th" & Art. 2(1).

President subordinate to Congress.

"He shall from time to time give to the Congress Information of the State of the Union, and recommend to the Consideration such Measures as he shall judge necessary and expedient;

"(Pres. may only 'recommend' . . . (for Congress' consideration)

"—2.] He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Min (—only by & with advice and consent of Senate!)

"Bills—shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be re-passed by two thirds of the Senate and House of Representatives."

Congress can override veto.

By Clergy and Laymen Concerned About Vietnam, New York, N.Y.

CHILDHOOD LEAD POISONING—ITS VICTIMS

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

Mr. RYAN, Mr. Speaker, childhood lead poisoning, which claims 200 lives a year, remains the scourge of America's slums. Add to its victims the 800 children a year who are permanently institutionalized because of this vicious disease. And add to them the 3,200 children who suffer severe to moderate brain damage. Then add the 16,000 children who require treatment. And finally, add the 400,000 children who are affected by lead-based paint poisoning annually.

That is the toll of a man-made disease—a disease which is preventable.

Lead-based paint poisoning is selective in its victims. They are almost exclusively the children of our slums, and almost exclusively children between the ages of 1 and 6. Two circumstances account for this. One is the presence of

lead-based paint on the walls and ceilings of delapidated housing. As paint and plaster chips fall from the ceilings and walls, they come within reach of the small children sentenced to growing up in grim tenements. The second circumstance is a craving—common to many children—known as pica, which results in these youngsters picking up the chips and eating them. Slowly, the lead they ingest accumulates in their systems. The result—they are poisoned.

The consequences are devastating—mental retardation, cerebral palsy, convulsive seizures, blindness, learning defects, behavior disorders, kidney diseases, and even death.

Yet, this disease is preventable. Let me quote from an article by Jane S. Lin-Fu, M.D., pediatric consultant, Division of Health Services, Department of Health, Education, and Welfare, entitled "Childhood Lead Poisoning . . . An Eradicable Disease," which appeared in *Children's magazine*, January-February 1970, at pages 2-3:

In this history of modern medicine, few childhood diseases occupy a position as unique as lead poisoning. It is a preventable disease. The etiology, pathogenesis, epidemiology, and symptomatology have all been well defined. Methods for screening, diagnosis, and treatment have long been available.

On Thursday, May 20, the House and Senate conferees met to consider the conference report on the Second Supplemental Appropriations bill, H.R. 8190. The bill, as it passed the Senate, contained \$5 million to fight lead-based paint poisoning. Unfortunately, that money was deleted by the Conference Committee. The House and Senate have since voted to accept the conference report, and on May 25 the President signed H.R. 8190 into law.

However, \$30 million can be appropriated for fiscal year 1972, pursuant to the authorization of the Lead-Based Paint Poisoning Prevention Act, Public Law 91-695. I am particularly hopeful that there will be large funding for the programs authorized by the act for fiscal year 1972. In light of the words of the distinguished Chairman of the House Appropriations Committee's Subcommittee on Labor, Education, and Public Welfare (Mr. FLOOD), who stated on the Floor on May 20 when we discussed the deletion of the lead poisoning funds:

There will be ample funds, I believe, and I am sure of it, in the 1972 appropriation bill for this very, very, very bad problem.

I appreciate the distinguished Chairman's (Mr. FLOOD) words. The children of America will, indeed, be in his debt, and in the debt of the Congress. And we, in turn, will be paying a part of the debt, we owe these youngsters, sentenced to shameful housing conditions in this, the most affluent Nation in the world.

BUREAU OF MINES SHOULD BE TRANSFERRED TO THE DEPARTMENT OF LABOR

(Mr. HECHLER of West Virginia asked and was given permission to address the

House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. HECHLER of West Virginia. Mr. Speaker, I am today introducing a bill to transfer the health and safety functions of the Bureau of Mines from the Department of the Interior to the Department of Labor.

The Comptroller General has just released a report on the Bureau of Mines which states that the policies of the Department of the Interior for enforcing health and safety standards "have been at times extremely lenient, confusing, uncertain, and inequitable."

There is a very strong argument for removing the health and safety functions from a bureau which has other production-oriented interests, as does the Bureau of Mines, to an agency which has an employee-oriented approach; namely, the Department of Labor. I would hope that this approach could be taken, rather than putting the Bureau of Mines, as the President has proposed, into a larger Department of Natural Resources, where the protection of the coal miner will receive even less attention. If you bury the safety and health functions of the Bureau of Mines in a Department which is even larger than the present Department of the Interior, you also bury the hopes of the coal miners for any genuine protection which is free from the pressures of higher and higher coal production.

I include the text of my bill, H.R. 8795, as follows:

H.R. 8795

A bill to provide for the transfer to the Secretary of Labor of all functions of the Secretary of the Interior relating to the health and safety of persons working in the mineral industries, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all functions of the Secretary of the Interior under any law, Executive order, or regulation concerning the health and safety of persons employed in the minerals industries, including all such functions of other officers, or of employees or agencies, of the Interior Department, are hereby transferred to the Secretary of Labor, effective sixty days after the enactment of this Act.

Sec. 2. There shall be in the Labor Department an Office of Mineral Health and Safety to be headed by a Director to be appointed by the President, by and with the advice and consent of the Senate, who shall assist the Secretary of Labor in the discharge of the functions transferred to him hereunder and who shall perform such other duties as the Secretary of Labor shall from time to time prescribe, and who shall receive compensation at the rate of level V.

Sec. 3(a). So much of the qualified personnel, real and personal property, records, and unexpended balances of appropriations, allocations, and other funds, employed, used, held, available, or to be made available in connection with the functions transferred to the Secretary of Labor by this Act as the Director of the Office of Management and Budget shall determine shall be transferred to the Secretary of Labor at such time or times as the Director shall direct.

(b) Nothing in this Act shall affect in any way any order, notice, decision, finding, contract, grant, loan, or other action issued or pending on the effective date of said transfer or to any proceedings related thereto.

Sec. 4. The Secretary of the Interior shall,

whenever requested by the Secretary of Labor or his delegate, conduct by contract research and development work concerning the functions transferred by this Act.

The digest of the GAO findings and recommendations is as follows:

COMPTROLLER GENERAL'S REPORT TO SUBCOMMITTEE ON LABOR, COMMITTEE ON LABOR AND PUBLIC WELFARE, U.S. SENATE, PROBLEMS IN IMPLEMENTATION OF THE FEDERAL COAL MINE HEALTH AND SAFETY ACT OF 1969, BUREAU OF MINES, DEPARTMENT OF THE INTERIOR, B-170686, MAY 13, 1971

DIGEST—WHY THE REVIEW WAS MADE

The Federal Coal Mine Health and Safety Act of 1969 placed new responsibilities on the Bureau of Mines of the Department of the Interior for inspection of coal mines and gave the Bureau broad authority to enforce correction of unsafe and unhealthy conditions.

At the request of the Chairman, Subcommittee on Labor, Senate Committee on Labor and Public Welfare, the General Accounting Office (GAO) made a review of the Department of the Interior's implementation of the act.

FINDINGS AND CONCLUSIONS

At the two districts visited by GAO, the Bureau had made about 31 percent of the required safety inspections and about 1 percent of the required health inspections through December 31, 1970. (See p. 10.)

Bureau inspectors have cited mine operators for violations and have required that they be corrected. During subsequent inspections of the same mines, however, numerous new violations were found, often of the same type as the earlier ones. That situation is attributable, at least in part, to the fact that the Department's policies for enforcing health and safety standards have been, at times extremely lenient, confusing, uncertain, and inequitable. (See ch. 3.)

Various required samplings and inspections were not made by the mine operators, and some that were made were not adequate. (See p. 16.)

Plans for roof control, ventilation, and emergency action when a fan stops either have not been submitted by all mine operators or have not been approved by the Bureau of Mines, although the act requires that they be submitted and approved. Until recently the Bureau had done little to induce operators to comply. (See p. 24.)

The methods for approving roof control and ventilation plans and the contents of approved plans varied significantly between the two districts included in this review, apparently because Bureau headquarters had delegated the approval process to the district offices without providing sufficient guidance. (See p. 24.)

Regular mine inspectors make both health and safety inspections. The health inspections are less complex and do not require some of the special skills and knowledge that the regular inspectors must have. It may be possible to use some less highly qualified technicians to make health inspections to conserve the time of the regular inspectors who are in short supply. (See p. 13.)

The Bureau's practices concerning the imposition of penalties for noncompliance do not consider various factors prescribed in the act, such as the effect that such penalties will have on the operator's ability to continue in business and the operator's history of previous violations. (See p. 54.)

Shortages of certain types of equipment have been cited by the Bureau of Mines as a major cause of noncompliance with health and safety requirements. In this connection:

The Bureau has made no overall studies of the availability of equipment required for compliance with the act and of the nor-

mal time required to obtain equipment in short supply. (See p. 56.)

The Bureau may have permitted unnecessarily prolonged noncompliance with certain equipment requirements by granting mine operators time extensions to obtain a particular brand that was in short supply while an essentially comparable substitute was readily available. (See p. 59.)

The Bureau purchased more dust-sampling equipment than it needed and thus contributed to a shortage of such equipment and possibly precluded many mine operators from establishing dust-sampling programs within the time required by the act. (See p. 61.)

The team that investigates mine accidents usually includes Bureau personnel who have been involved in prior inspections of the mine or related activities or who are subordinate to officials responsible for carrying out these activities. In such cases, these personnel, in effect, are required to evaluate their own previous performance or that of officials to whom they are responsible. GAO believes that there should be greater independence in accident investigations. (See p. 68.)

Bureau inspectors are given insufficient criteria for making decisions on mine operators' compliance with health and safety standards. GAO believes that a comprehensive manual should be issued to provide inspectors with the necessary criteria and guidance. (See p. 71.)

Bureau representatives said that shortages of qualified manpower, certain equipment, and sufficient time were the principal reasons for noncompliance with the requirements of the act. GAO recognizes that the passage of the 1969 act has greatly expanded the responsibilities of the Bureau and that there are significant problems in obtaining compliance with its requirements. GAO believes, however, that more could have been done to achieve greater compliance.

RECOMMENDATIONS OR SUGGESTIONS

GAO made a number of proposals to the Secretary of the Interior to achieve the improvements needed. (See pp. 38, 55, 64, and 75.)

AGENCY ACTIONS AND UNRESOLVED ISSUES

The Department of the Interior said that GAO's report was an objective appraisal of the Bureau of Mines' efforts to implement the act in the time period covered by the report. With one exception, the Department said that actions responsive to GAO's proposals had been initiated or planned. (See pp. 39, 55, 65, and 76.)

The Department disagreed with GAO's suggestion concerning the use of people less highly qualified than regular coal mine inspectors to perform health inspections. The Department believes that it is highly desirable that all inspectors be capable of enforcing both health and safety standards and of advising operators of changes that are needed for compliance with the law, in both respects, at all times that they are in the mines. The Department stated also that it expected to recruit by June 30, 1971, the minimum number of personnel to make all the inspections required by the act.

GAO agrees with the Department's basic views. It believes, however, that, should serious difficulty be experienced in meeting recruitment goals for regular coal mine inspectors, the Department should give further consideration to the possibility of using less qualified persons to make health inspections.

PROHIBIT CRUEL TRAPS

The SPEAKER. Under a previous order of the House the gentleman from

Michigan (Mr. BROOMFIELD) is recognized for 5 minutes.

Mr. BROOMFIELD. Mr. Speaker, 14 years ago I joined Senators HUMPHREY, Neuberger, and Kefauver in introducing a bill to prohibit the use of leg-hold and steel-jaw traps in the United States. Back in those days, of course, there were no crusades to save our natural environment, and the bill might just as well have not been introduced for all the attention it received.

Today, however, things are different. We know that nature cannot be separated from human life, that man must conserve nature as long as he intends to live within it. It is certainly a more auspicious time to introduce legislation designed to discourage the inhumane use of leg-hold and steel-jaw traps.

The trapping of birds and animals no longer holds the important role it played in the earlier history of our country. It is no longer a source of food for any significant segment of the American public; indeed, a modern American will probably eat no trapped meat in his entire lifetime.

Yet, Mr. Speaker, a substantial amount of this cruel and inhumane practice is continued. Fur-bearing animals are caught in steel-jaw traps which fracture a leg or other bone. They are held this way for days until they die of pain or starvation, and all too often they tear themselves to pieces, gnawing at their fettered, broken limb while trying to escape.

I believe that, with the advances of modern technology, there is no reason why trapping has to be done in a manner which causes needless pain and suffering to the wild animals which are its victims. Traps used within the jurisdiction of the United States must either capture animals painlessly or kill them instantaneously. Anything less is unacceptable.

In fact, traps of this design were readily available back in 1957, when they were already in use, for example, in various Government conservation departments. Whatever additional cost they might entail is minimal compared with the suffering they would eliminate.

My bill states that it is the public policy of the United States to discourage the manufacture, sale, and the use of leg-hold or steel-jaw traps on animals in the United States or abroad. It would prohibit the shipment in interstate or foreign commerce of any fur or leather from animals trapped in a State or country which has not banned the use of the inhumane traps.

This bill was drafted and sponsored by the Committee for Humane Legislation, a relatively new humane group which is attempting to coordinate the legislative activities of a number of older and better known groups. I believe the bill will be introduced in the Senate and we look forward to positive legislative action upon it in the future.

In 1957 Senator Neuberger said that:

A people's attitude toward the animals and other living things, with which it shares a common world, is one significant measure of the people's civilization.

If we are to continue to pride our-

selves on the high level of civilization we have attained in our country, it seems to me imperative that we eliminate the unnecessary cruelty of these anachronistic trapping methods. It is only a small step, but it is one which we can take with the deepest satisfaction.

Mr. Speaker, I include the text of the bill at the conclusion of my remarks:

H.R. 8784

A bill to discourage the use of leg-hold or steel jaw traps on animals in the United States

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

SECTION 1. Declaration of Policy.

It is hereby declared to be the public policy of the United States to discourage the manufacture, sale, and use of leg-hold or steel jaw traps on animals in the United States and abroad.

SEC. 2. Prohibition.

No fur or leather, whether raw or in finished form, shall be shipped in interstate or foreign commerce if such fur or leather comes from animals trapped in any State of the Union or any foreign country which has not banned the manufacture, sale, or use of leg-hold or steel jaw traps.

SEC. 3. Current list.

The Secretary of Commerce shall compile, publish, and keep current a list of States of the Union and foreign countries which have not banned the manufacture, sale, and use of leg-hold or steel jaw traps.

SEC. 4. Penalties.

Anyone shipping or receiving fur or leather in contravention of section 2 of this Act shall, for the first offense, be fined not more than \$2,000; for the second or subsequent offenses, he shall be fined not more than \$5,000 and shall be sentenced to a jail term of one to three years.

SEC. 5. Effectiveness.

The provisions of this Act shall become effective four years after the date of its enactment.

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.

The average man in Moscow must work an average of seven times as long as the average man in New York City to buy basic consumer foods.

SUEZ CANAL CRISIS HAS ITS LESSONS FOR PANAMA CANAL

The SPEAKER. Under a previous order of the House the gentleman from Pennsylvania (Mr. FLOOD) is recognized for 10 minutes.

Mr. FLOOD. Mr. Speaker, students of interoceanic canal problems long ago pointed out the interaction of the Panama and Suez Canals. What happens to one inevitably has an impact on the other.

The Suez Canal, now located in what is actually a war zone, has been closed since 1967 with momentous consequences

that have not yet been fully determined. The Panama Canal, situated in a region of endemic revolution and political instability, has been relatively free of trouble for the sole reason that it is maintained, operated and protected by the United States.

Notwithstanding the vital importance of the exclusive control of the Panama Canal by the United States there are sinister forces that have long endeavored, and still seek, to wrest it from the United States. In such event, the great American waterway could well become the scene of warfare comparable to that which currently envelops the Suez Canal.

At the present time, it is in the interest of Western Nations to keep the Panama Canal open under United States control. Because the Suez Canal is under indirect U.S.S.R. control, it is, as a matter of fact, in Western interest to keep that waterway closed until domination by Soviet power is removed, for its opening would multiply Soviet naval capability in the Red Sea and Indian Ocean; and thus fill the vacuum caused by the withdrawal of British forces east of Suez and advance immeasurably the Communist dream for world domination.

The great naval historian, Mahan, aptly described the Caribbean Sea as the Mediterranean of the Americas. Just as the Suez Canal means the route to the Indian Ocean for its users, largely European, the Panama Canal supplies the gateway to the Pacific for its users, most importantly the United States.

With Soviet beachheads already established in Cuba and Chile, with Soviet submarines and spy vessels in strategic waters of the Western Hemisphere, and with the present Panama Revolutionary Government recently reorganized to include pro-Communists in the cabinet, the establishment of another Soviet beachhead in the Caribbean on the Isthmus of Panama appears closer and the nationalization of American owned properties in that unstable country clearly possible. Such facts as these make imperative early action by the House on pending Panama Canal sovereignty resolutions that aim to clarify and make definite the Isthmian canal policy of the United States as regards the retention of our undiluted sovereignty over the Canal Zone and exclusive ownership of the Panama Canal. Only in this way can our Government serve notice on the world, of its determination to hold our priceless possession at Panama.

A recent column by Joseph Alsop discussing the current problems of the Suez Canal and their significance has its lesson for the Panama Canal. This is that the latter must continue under the exclusive control of the United States. We could surrender such control only at the peril of our country and of the entire Western Hemisphere, including Panama.

The indicated article follows:

[From the Washington Post, May 10, 1971]

IRONIES OF ROGERS' GOAL

(By Joseph Alsop)

The hidden ironies of Secretary of State William Rogers' mission to the troubled Middle East are hardly possible to exaggerate. To

begin with, the wisest handicappers give the secretary a rather better than even chance to "succeed"—in which case everyone in this country will burst into loud and happy cheers.

Success, in this instance, will mean securing Israeli-Egyptian agreement, after further Middle Eastern bargaining, on what is known as the interim solution. The interim solution will involve some degree of military pullback from the banks of the Suez Canal, followed by reopening of the canal to traffic.

If this result is attained, it will offer the Israelis a long and rather reliable ceasefire on their most dangerous front, with the Egyptians. No one in his senses, after all, would waste a great deal of time and money on reopening the canal, without a strong desire to use the canal thereafter. And you cannot very well use a canal which is in the very midst of a war zone.

Right here, however, is the first and biggest irony lurking behind the Rogers mission to the Middle East. If the secretary secures agreement on the so-called interim solution, he will mainly do so because of the intense Soviet desire to reopen the canal and to use it.

The Egyptian or other Arab gain from the interim solution will be downright trifling, compared to the Soviet gain. In truth, the fair prospects for this solution are a simple measure of the enormous leverage that the Soviets now possess in Egypt.

The Soviet gain can also be simply measured. The reopening of the Suez Canal will automatically multiply by a factor of at least four, and perhaps even more than that, the Soviet naval power in the Red Sea and the Indian Ocean. The multiplication will be automatic because of the immense shortening of all distances for the Soviet navy.

A big base now being built at Port Sudan; another base on the Socotra Islands; a kind of proto-base on the island of Mauritius, secret negotiations now in progress with the government of Ceylon, for use of the great naval base at Trincomalee—these should be proof enough of the intensity of the Soviet desire to be able to deploy important naval power in the Indian Ocean and the Red Sea.

The prize the Soviets are reaching for in this area is not in doubt, either. The British are leaving the Persian Gulf, which is shortly due to become a total power-vacuum. The Persian Gulf is like a great tap, turnable off or on, that controls most of the world's oil. A great extension of Soviet naval power is now needed, in sum, to get the world oil tap into Soviet hands.

As to the second great irony lurking behind the Rogers mission, it is also rather simple. In brief, the Israelis seem to be almost uniquely aware of the enormous risks of the extension of Soviet naval power that may now be in prospect. The Western Europeans could hardly care less. This country appears to be equally unworried, despite the frightful upset of the world balance that will promptly result if the Soviets ever get their hands on the world oil tap.

The Israelis, in contrast, are very deeply worried. The defense minister, Gen. Moshe Dayan, was the first man in Israel to come out in public for the interim solution. But when he did so, he also passed the word that he would withdraw his suggestion immediately, if the U.S. government objected to the reopening of the Suez Canal.

There was no answer to Dayan. There was no answer, either, to Dayan's cabinet colleague and political rival, Yigal Allon, when he made the same point in Washington some weeks ago. In Jerusalem, again, the point was raised with Secretary Rogers with some bluntness. Yet the American negotiators continued to press for the interim solution.

There are two reasons for this bizarre situation, in which the Israelis have shown more concern than the Americans for vital American interests. The first reason is that the Israelis are not victims of the popular American delusion that the Soviets have somehow changed their spots. They are quite sure the Soviets will grab for the world oil tap, if the grabbing ever looks easy to them.

In addition, the Soviet intervention in the Middle East has taught the Israelis a grim lesson. The lesson is that despite their own great courage, they live and do their business and enjoy their freedom by virtue of the guts and power of the United States, so they naturally worry about what may happen to the United States, even if people here do not worry!

CENTRAL ISSUE OF OUR POLICY TOWARD ASIA; NAMELY, OUR RELATIONS WITH CHINA

The SPEAKER. Under a previous order of the House the gentleman from Maryland (Mr. MITCHELL) is recognized for 10 minutes.

Mr. MITCHELL. Mr. Speaker, in light of the crisis in America's Asia policy and the fundamental review of United States-China policy said to be going on in the White House, and in the hopes of stimulating thorough discussion of the full range of problems and alternatives, I wish to make my thoughts and position clear on the central issue of our policy toward Asia; namely, our relations with China.

In the long run there is no more critical issue in America's role in Asia than our China policy, for how we have dealt with China is in no small part at the wellspring of our war policies in Indochina, American policy toward Japan and our policy toward our client states on the periphery of China.

I feel it is imperative at this time, that our discussion of this issue go beyond cold war sloganeering on the one hand, and, on the other hand, the facile rhetoric of building bridges with China. We must face squarely the problems between China and the United States and seek ways to deal with them.

I, therefore, wish to submit for the consideration of my distinguished colleagues, my China position paper which was originally delivered in abridged form to the Baltimore Area Council of World Federalists on Thursday, May 27, 1971:

THE REALITY OF THE CHOICE—U.S.—CHINA RELATIONS

I come to speak to you tonight regarding the future of relations between two of the great countries of the world, China and the United States. That future is bound up with our past and present relations, and there is no way—however one might wish there were—to intelligently consider the future in isolation from the past.

The impact of recent events, namely the trips by the U.S. ping-pong team and others may have obscured the nature of that past in the American mind, a past from which we already had been cut off by layers of self-serving myths concerning American policy and behavior toward China in the Twentieth Century. We were, of course, most of us delighted by the Chinese invitations and by the warm welcome our countrymen received

in China. But this satisfaction, verging at times on euphoria, may mislead us if we fail to understand these events in the context of Sino-American relations over the last several decades or so.

Already we see official U.S. government explanations and trial balloons that attempt to place the latest Chinese initiatives in a light most favorable to the Nixon Administration's policies. Thus we learn, for example, that the Chinese invitation is a "response" to a series of positive, if restrained, steps the Nixon Administration had previously taken regarding China in the areas of travel and trade. More than that, we learn that the Chinese today are in a more open frame of mind, more pragmatic, more compromising. If this official line of reasoning continues to be developed, it seems predictable that the next stage in our collective enlightenment by our government may well be the Administration's suggestion that, given the "proven success" of the Nixon initiatives toward China, the evolving U.S. position of one-China and one-Taiwan on the United Nations issue also is likely to be acceptable to China.

The Administration's argument appears to have two prongs. First, if China indeed is more pragmatic than will she not respond favorably to what we see as a reasonable compromise on the Taiwan issue, one that simultaneously offers us the virtue of "honoring our commitments to the people of Taiwan," while furthering our interest in bettering relations with the People's Republic? And second, if, on the other hand, as increasing numbers of China experts predict, China will not respond positively to a one-China, one-Taiwan proposal, then will we not have done all that reasonable and honorable men can do? The answer to both of these questions is no. The answer is no, in part because the question itself appears to be the wrong question. China's national interest in the future status of Taiwan is much greater and more direct than America's, and China has made her position regarding Taiwan abundantly clear. The issue for Peking is whether the United States will respond positively to China's position, a position that she sees as reasonable in terms of her own history, and one on which in more than twenty years she has given no evidence of compromising the substance.

It is important, therefore, to recognize that beneath today's surface of events, which gives some signs of new openness on both sides, beneath that surface all the same problems still fester. And it is vitally important also to recognize that an attempt is likely to be made by the Nixon Administration to cover up the grievous failures of a of a quarter-century of America's China policy in a series of moves that tries to make our policy appear to be vindicated rather than bankrupted. We must not allow this to happen. We must not allow it to happen, because if we wish to significantly improve our relations with China we must directly confront these problems and our role in creating them. We must not allow further obfuscation of the truth of what we have done if we are ever to understand ourselves and to avoid repeating similar patterns of behavior in the future. Our record in China is not the glorious one we have been led to believe, and we must learn to face forthrightly the shames as well as the glories of our past, if we are to grow as people.

Ah, some may say, that is all well and good, but now is not the time for such breast-beating. Surely we recognize that America is not wholly without fault in the worsening of relations between China and the United States that followed the beginning of the Korean War. Surely we recognize that we have made mistakes, but just as surely we know that we have fundamentally supported

the Twentieth Century struggle of the Chinese people for national self-respect. And we know, too, that raking up the dead ashes of the past will only lead to unproductive re-priminations against those who were responsible for formulating and maintaining our China policy. Now is the time, so the argument goes, to focus on the hard, practical problems at hand, to put the mistakes and ill will of the past out of our minds, and to deal with each other in a pragmatic manner that will contribute to building bridges China and the United States.

Would that that were possible—that men could resolve their problems while ignoring the causes of those problems and without considering the question of responsibility for the creation and perpetuation of such problems. But it is not possible, because men are human, because they have memories and because problems have histories and cannot be understood or resolved without attending to their background.

America's generation-old China policy today is in crisis. We can no longer isolate China. We can no longer exclude her from the international community of nations. And that crisis, epitomized in its immediacy by our forthcoming, predictable loss in the United Nations, has created the incentive and set the tone for most discussions of our China policy. But crises, as Chinese ideographs for the word "crisis" make clear, incorporate both dangers and opportunities. We should utilize the crisis in America's China policy as an opportunity to fully re-examine our past dealings with China and, based on a fundamentally new evaluation, to formulate policy responses that go beyond those tailored primarily to the Administration's perception of the immediate crisis concerning Peking's seating in the U.N.

II

In beginning to de-mystify our understanding of Sino-American relations there is no better place to start than with the differing conceptions of the history of our relations held by the Chinese and American peoples. A sage of some race, color or creed once said, "If you wish to understand a country, learn what its people remember. Americans remember an altruistic, long-suffering, righteous American that fought side by side with Chinese for China's independence and self-determination, only to be rejected in 1949, by an irrational, hostile China. Ironically, we continue today to embrace this image of our conduct that strikingly resembles the image we held only five or six years ago of our behavior in Vietnam.

But the Chinese remember that history so differently. They remember the history of relations between the U.S. and China during the last seventy years in terms of a series of principled statements made by the U.S. that all too frequently were followed by a series of betrayals of those very principles through the actions or inactions of the United States. From the declaration of the Open Door through our defense of the Chiang K'ai-shek government, America, in Chinese eyes, has been pursuing its own global interests at the expense of the people of China. And, sad to say, the Chinese vision of history is closer to the facts than ours.

What, for example, does the Open Door Doctrine mean to most of us? It means, of course, the declaration of U.S. respect for the territorial and administrative integrity of China and for the right of these Chinese people to self-determination as against the imperialist incursions of the major European powers and Japan. But did it really mean that? Why did America at the turn of the Twentieth Century adopt the Open Door Doctrine? And what did it mean in practice?

To dispel the first and most common illusion, the Open Door is not an example of

U.S. generosity toward China. Rather, it is an example of a U.S. policy that was primarily and narrowly based on American self-interest and subsequently sold to the general American public under the guise of altruism. America favored an open door in China because America was, in the early 1900s, far behind the traditional colonial powers in the development of spheres of interest in China. We favored an Open Door Policy because, with our rapidly expanding economy, we believed such a policy was the most effective way to assure for ourselves that access to markets and raw materials in China. It was not in our interests, nor was it in China's interests, for China to become the exclusive colony of one of the imperial powers. Nor was it in our own or China's interest for China to be divided up among the imperial competitors into a number of mutually exclusive, closed-door spheres of interest. It was, rather, in our interest, if not China's, to keep the door to China open to all comers, who would compete under ground rules formulated and acceptable to the great powers and accepted by the foreign-dominated government of China.

If our own people have not understood the hard-nosed, self-serving reality of the Open Door Doctrine, our allies and enemies certainly have. None of the great powers such as Great Britain, or Japan, who had developed their entrenched position in China more effectively than we, accepted the Open Door principle. They rejected it, not because they were less altruistic or less generous than we, but because they saw that *their* self interest would not be well served by *our* policies. The Open Door Doctrine, for all its high-flown moral tone, was an attempt to assure that the United States get the fruits of Western imperialism in China without having to bear the main burdens.

Throughout the first forty-odd years of the Twentieth Century we continued to mouthe pieties about China that were aimed primarily at limiting the development of other powers' interests there. And when the Chinese, for example, during the Versailles Conference following World War I, or in 1931 when Japan invaded Manchuria, took our declarations of respect for China's sovereignty seriously, they repeatedly were disillusioned by our failure to support our principles and by our ultimate accommodation to the power plays in China by Japan. Not that we were happy to see other powers expanding their role in China at our expense, but until the 1940s we felt neither the will nor the power to physically deny that expansion to them.

All that began to change during and after World War II. During the War the rhetoric of Open Door was transformed into the rhetoric of the U.S. helping China to build a strong and independent nation. Once again our people saw themselves as the defenders of all that is good in the world. And once again our policy makers deceived themselves and us into believing that generosity and high moral principles, rather than narrow self-interest, provided the basis of our policies toward China.

But our role in the Chinese civil war of 1946-49 and our actions thereafter pierced the veil of rhetoric. When we spoke of a strong and independent China, we did not mean a China that was independent of the United States, nor one strong enough to resist our dominant influence. When we spoke of a strong and independent China, rather, we meant a grateful, friendly China, strong enough to maintain the balance of power in Asia in our favor, a China independent of the Soviet Union and independent of Japan.

The test of the pudding was in the eating. The first really strong and independent government that emerged in China in the Twen-

tieth Century, the first government to have the active support of the vast majority of the Chinese people, that government—the People's Republic—we fought tooth and nail both during the Chinese civil war that led up to its founding and, with the possible exception of a few months in late 1949 and early 1950, on into the 1950s and 1960s.

The extent of America's involvement in the Chinese Civil War during the 1940s has been obscured—much as has the extent until relatively recently of our involvement throughout Indo China—by our understandable desire to believe the best of America, by our own self-interest, and by the propagandists of America's war machine. Our exposure to the Vietnam war, however, may finally have opened our minds to the reality of an ugly America in Asia, to the point that we can reconsider today America's role in China after World War II.

It has been generally assumed that the United States was not very deeply involved in the Chinese civil war between the Communists and the so-called Nationalists. It is assumed, further, that although we did give some limited support to Chiang's Nationalist government, we also tried to mediate the conflict and that, in any event, we moved expeditiously to extricate ourselves from our limited involvement when Marshall's mediation effort failed in 1946. That is the myth of U.S. restraint, but the reality is far less pleasant.

If the complex circumstances of the last half of the 1940s—including our primary commitment to Europe, the domestic demand in America to demobilize after World War II, and the then only limited development of our super power and of our anti-communist ideology—if these circumstances were not conducive to massively involving the U.S. in a Vietnam-style commitment in China, the extent of our peacetime involvement in the Chinese civil war was, nevertheless, truly fantastic. For example:

(1) We arranged the terms of the Japanese surrender in World War II so that, although the Chinese Communist forces had fought the Japanese at least as hard and as successfully as the Nationalist forces, the Nationalists were to be the exclusive recipients of the Japanese surrender in China proper. This meant that one side in the temporarily abated civil war was to get all the prestige, arms and the strategic ground formerly occupied by the Japanese.

(2) We employed U.S. marines to hold cities and lines of transportation either for Nationalist forces or for the puppet forces who during the war had collaborated with the Japanese and after the war cooperated with the Nationalists. In so physically interposing our troops into key areas on the side of the Nationalists, we once again denied to the Chinese Communists what they thought was rightfully theirs.

(3) We deployed U.S. planes and ships to move hundreds of thousands of Nationalist soldiers into positions against the Chinese Communists, in what may well have been the largest airlift in the history of Asia.

(4) We gave military aid, training, and equipment exclusively to the Nationalist forces. All told, we spent approximately 2 billion dollars between 1945 and 1949 in support of the Nationalists, a huge sum of money in those days.

And (5), when it appeared in 1948-49 that the Chinese Communists were going to win, we lobbied among our allies to prevent their recognizing the new government.

In short, much as we have done in Vietnam, we intervened in a domestic civil war on the side of an unpopular, corrupt government and thereby criminally prolonged the agony of that civil war.

But what of our seemingly well-intentioned, if benighted, attempt in 1946 to bring

the warring factions in China together? Even that effort, the Marshall Mission, loses most of its lustre in retrospect. True, its primary aims were to arrange a cease fire and to encourage the setting up of a coalition government. Our motives in pursuing those aims, however, suggest that something less than the desire for a just peace lay behind our efforts. We sought to arrange a cease fire largely because we feared that the Nationalist forces could not hold Manchuria from the Chinese Communists without such a halt in the fighting. And we sought to establish a coalition government expecting that the Nationalists would dominate it, and hoping that such domination, with our support, would lead to the elimination of Communists from the government. In short, it appears that the purpose of the Marshall Mission was to achieve by less costly means the same goal to which our military strategy had been tailored, the domination of China by the Nationalist forces. We consistently opposed the Communists, because we feared they would close the door on us. Ironically our persistent support of the Nationalists made it more likely that our fears would prove to be self-fulfilling.

III

Very interesting, some might say, even enlightening as a precedent for our current Vietnam involvement, but why bring it up today when the immediate issue is what to do about China and the U.N.? Why? Because Peking's entry into the U.N. is not the central issue. Rather it is only the most immediate and most obvious aspect of the continuing crisis in our China policy. Why, because if we are to begin to deal with the Chinese on the basis of equality and mutual respect, we must begin to understand the basic core of truth in their perception of America's behavior toward China in the Twentieth Century. If we truly desire to improve relations with China, we cannot do so without first understanding what is important to China; what she is likely to be willing to bargain away and what she will not; what she sees as directly threatening her interests; and what the grounds are for Chinese suspicions of America, and how those suspicions can be overcome.

Chinese Communist suspicions of America, reinforced in the last half of the 1940s, were confirmed once again by America's behavior during the Korean War. Despite the fact that China did not initiate that war, despite the fact that China warned us she could not tolerate our crossing the 38th parallel and our driving up to the Yalu River, and despite our own awareness of these facts, we chose nonetheless to send our armies up to China's borders, to bomb those borders, and even before China entered the war in reasonable self-defense, to interpose our Seventh Fleet in the Taiwan Straits, both to prevent Peking from consolidating her victory and to perpetuate a rival claimant to China.

And after the Chinese entered the Korean War under these circumstances, we then: 1) had China branded by the U.N. as an aggressor, which she clearly was not; 2) redefined as "to-be-determined" the status of Taiwan, in derogation of our prior treaty commitments and official statements which recognized that Taiwan was part of China; 3) had a trade embargo imposed on China, and encouraged and pressured our allies to enforce it; 4) renewed large-scale military and economic aid to the Chiang government, which undoubtedly could not have survived without it; and 5) consistently led the fight to keep the Chinese Communists from gaining the China seat in the United Nations.

Today we continue to intervene in the Chinese civil war. We still support and maintain treaties with the Chiang regime, which claims to represent all China. We have continued to block China's entry into the U.N.

by a series of ruses, beginning with our keeping the credentials question off the agenda in the 1950s, and then subsequently in the 1960s by making it an "important question" requiring a two-thirds vote of the membership. In addition, we continue to pursue a heinous, genocidal war on the very borders of China. We ring China with missiles, military bases, naval fleets, and a rearmed Japan.

And now, in the 1970s we appear to be in search of a new ruse, as it appears that our earlier ploys are about to fail to prevent the seating of the People's Republic in the U.N. This latest ruse is intended, I believe, either to further delay Peking's entry into the United Nations, or in the hope that we can more-or-less dictate the terms upon which she is permitted to enter. This latest ruse, and I characterize it as such with all due respects to the many people who sincerely support it on principled grounds, is the one-China, one-Taiwan formula—and all the variations on that theme, from the grosser two Chinas formulation to the more sophisticated trusteeship proposals covering Taiwan.

The one-China, one-Taiwan formula is portrayed as the new pragmatic but principled rational route to a better China policy. It is said to protect our honorable commitments to the people of Taiwan while taking account of the need to normalize relations with Peking. By contrast, just as proposals for unilateral withdrawal from Vietnam were seen as extremist only 3 years ago, so today a policy that recognizes only Peking as the government of all China and which, reaffirming our position of the 1940s, declares that Taiwan in principle is part of the People's Republic, such a policy is portrayed as extremist or illiberal.

But is such a policy really so radical? Or is it simply made to appear radical in the context of America's cold war politics? If, as a reasonable standard for judging the quality of such a policy, one looks to the position of our hardly radical NATO allies on this issue, the conclusion is inescapable. Checking the voting of our NATO allies on the one-China, Albania resolution at the last session of the U.N., a resolution that would have seated Peking and excluded Taipei from the U.N., one is shocked to learn that of all our NATO allies only Greece and Turkey—the two most dictatorial and corrupt of those allies—voted against the Albanian resolution. So, with regard to the United Nations issue, a two-China or one-China, one-Taiwan policy, which many in the U.S. argue is a pragmatic and principled position, is equivalent to the Greek-Turkey position.

Must we not, moreover, after our experience in Vietnam, be wary of our self-asserted idealism as it applies to other parts of the world? Have we really, for example, been concerned as we claimed, about the right to self-determination of the Vietnamese? And similarly can one take our suddenly asserted claim for the people of Taiwan's right to self-determination at face value, however sincere some of its proponents may be? We have on Taiwan, after all, supported for over twenty years a police state government, one that represents at best only a small minority of the island's population. Some of our leaders now choose to talk of self-determination for the Taiwanese because it suits them to do so. Those officials selectively apply moralistic slogans when they think it is to our self-interest, and many Americans are taken in by such stands.

On the other hand, there is no denying, however ill-fit America may be to raise this issue, that a potential moral dilemma nevertheless may remain. To put it most simplistically, one may have to choose on the one hand, between the morality of normalizing our relations with China, which in turn is likely to substantially reduce the

intensity of the cold war in Asia and thereby to reduce the probability of future Vietnams, and on the other, the pure morality of self-determination. It is not without some difficulty that I have, on balance, chosen the former.

But aside from the moral issue, we will be, if we adopt a one-China, one-Taiwan formula, once again on the road of trying at great cost to achieve the unachievable. Both the Peking and Taipei governments, in accordance with Chinese tradition, embrace the vision of one China. Both reject the various conception of 2 Chinas. Moreover, the Chiang government's very claim to legitimacy depends upon its claim to represent all China.

IV

Why, then, do we resist the one-China formulation and seem likely, at best, to adopt a one-China, one-Taiwan formula? What might we gain and what might we lose by adopting a one-China policy?

The main principled reason for opposing a one-China policy appears to be to safeguard the right to self-determination of the people of Taiwan. As indicated above, however, we have not been very solicitous of that right up to now. Nor are we solicitous of the right of the Greek, the Spanish, or the Brazilian peoples to a government of their choice. Moreover, if the Taiwan regime were expelled from the United Nations, would the people of Taiwan suffer, or only the dictatorial government that rules them? In any event, there is no hard evidence that the people of Taiwan want to be independent of the People's Republic. And for those who suggest a neutral plebiscite to decide that issue, it must be remembered, first, that there are no such things as neutral plebiscites in a police state, and, second, that the proponents of such a seemingly equitable solution are proposing to dispose of the territory of another nation in a manner that were it applied to, say, the American South in 1860 would have greatly distressed them.

Leaving aside, then, the complex matter of principle, what do we fear in the one-China formula, which leaves it to Peking and a Taiwan excluded from the U.N. to work out their future between themselves? Do we believe that if we adopt a one-China policy and thereby terminate our mutual security pact with the Nationalist regime, that the Chinese Communists will invade Taiwan? Surely our panoplied intelligence networks know better. The Chinese Communists have no navy, and Taiwan is 100 miles off the coast. Do we fear we will lose face if we adopt such a policy? But that is ridiculous. We will soon have no face left to lose if we do not change our position, for a majority of the members of the United Nations voted last year to seat Peking and to expel Taipei, and the number that will vote this year to do so has risen substantially. We will not save face by going down with the boat.

Relatedly, do we hope that by adopting a one-China, one-Taiwan position we can negotiate a compromise with the Peking government, using our new position as a bargaining counter? But what is there for Peking to compromise? Her sovereignty? And what, I ask you, does the U.S. plan to give up? If it plans to give up merely its opposition to the seating of Peking in the U.N., then it is giving up nothing of value, for we are about to lose on that issue.

Or perhaps some of our leaders hope that by standing for an independent Taiwan we can hold the island for Japanese expansionism. Taiwan once was a colony of Japan, and it is today increasingly under the joint economic dominance of Japan and the U.S. Once again we may be hoping to preserve the Open Door in Taiwan by denying the island to the mainland government.

In any case, it appears likely that Taiwan

will continue to be a pawn in the political moves of the great powers. This is the unfortunate fact. If its future, like its past, is to be determined by power politics in any event, then it seems reasonable that the disposition of Taiwan should at least contribute to the resolution of the critical problem in Asia, the normalization of Sino-American relations. American machinations in the effort to salvage something in the short run from our ill-fated policy of supporting the Nationalist government, on the other hand, will only exacerbate relations between Peking and Washington and will in the long run redound to our detriment.

v

Here, then, is what I propose in an attempt to deal with the major problems in U.S.-China relations. First, regarding Taiwan, which is the nub of the problem, I propose that the U.S. withdraw its forces from Taiwan, end its treaty commitment to defend the Republic of China, and withdraw all support and recognition from the Chiang government. We should instead declare that the sole, legitimate government of China is the Peking government, that Taiwan is part of the People's Republic, and that it will be up to the Chinese themselves on both sides of the Taiwan Straits to work out the future specific relationship between the mainland and Taiwan.

Second, we must end the Indo-China war immediately. We should unilaterally, totally and unconditionally withdraw from Indo-China as fast as is logistically possible. We cannot substantially improve relations with the People's Republic while we pursue an obscene war on the edge of her territory.

And finally, we should dismantle our military bases and support operations around the periphery of China which encircle her. We should, in short, withdraw from our position as successor to the colonial powers in Asia.

These steps, I believe, are in our national interest, in the interest of better relations with China, and in the interest of world peace. We cannot improve relations with China by gimmickry. We cannot improve relations with China without dealing with the security and other interests that are central to China's existence and status. She is not about to bargain away any of these interests, for which she fought militarily in the 1940s and 1950s. There are no easy routes to better relations with China. The kind of fundamental changes I suggest will require a total reassessment and rejection of much of our Asia policy.

And what is so impractical or naive about confronting directly the most serious problems in our relationship with China? Press the so-called 'pragmatic' men who give you all the assertedly 'realistic' arguments why we cannot do what I have proposed. Press them, and you will see the seeds of the Vietnam tragedy and of future such tragedies germinating in their pseudo-realism.

Given our past and continuing behavior toward China, peace between the U.S. and China cannot be achieved without substantial U.S. concessions. But it will be well worth the cost to us. And that is realistic!

HEARING SCHEDULED ON RECORD PIRACY BAN

The SPEAKER. Under a previous order of the House the gentleman from Wisconsin (Mr. KASTENMEIER) is recognized for 5 minutes.

Mr. KASTENMEIER. Mr. Speaker, the Subcommittee on Patents, Trademarks and Copyrights, Subcommittee No. 3, of the Committee on the Judiciary, under my chairmanship, has scheduled a public hearing on S. 646, a bill to amend title 17 of the United States Code to pro-

vide for the creation of a limited copyright in sound recordings for the purpose of protecting against unauthorized duplication and piracy of sound recording, and for other purposes, and on H.R. 6927, a measure identical to S. 646 as introduced. The hearing will begin on Wednesday, June 9, at 10 a.m., in room 2226, Rayburn House Office Building.

REPRESENTATIVE McFALL INTRODUCES LEGISLATION TO AMEND THE CONSOLIDATED FARMERS HOME ADMINISTRATION ACT OF 1961 TO EXTEND FINANCIAL ASSISTANCE TO COOPERATIVE ORGANIZATIONS

The SPEAKER. Under a previous order of the House the gentleman from California (Mr. McFALL) is recognized for 10 minutes.

Mr. McFALL. Mr. Speaker, recognizing the need to bolster our farm economy and to place the American farmer in a more favorable bargaining position, I am today introducing legislation to amend the Consolidated Farmers Home Administration Act of 1961 by extending financial assistance to cooperative organizations.

Under this proposal, Farmers Home Administration loans could be made to both new and existing cooperatives which serve rural families, when such cooperatives are unable to obtain needed credit from other sources.

By extending the loan provisions of the existing law to include cooperatives, we can bridge a serious credit gap in our rural economy. Such a move would encourage the development of new cooperatives in areas where they are most needed, strengthen existing cooperatives, and promote the development of our rural resources.

The economic future of rural America depends to a large degree on building strong cooperatives, through which farmers can exert their bargaining power for fair prices and adequate income, just as other sectors of the economy now do. A strong system of cooperatives offers the farmer hope of real independence, freedom from artificial price supports and the complexity of constantly changing Government regulations.

Every proposed farm bargaining bill submitted to Congress in recent years, and every farm bargaining study made by our land-grant colleges, stresses the need for a strong, expanding, and effective cooperative system within agriculture. It is in our national interest to strengthen these cooperatives. This means cooperatives across the board—marketing cooperatives, purchasing cooperatives, processing and distribution cooperatives. Without this cooperative structure, the farm family hasn't the ghost of a chance of ever achieving competitive bargaining power which has long been accepted as a basic right of all workers.

Over the past decade, a number of improvements have been made in the original Consolidated Farmers Home Administration Act of 1961.

One such improvement is the expansion of the agency's loan program to make it

possible for the beginning farmer and the small farm operator to own and operate a more efficient farm.

Another has been the creation of a rural housing program that is designed to eliminate the 3 million or more substandard homes in rural America and give rural families the same opportunities in housing that are held forth to the rest of the Nation.

Yet another improvement is in the provision for credit to rural communities for the establishment and upgrading of basic community facilities such as water and waste disposal systems, outdoor recreation areas, and other programs to enhance the quality of rural life.

All these were necessary improvements that helped close the credit gaps in rural America. Now we need to close the gap that exists in the total lack of adequate credit for many farm cooperatives.

Without the availability of adequate credit, many farm cooperatives have been impeded in their efforts to expand or initiate new programs, and new cooperatives without adequate financing are doomed to failure before they are firmly established. Yet farm families are powerless to improve their individual condition or achieve economic stability without the bulwark of these organizations. That is why it is imperative to make financial assistance available to them.

This plan is not without precedent. Currently, under title III of the Economic Opportunity Act, the Farmers Home Administration has authority to make loans to organized rural groups to provide processing, marketing, and purchasing services for their members and patrons. But these rural cooperatives are not eligible for this type of loan unless two-thirds of its family members are classified as below the poverty level.

This provision has been an important one in fighting rural poverty. The economic opportunity co-op loans have created many more adequate processing, purchasing, and marketing facilities for poverty-stricken farm families. It is essential that such a program be continued. But it now appears that funding for the OEO program will end with the present fiscal year.

The amendment I am proposing would enable the Farmers Home Administration to continue the type of assistance initiated under the OEO program and give low-income farm operators the means of organizing into effective cooperatives to improve their position in the marketplace.

The OEO program has given us some insight into the needs of people who have fallen behind in the race for economic equality through no fault of their own. The solution to their problem lies in organization. But their efforts at organization often end tragically because of inadequate financing. Unfortunately, it takes time for a cooperative organization to move into the economic mainstream, and our present system of loan repayment does not make allowance for that time factor.

This bill would make funds available to them at terms that could realistically be met by a beginning, struggling organization.

Established farm cooperatives have access to credit resources through the Farm Credit Administration's bank for cooperatives, which has made an outstanding contribution to the growth of farm cooperatives and continues to be an important aid. But the banks for co-banking policies with specific requirements of assets, net worth, and management experience. This of course, is sound banking practice. But the effect is to limit eligibility to organizations that are better established, more sophisticated, and more broadly based, while those cooperatives whose needs are greatest are unable to qualify.

In the OEO program and the banks for cooperatives we see loan provisions for the very low income level and for the higher income level. But in between there is a large segment of the agricultural population that cannot command adequate credit to develop and expand its own cooperatives. This large in-between group needs a credit program of intensive and constant advice and assistance at the local level if they are to thrive and gain the economic strength they seek.

The Farmers Home Administration is the ideal agency to carry out this type of credit program through its local county offices, where close contact can be maintained with the cooperative organizations that avail themselves of this loan opportunity.

The amendment I am proposing augments but in no way overlaps or duplicates existing farm credit provisions. I hope to see it enacted and implemented to bring about greater equality of opportunity in our rural areas.

A copy of my bill follows:

H.R. 8800

A bill to amend the Consolidated Farmers Home Administration Act of 1961 to authorize loans and grants to certain cooperatives serving farmers and rural residents, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Consolidated Farmers Home Administration Act of 1961 is amended by adding the following new section 310 at the end of subtitle A:

"Sec. 310. (a) The Secretary may also make or insure loans to local cooperative associations furnishing to farmers and rural residents services and facilities for harvesting, storing, processing (including preservation or preparation of edible products for market), transporting or marketing agricultural commodities or products, consumer purchasing services, or the processing or marketing of other products of farmers or rural residents. Such loans may include funds for the organization and establishment of the association, necessary land, buildings, and equipment, or for the repair, expansion, or enlargement of such services or facilities, for operating capital and for refinancing. Such loans may be made or insured only if the applicant certifies and the Secretary determines that there is a need for such services and facilities in the community not now being met by private or other cooperative enterprises.

"(b) The Secretary may also make grants to such cooperative associations to assist in defraying their operational and maintenance costs for such periods as the Secretary determines necessary to assure their successful operation."

Sec. 2. Paragraph (b) of section 333 of such Act is amended by inserting after the figure

"306" wherever it appears in said paragraph the following: ", 310".

THERE IS A NEED FOR EXTENSION OF THE RENEGOTIATION BOARD

The SPEAKER. Under a previous order of the House the gentleman from Texas (Mr. GONZALEZ) is recognized for 10 minutes.

Mr. GONZALEZ. Mr. Speaker, the Renegotiation Board's life will soon be at our mercy once again, since it is due to expire June 30, 1971. It is my hope that we shall have an opportunity to thoroughly consider legislation to extend the Renegotiation Act on the House floor under an open rule.

The Board, as I have said before, on many occasions plays a very important role in preventing what I call war profiteering. It oversees \$48 billion of procurement each year, carrying out the purpose of the Renegotiation Act—the elimination of excessive profits on defense and space contracts and related subcontracts.

Yesterday, on May 31, the Washington Post made a release which, if true, strongly exemplifies the pressing need for the extension of the Renegotiation Act, and, further, for the strengthening of the Renegotiation Board. The article, entitled, "Defense Contracts Are Assured of Rising Profits" states that several policy changes are soon to be initiated in the purchasing of major weapons systems. It indicates that Deputy Secretary of Defense David Packard is insisting on "more cost plus-incentive-fee contracts," which has historically yielded the highest profits level. This type of contract covers all costs and gives bonuses for good performance. The Pentagon's generous policy of bonus awards has yielded greater profits—and greater possibility of excess profits.

Since there is very little genuine competitive bidding in Pentagon procurement, the Renegotiation Board's authority will be reaching these contracts with propensities for excess profits. Only 11.4 percent of the awards in the budget year, ending last June 30, were advertised for open bidding—leaving the other contracts to be negotiated on a contract by contract basis with little or no competition.

In view of these proposed policy changes, the renegotiation process will be needed more than ever.

The Renegotiation Board's record is very good, and the need for it is clear; I trust that my colleagues will give this issue timely and careful consideration.

The news release follows:

[From the Washington Post, May 31, 1971]

DEFENSE CONTRACTORS ARE ASSURED OF RISING PROFITS

(By Bernard D. Nossiter)

A ranking Pentagon official has privately assured industry that profits on defense contracts "will probably increase" under new procurement policies established by David Packard, the Deputy Secretary.

The assurance was given at a closed-door meeting of the Industry Advisory Council, the top level business group that meets periodically with high Defense aides.

At the last IAC gathering in the Pentagon on Feb. 12, J. Ronald Fox, Army Assistant

Secretary for Installations and Logistics, delivered the news.

The Washington Post has obtained texts of the presentations made for the businessmen.

Fox observed that a Packard memo of May 28, 1970, calls for several policy changes in the purchasing of major weapons systems. Among them, he said, is an insistence on more cost-plus-incentive-fee contracts. Fox noted that historically this form of contract has yielded the highest profits level.

In addition, he said, Packard is calling for more "follow-on" production contracts, directly awarded to the winners of weapons design competitions. The absence of competition for production contracts, Fox said, should also enlarge profits.

A Senate Subcommittee on Intergovernmental Relations under Lee Metcalf (D-Mont.) has been exploring the operations of business advisory groups throughout government. His unit plans to examine the Pentagon and its IAC at hearings in mid-June.

Packard is chairman of the IAC. Its 24 industry members are drawn largely from major defense contractors and bankers.

A major controversy has broken out over the level of defense profits. An independent analysis of \$4.3 billion worth of defense business by the General Accounting Office computes the average pretax rate of return on owned investment at 56.1 per cent. The Pentagon and the weapons makers point to a GAO summary of reports by contractors which indicates an average return of 21.1 per cent. The GAO and the industry claim that the independent analysis is unrepresentative.

There are four principal types of contract. Firm fixed price, as its name implies, determines the total sum that the Pentagon will pay for a weapon.

Firm Fixed Price-Incentive Fee offers bonuses, on top of the fixed price, for meeting a delivery date on time, matching performance specifications and the like.

Cost plus Fixed Fee covers all a contractor's costs in designing and producing a weapon and gives him a predetermined amount as profit on top of this.

Cost plus Incentive Fee, the type now ordered by Packard, covers all costs and again gives bonuses for good performance.

According to procurement experts, the cost-plus-incentive-fee contract that Packard is advocating is not inherently more profitable than other contract forms. But in practice, because of a generous policy of bonus awards by the Pentagon, it has become so.

Fox told the IAC that studies by a Pentagon-financed research organization, the Logistics Management Institute, show that "contractors have earned a higher actual profit on Cost plus Incentive Fee contracts than on any other contract type."

In any cost-plus arrangement, the contractor is virtually spared the need for any working capital. As Fox pointed out, he is reimbursed for all his bills when they are presented, unlike a fixed price contract in which he normally gets reimbursed at once for 80 per cent of his costs.

The logic of higher profits from follow-on contracts flows from their nature. If the winner of a weapons design competition is assured that he will automatically receive the contract to produce quantities of the item, he is in a strong position to dictate what the government will pay for it. The alternative method, which Packard is apparently discouraging, would open the production contract for competitive bidding.

There is very little genuine competitive bidding in Pentagon procurement. Only 11.4 per cent of the awards in the budget year ending last June 30 were advertised for open bidding. The Defense Department sponsors a limited type of competition for major weap-

ons, typically inviting three of four big companies to submit designs.

At the IAC meeting John Lawrence, chairman of Dresser Industries, which makes machinery and equipment, urged the Defense Department, to "rely on the normal market place . . . not much—and then only for commodities."

"Over-emphasis on placing contracts always with the lowest bidder," he said, "is a sure way to emasculate the viable military base."

The Pentagon should "recognize that competition is not consistent with a strong mobilization base," he said. "The country will be best served to have a strong mobilization base, rather than cut throat competition."

"Give credit," Dresser urged, "to the tried and proven and don't go for the low bid 'Johnny come lately' contractor without careful evaluation."

Without citing any figures, Dresser declared that "profits of military contractors are so small and unpredictable as to make military work generally unattractive. This inadequacy must be corrected promptly. . . . Find a way to make military contracts more profitable."

Packard, has said he agrees profits should be higher. The Fox address to IAC appears to spell out the probable method to increase profits.

In a telephone interview, Fox said he had a "visceral feeling" that Pentagon procurement is moving in the direction commanded by Packard. But the shift is too recent to be reflected in the statistics collected by procurement officials.

CHANGES NEEDED IN IMPORT POLICIES FOR HOME HEATING OIL

The SPEAKER. Under a previous order of the House the gentleman from Rhode Island (Mr. ST GERMAIN) is recognized for 10 minutes.

Mr. ST GERMAIN. Mr. Speaker, it was the poet who shrewdly observed: "What a tangled web we weave when first we practice to deceive." No better application of the aphorism can be found than in the tangled web which has been the oil import program. Deception may be too harsh a word to describe this program because it was instituted, I am confident, by honorable men for honorable purposes. But, good intentions are not enough. The import program may have been designed to meet some national security objectives but it was, at the same time, the least efficient, most expensive, and most complex way to meet that objective. And it is fair to say, I believe, that it has gone beyond the legitimate national security concerns. It is today in effect, a price support program for the domestic oil industry, paid for by the American consumer.

I recognize, too, the political unfeasibility of substantially revising this program. If you recall, the President of the United States, soon after he took office, felt that the program should be reviewed and a task force under the chairmanship of George Shultz was appointed to undertake that task. It concluded that the cost to the public of the program was far in excess of that required for national security regulations and recommended a major overhaul. Nothing was done.

It is the better part of wisdom that

when you cannot change something from the bottom up—something that desperately needs change—the least you can do is to seek some improvements at the margins. This has happened at least in one instance: When the President decided in mid-1970 to permit a very modest amount of home heating oil to be imported into the eastern seaboard States by independent deepwater terminal operators to relieve the acute shortage of supply and to moderate prices. This program was continued for 1971 although at the same time, an older program which had permitted importation of home heating oil and other oil products into the United States was discontinued. The net effect was that for 1971, the amount of extra home heating oil to be permitted to be imported was very small indeed.

For reasons of presumed national security, as well as to accommodate the Government of Venezuela—and more the latter than the former—this modest program permitted imports of 40,000 barrels per day and required that the imports had to be purchased in the Western Hemisphere. It so happens that two major oil refiners, Esso and Shell, in effect control the market in the Caribbean, which is where Western Hemisphere sources of home heating oil are to be found. This program took effect on July 1, 1970. In August, these two refiners raised their price from 6½ cents to 8½ cents per gallon. In late November, they subsequently moved up their price to 9½ cents per gallon. And both of these companies have recently advised its customers that they will not be able to supply any home heating oil from the Caribbean for the coming season.

Consider for a moment what has happened. The President of the United States, in responding to a serious need on the part of consumers on the east coast and principally in the Northeast, ordered a minor and marginal modification of the oil import program. The purpose was to increase supply and to provide cheaper products to the American consumer. But what has in fact happened? As a result of the actions of two major oil companies, over a period of 6 months, the price of the imported product was raised nearly 50 percent to the point where the imported product is no less expensive than the domestic product. Second, these companies have announced to their independent customers that they will not be able to supply them with its product from the Caribbean area.

This is an unconscionable development. The increase in prices of nearly 50 percent is outrageous and can in no way be explained by any cost factors. The cutting off of supply may conceivably be a good business decision for the company concerned. I simply do not know. But its adverse consequences for the American consumer are self-evident.

In short, two major oil companies have been able, by their action, to frustrate the purposes of this modest program which the President announced last June. Has the national security of the United States been enhanced by these actions?

The question suggests its own answer. The only security which has been improved has been the economic security of the companies concerned.

There is a simple and obvious way to resolve this problem. First, permit the independent marketers to procure their home heating oil wherever they can find it in the world. In actual practice, this would be from refiners in Western Europe. By being able to procure in Western Europe, they will be able to buy at reasonable prices for the simple reason that there is competition in the Western European market while there is no competition in the American home market and its satellite Caribbean market. The national security of the United States would not be adversely affected by this nor would the Venezuelan Government be disadvantaged by this. The Venezuelans can sell all the oil they wish in the United States. Beyond that, what the Venezuelans have recently done in terms of taxes and prices on oil should not make us beholden to them.

Second, the amount of permissible imports under the program should be expanded from 40,000 barrels a day to a minimum of 100,000 barrels a day. This would still represent only a very small portion of total consumer requirements.

Third, the home heating oil import program should be made a regular and as continuing a part of the overall oil import program as is the crude oil import program. There is no sense in permitting the importation of cheaper offshore crude oil for the benefit of the major American oil companies if we do not, at the same time, permit the importation of some home heating oil for the benefit of the American consumer.

Mr. Speaker, we cannot wait until next winter to begin to meet these problems. The time for action is now; policy decisions and changes in the No. 2 fuel oil program must be made by the end of June if marketers and consumers of fuel oil are to plan effectively for the winter of 1971-72, and if the people of the Northeast are to be assured of an adequate supply of No. 2 fuel oil at reasonable prices.

SUPPORT FOR THE SOVIET JEWS RELIEF ACT OF 1971

(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, I am pleased to report to this House that on April 27 of this year the city council of the city of New York unanimously passed a resolution in support of the Soviet Jews Relief Act of 1971, H.R. 5606, as amended. The resolution was introduced by city council minority leader Eldon Clingan; it follows:

RESOLUTION

(Resolution calling upon the Congress of the United States to enact a bill to provide for the issuance of special visas to Jews of the Soviet Union to allow their immigration to this country)

Whereas, This nation has always been a haven for the oppressed of other lands; and

Whereas, The City of New York has been the home of millions of immigrants, who have contributed immensely to its greatness and developed its unique character; and

Whereas, The Soviet Union has systematically persecuted its Jewish population; and

Whereas, Large numbers of Jews in the Soviet Union at great risks to themselves have demonstrated a desire to emigrate; and

Whereas, The current refugee quota for the Eastern Hemisphere would bar thousands of Soviet Jews from our shores if they were allowed to emigrate even on a modest scale; and

Whereas, The United States Congress has previously passed legislation to enable the refugees of Hungary, Czechoslovakia, and Cuba to emigrate to this country; and

Whereas, Congressman Edward I. Koch has introduced the Soviet Jews Relief Act of 1971, which authorizes 30,000 special visas outside the regular immigration quota system for Soviet Jews who are permitted to leave the Soviet Union and wish to come to this country; now, therefore, be it

Resolved, That the Council of The City of New York calls upon the United States Congress to pass the Soviet Jews Relief Act of 1971; and be it further

Resolved, That the clerk of the Council send a copy of this resolution to every member of the House of Representatives, every member of the United States Senate and the President and Vice President of the United States.

REMEDIAL IMMIGRATION LEGISLATION

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

Mr. RODINO. Mr. Speaker, I have today introduced immigration legislation which has a dual thrust at eliminating troublesome problem areas in the administration of the Immigration and Nationality Act. This bill, which was cosponsored by the Honorable WILLIAM F. RYAN, Honorable JOSHUA EILBERG, Honorable WALTER FLOWERS, and Honorable JOHN F. SEIBERLING, is a combination bill embodying provisions of other bills pending before the Subcommittee on Immigration and Nationality. Furthermore, it is a compromise bill adapting the floor on immigration proposal to meet a temporary problem which this legislation should correct within 4 years—the life of the legislation. The companion thrust is directed at the elimination of the backlog in the fifth preference—brothers and sisters of U.S. citizens—which was not eliminated by 1968, as intended.

Not until 1964, after four decades of subjection to the principle that some immigrants were more acceptable than others, was there sufficient and coordinated effort and leadership to pave the way for repeal of the national origins system. The impetus in this direction was supplied by the late President Kennedy when he sent an Executive communication to the Congress in 1963.

The bill introduced as a result of the Executive communication, was a product of great study and sought to prevent

problems before they became evident. To insure an orderly transition from the national origins system to a system based upon first-come, first-served, within preferences, a 5-year phaseout period was proposed which the departmental experts and statisticians concluded would relieve the backlogs that had developed in some preference categories for some countries. Furthermore, this bill called for a reserve of visas made available to the President to be allocated to those countries which had enjoyed large quotas under the old system and who would be disadvantaged by the change since they could not compete equitably on a first-come, first-served basis, simply because there was never a need to establish priority dates and a place in line for a visa.

Unfortunately, by the time the bill was enacted, the 5-year phaseout period was reduced to a 3-year phaseout. The reserve of visas was deleted completely and a new feature—the labor certification requirement—became an integral part of the act.

Cautioned and warned of the problems that could arise, the Congress, in its haste to attain the target of repeal of the national origins system, cast probable problems aside.

Today, we reap the result of casting aside those safeguards that were originally proposed in the Executive communication. We find that the fifth preference, particularly with regard to Italy, is oversubscribed and has been oversubscribed and the backlog was not eliminated as the drafters of the legislation anticipated.

We find that immigration from Western Europe, particularly Germany, Great Britain, and Ireland, dissipated to a mere trickle. These results certainly were not intended. Until these results are corrected, the great step forward in all immigration policy is harnessed to a dead weight of discouragement, frustration, and dismay.

The bill I introduced today is designed to correct the deficiencies resulting from the haste in approving the act of October 3, 1965. Before the Congress can build on this act and approve a worldwide immigration system with workable preferences, or any other legislation affecting immigration, we must backstep and put our immigration law in good order.

We have waited for 5 years to determine if the shortcomings of the law would correct themselves, but it is obvious now that these shortcomings will only manifest themselves in greater hardship and unfairness. The only corrective method is by legislation, legislation which I hoped would not be necessary but which experience has dictated has become very necessary.

The bill I introduced today establishes a floor on immigration for each country by making special immigrant visas available equal to 75 percent of the 1955-65 average less visas issued under the permanent provisions of the Immigration and Nationality Act, as amended. No more than 7,500 special visas can be used by any country in each fiscal year.

The bill is temporary in nature designed for a temporary problem and will automatically terminate after 4 years. After carefully reviewing the abundant material and statistics on the problems the Irish and other Northern European aliens have experienced competing for immigrant visas, it was concluded that this 4-year period would grant sufficient time for people from those countries to establish priority dates and thus eliminate the unintended inequities. That feature of the bill and the floor provision have been widely and thoroughly discussed, not only in the Congress but by various interested organizations. I think that those of us on the Subcommittee on Immigration and Nationality stipulate the fact that immigration from Northern Europe has been drastically curtailed. We also stipulate that this result is directly attributable to the shortcomings in the changeover from the national origins system to the first-come, first-served system. I believe that this temporary legislation will correct the deficiencies that caused the fall of immigration from those countries which have traditionally sent immigrants to the United States.

The second thrust of the bill is directed at the backlog in the fifth preference—brothers and sisters of U.S. citizens—that emerged after the landmark 1965 amendments became effective on July 1, 1968. It had been expected that the 3-year phaseout period, 1965-68, would eliminate any problems from the 1965 act that repealed the repugnant national origins quota system. However, the fifth preference category, particularly in the case of intending Italian immigrants, was heavily oversubscribed. Without remedial legislation it will be many years before the brothers and sisters who come under the present fifth preference can be united with their U.S. citizen families.

This bill would authorize issuance of special immigrant visas to all qualified brothers and sisters of U.S. citizens who have petitions filed prior to July 1, 1968.

I believe that it is patently important that we solve the major outstanding inequities stemming from the 1965 amendments before we can attempt to solve any other problems in the immigration field.

FAMILY OF NORTHWEST FLORIDA RESIDENT FIGURED PROMINENTLY IN FLAG DAY RECOGNITION

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

Mr. SIKES. Mr. Speaker, June 14 is a very special day.

It is the day when, traditionally, all Americans observe Flag Day. Noble as this tradition is however, it should be more than that. It should be a national holiday and for that reason I have joined as a cointroducer of a bill officially designating June 14 as Flag Day. It is disappointing to me that Congress has moved so slowly to take action on this bill.

Flag Day first was observed on June 14, 1885, in a tiny schoolroom in Fredonia, Wis., by a young schoolteacher named Bernard J. Cigrand. He was 19 years of age and a fierce patriot. He sat a small flag on his wooden desk and told his handful of pupils the story of the flag of the United States.

He chose that particular day because it marked the 1777 anniversary of the Continental Congress' official approval of the flag's design.

Bernard J. Cigrand has a special place in the hearts of the people of Florida, for a fine woman who knew him well and who married into his family still lives in Chipley, Fla., which I am proud to represent in the Congress.

Mrs. Grace Cigrand Lundquist, now 80 years of age, first met the Cigrand family more than 60 years ago when she married Bernard H. Cigrand, son of the schoolteacher who first marked Flag Day in the United States.

Following the death of her husband, and subsequent marriage to Eban Lundquist, this wonderful lady moved to Chipley in 1954 where, now a widow, she continues to live an active life dedicated to her friends, her church and her Nation.

To Grace Cigrand Lundquist, Flag Day is something especially dear. She recalls the fervor with which her father-in-law told of his long struggle for official recognition of one day in the year to honor our Nation's banner, and she tells of the joy the elder Cigrand experienced when, in 1916, President Woodrow Wilson proclaimed the first official nationwide observance of Flag Day and presented a flag to Mr. Cigrand.

That same flag—personally presented to Bernard Cigrand by President Wilson—is in the possession of Mrs. Dorothy Trayer of Bristol, Va., daughter of my constituent, Mrs. Grace Cigrand Lundquist.

In this day when many seek to destroy our flag and, indeed, the Nation for which it stands, it is especially significant that we recall the selfless struggle by a single dedicated man—Bernard J. Cigrand—to have the flag he loved so dearly officially recognized on a special day.

I believe it would be fitting for this Congress to now move to complete the work begun by this dedicated man almost 86 years ago, and to now grant congressional designation of June 14 as Flag Day.

It would mean much to those such as Mrs. Lundquist and Mrs. Trayer, who can boast proud connection with this patriot, and it would mean much more to the people of the United States in these troubled times.

We are not talking about just any day. Nor are we talking about an observance we will one day abandon.

We are talking about the flag of the United States of America and of the day it became the official banner of our Nation. It has been our banner for 194 years and this Congress should designate a special day on which to honor it.

It would be particularly appropriate

to so designate June 14 in this year when we have witnessed the disgusting display of the flag of our enemy waved by dissident malcontents from the steps of our Capitol. Further, it would be appropriate for Congress to act now, even as the last remaining scars of the Capitol bomb blast are being covered by workmen.

Only one State—Pennsylvania—officially notes June 14 as Flag Day, although the President traditionally declares the event for the Nation as a whole.

Let this Congress move now to honor our flag by designating June 14 as Flag Day. It is a special day in the history of our country and it is deserving of this special recognition.

CHILDHOOD LEAD POISONING—THE ADMINISTRATION REQUESTS A LUDICROUS \$2 MILLION

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

Mr. RYAN. Mr. Speaker, 47 Members joined me in sending a letter to Secretary of Health, Education, and Welfare, Richardson on April 23 urging him to request full funding for the Lead-Based Paint Poisoning Prevention Act for fiscal year 1971 and fiscal year 1972. Today, we received an answer to our letter.

This answer is an affront to the hundreds of thousands of children across the Nation afflicted with lead poisoning.

The Secretary states in his letter of May 28—

Since the current fiscal year is nearly over, we will not request a 1971 supplemental.

His sense of timing is very precise. It is true that fiscal year 1971, for which \$10 million was authorized, is nearly over. Had the Secretary chosen, however, to act when our letter was sent, the problem he raises would be nonexistent.

Suffice it to say that the administration requested no funds for fiscal year 1971. Enough of niceties of efficiency. Pure and simple, the fact is that the administration wanted no funds, and its silence on the matter has been heard loud and clear.

The Secretary also tells us that the President will "shortly transmit an amendment to the 1972 budget requesting \$2 million." This strains credulity. The fact is that a full \$30 million is authorized for fiscal year 1972. The fact is that Secretary Richardson's Department already has preliminary requests from 31 State and local governmental units concerning funding under the Lead-Based Paint Poisoning Prevention Act. The fact is that lead poisoning claims 200 lives a year; it sentences 800 children a year to permanent institutionalization; it produces moderate to severe brain damage in 3,200 children a year.

The fact is that a meager \$2 million is an affront to these thousands of victims of the administration's indifference, and to the thousands more who will fall victim.

But we are assured, in Secretary Richardson's letter, that the amount the administration contemplates spending—\$2 million plus an additional \$200,000 which it is spending under other legislative authority—"signifies the administration's clear intent to mount a concerted effort to eliminate the threat of lead-based paint.

As to this statement I have no comment. I leave that to the imagination.

AMERICAN VOCATIONAL ASSOCIATION OPPOSES ESCH'S MANPOWER REVENUE-SHARING PROPOSAL

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

Mr. DANIELS of New Jersey. Mr. Speaker, The American Vocational Association composed of more than 50,000 members across the country has written a perceptive analysis of their opposition to the recent manpower revenue-sharing proposal and their support of H.R. 3613, the Emergency Employment Act. Their position is impressive considering that the AVA has been a leading voice in the Nation since 1925 for vocational and industrial arts educators, supervisors, administrators, and students.

I ask my colleagues to carefully examine AVA's views today when this matter comes to the floor because they have an avowed purpose to "foster vocational and industrial arts education as reflected in Federal legislation."

The material follows:

THE SITUATION IN REGARD TO THE MANPOWER LEGISLATION AND AVA'S OPPOSITION TO THE PROPOSED MANPOWER REVENUE SHARING BILL

It is unfortunate that the Administration's Manpower Revenue Sharing proposal (Esch Substitute) has been reduced to a bitter political issue in the U.S. House of Representatives which places the American Vocational Association between its long standing friends and supporters of both political parties. However, notwithstanding the threats of retribution made, in today's telegram to all State Directors of Vocational Education, by the Republican leaders of the House Education and Labor Committee, the AVA must and shall continue to fight for the same educational principles it fought for last year when the shoe was on the other foot and we stood with the Administration and the minority against the Democratic Senate Bill.

After discussions here this morning with Assistant Secretary of Labor (Manpower) Malcolm R. Lovell, I am persuaded that the Department of Labor may well be more flexible in its approach than the Esch Substitute bill would indicate on its face. While I doubt the revenue sharing approach can be made compatible with those assurances of educational quality in manpower programs which we still demand, and which the Administration supported last year, we will never know for sure in the absence of the full hearings and discussion which have been sadly lacking in the development of the current legislative proposal.

Contrary to the assumption made in the telegram, we do not base our objections on the theory that "vocational educators would have less influence with the governors (and

mayors) than with the U.S. Department of Labor," although such probably is the case with respect to the unregulated conduct of manpower programs. As you will see in my explanation which follows, we believe in the necessity of a balanced, Labor-HEW enforced, system of legislative requirements to the end that the educational quality and values inherent in manpower training programs will be protected.

If our Republican friends of long standing in the House of Representatives decide to make good on their threat to punish adult and school-age vocational education students, by withholding their traditional support of the vocational education program and its appropriations unless we withdraw our professional objections to their proposed Manpower Bill, I will be truly distressed. But they will have to answer (not to the American Vocational Association, but to the nine million vocational education students, youth and adults, and their families, who need and depend on their support.

What follows is an explanation of the principal considerations that have led the American Vocational Association to oppose H.R. 8141, the Manpower Revenue Sharing Act of 1971, as presently drafted, which will soon be offered on the floor of the U.S. House of Representatives as the "Esch Substitute" for the Public Service Employment Bill (H.R. 3613). It should be noted that the Public Service Employment Bill, which has been favorably considered by the House Education and Labor Committee, after extensive hearings, and by the House Rules Committee, would in no way alter, modify, compromise or otherwise affect the current Federal manpower program, while the substitute bill at issue, without benefit of any hearings or committee review, seeks to repeal the manpower program and substitute for it the Administration's revenue sharing concept.

The position of the American Vocational Association with respect to legislation in the manpower field has consistently been one of strengthening the role of vocational education in manpower development to the end of assuring quality in its education component and to prevent the development of a dual system of education in which the rich would attend academic schools while the poor would receive second class "training" outside the school setting. The programs operated under the provisions of the Manpower Act are basically education and training. This has been the historic mission of vocational education as an educational process, and as a tool for economic growth and development.

The American Vocational Association supports manpower legislation for the reasons stated in the policy resolution adopted by the AVA House of Delegates in 1969:

MANPOWER LEGISLATION

Whereas, the first annual report of the National Advisory Council on Vocational Education has highlighted the failure of our schools to educate to the level of adequate employability nearly 25 percent of the young men and women who turn 18 each year as a waste of money as well as human resources; and

Whereas, the violence, unrest, and alienation of thousands of Americans are in part, a result of unemployment and unequal opportunity; and

Whereas, the Manpower Development and Training Act of 1962 has provided both jobs and basic education and training for more than one million persons, many of whom came from the ranks of the hard core unemployed; and

Whereas, the Vocational Education Amendments of 1968 are directed toward meeting the social and economic needs of all people of all ages of all communities;

Therefore, be it resolved, that the American Vocational Association through its members, give support to legislation to extend and improve manpower programs in order that education and training may be made available for the population that has not been served by the traditional system of education; and

Be it further resolved, that the American Vocational Association, through its members, work for legislation that will strengthen and improve the educational components of manpower development including guidance, thereby making vocational education an integral part of the nation's manpower policy; and

Be it further resolved, that the American Vocational Association, through its members, supports legislation to implement a total program of vocational education and guidance to the end that the schools as established institutions of our society, provide for the career development needs of all persons.

The AVA opposes H.R. 8141 (Esch Substitute) for these reasons:

1. H.R. 8141 repeals the existing manpower legislation. At the present time, that legislation provides funds for State educational agencies to implement manpower training programs; it provides for in-service training of teaching personnel; it funds skill centers and other institutional training programs conducted by vocational education personnel. The Esch Substitute gives no assurance that these would be continued under Manpower Revenue Sharing.

2. H.R. 8141 totally lacks the assurance of educational quality which was contained in last year's Steiger Bill, H.R. 19519, the Comprehensive Manpower Act which the House of Representatives passed overwhelmingly (275-80) with the full support of the AVA, the Nixon Administration, and the Majority and Minority leadership of the House Education and Labor Committee.

Keeping in mind that last year's Comprehensive Manpower Bill not only set forth standards for the use of funds, but involved the mechanism of prime sponsor contracts which required the approval of both the Secretary of Labor and the Secretary of Health, Education, and Welfare, we commended the architects of that bill for including the following additional provisions to safeguard educational quality in the process of manpower training:

(a) Vocational educators shall serve on the Manpower Services Councils (Sec. 104 (b)).

(b) Prime sponsors must use to the extent appropriate the services and facilities of vocational and technical schools and area skill centers in carrying out the institutional training and educational components of a comprehensive manpower plan (Sec. 105 (b) (6)).

(c) Through the State comprehensive manpower plan the State must take additional steps to assure the participation of State-supported vocational education agencies in prime sponsors' programs in order to avoid unnecessary duplication of facilities and activities (Sec. 107 (b) (1-2)).

(d) Beyond regular program funds special incentive grants (up to \$75 million in FY 72) will be made to State and local prime sponsors who develop exemplary linkages between manpower programs and vocational education. (Sec. 504 (d)).

(e) HEW and Labor must concur in any rules, regulations, standards of performance, and guidelines which would affect the role and function of vocational education agencies (Sec. 108).

(f) Any components of comprehensive manpower program applications which deal with vocational education and institutional

training must be approved jointly by HEW and Labor (Sec. 108).

(g) Within six months of the CMA's effective date, HEW and Labor must report to Congress on the utilization of area vocational and technical schools under CMA and the steps taken to increase their utilization and effectiveness (Sec. 525 (a)).

(h) At the same time, the U.S. Office of Education must report to Congress on the extent to which vocational education activities and goals are being incorporated into general elementary and secondary education programs (Sec. 525 (b)).

In addition to the above statutory safeguards, further assurances of legislative and executive intent were provided by proponents on the floor of the House and by letters of assurance by Secretary Richardson and by Assistant Secretary Lovell:

Mr. Quie said: "As a supporter of vocational education, I view these (above) provisions as a major step forward."

As part of his two page letter to me endorsing the need for each of the above safeguards, Mr. Lovell said: "I want to assure you and your membership that the Department of Labor is committed to the fullest utilization of the educational system under this (last year's) bill, which has the full support of the Administration . . . I share the aversion to the possibility that a 'dual school system' might emerge . . . The Department of Labor has taken careful steps to assure that the Nation's vocational educators are integral partners in planning and implementing a comprehensive manpower system."

Secretary Richardson wrote to me in part: "The Department of Health, Education, and Welfare strongly supports the proposed Comprehensive Manpower Act (H.R. 19519). I believe that this legislation would assist the Department to make vocational education more effective in meeting the manpower needs of our nation, by making vocational educators partners in the planning and implementing of a comprehensive manpower system."

"This bill gives me the responsibility and the opportunity to review and clear all Federal rules, regulations, and standards of performance which would affect educational programs and other programs under the traditional purview of the DHEW."

Last year's bill represented a distillation of the best thinking of the Congress, the Administration, and the public interest groups, after thorough hearings, deliberations and negotiations. From our point of view it combined the Administration's interest in State and local administration (also the justification for revenue sharing) with our concern that effective standards of quality be mandated, supervised and enforced. We supported these principles and guarantees of quality. They are today totally absent from the Administration's "Esch substitute."

It has been suggested by some that our position is merely one of political partisanship. In light of the above, that claim must appear a foolish one. Our complete rebuttal to the charge of political partisanship is that in consistently supporting the identical manpower policy last year and now, with respect to the educational components thereof, we opposed the Democrats' alternative last year and the Republicans' substitute this year.

While we have never taken a rigid stand for or against any "delivery system" proposal in manpower legislation, we have consistently advocated the principle that whatever training is offered must be educationally sound and the courses of instruction offered must be truly calculated to train the enrollee for the job sought. While we believe in institutional training, we have never insisted that all manpower programs should be such.

We do insist, however, that the efficacy of the educational or training component of manpower programs is a question of professional judgment which a trainee is entitled to have made by a qualified professional.

Our legislative mandate, from the AVA House of Delegates, concerning manpower is to work for legislation which will assure that the State Board of Vocational Education is the agency which shall pass on the educational validity of the manpower training programs, and which will assure that HEW, through its Vocational Division, shall have and be required to exercise the power of concurrence of the manpower program.

The proponents of the Manpower Revenue Sharing substitute have claimed that "vocational education is protected" in their bill. But of all the assurance we deemed essential, and which were incorporated in the last year's bill, only two are contained in the Esch substitute:

(a) With respect to State and local programs (85% of the funds), there is a provision that the "units of government shall make maximum feasible use of existing educational institutions having a training capability, such as (but not limited to) area vocational schools, technical institutes, and junior and community colleges." However, none of the other essential elements, including submission of plans for approval, and incentives to cooperate, etc. are included. In fact, the principal means of Federal enforcement is by civil lawsuits brought by the U.S. Department of Justice. In essence we see a Federal program, run by governors and mayors, which requires them to submit their plans to Washington, but which completely relinquishes the Federal Government's power and responsibility to approve the plans and thereby protect and enforce the will of Congress. Without the authority to disapprove, the review power is an empty protection of the public interest.

(b) Sec. 406 provides for the concurrence of the Secretary of HEW, but only with respect to the Federally administered, vocational programs (15% of the funds).

In conclusion, the proposed "Esch Substitute" Manpower Revenue Sharing Bill, H.R. 8141, is substantially devoid of the statutory assurances that, in our professional judgment, are essential to the conduct of Federal manpower programs. The bill is totally lacking in the assurances which the U.S. House of Representatives insisted upon last year. One has only to read the floor debate of last year to recall the extent of concern which Members of the House had for these principles. For all of these reasons, the American Vocational Association opposes the Manpower Revenue Sharing Bill.

ACTION:

In light of the foregoing, it is essential that you write or wire every Member of your Congressional Delegation in Washington today expressing your opposition to the Esch Substitute, Manpower Revenue Sharing Bill—AND encourage others to do likewise.

Sincerely yours,

LOWELL A. BURKETT,
Executive Director.

ANOTHER LABOR DEPARTMENT FAILURE

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

Mr. DANIELS of New Jersey. Mr. Speaker, today I wish to commend the administration for the concern they have expressed for the plight of some Americans who are without a livelihood.

The Labor Department announced recently that a new program is operating to find jobs for scientists, engineers, and technicians laid off largely by the aerospace and defense manufacturers. I am heartened to see that the administration is attempting to alleviate the hardships faced by the millions of citizens who are idle, but am gravely disappointed in the methods it is using.

A recent article in the New York Times notes that since the inception of the program on May 3, 10,284 unemployed professionals had applied while only 300 jobs were offered. The national unemployment rate is 6.1 percent. It is obvious that at all levels there are not sufficient jobs in the private sector to employ the more than 5 million citizens who are without work, let alone the millions more who desire work but have given up looking and the 1.6 million who are about to enter the labor force.

While there is an unprecedented need for jobs, there is a critical need for public services as State and local governments faced with dwindling tax bases are hard pressed to maintain present community services.

Mr. Speaker, we are training and educating people for jobs that do not exist. Trainees of manpower programs, returning veterans, retrained engineers, and recent graduates are disillusioned and frustrated. They cannot find work. That is why on Tuesday, May 18, I led the floor fight in support of my bill, H.R. 3613, to provide emergency public service jobs in times of high unemployment.

During that debate Members on the other side of the aisle sought to discredit the approach of the Emergency Employment Act. I wish to point out that the opposition called this measure too expensive. Yet, the administration's new program provides grants up to \$500 per person to explore specific jobs, up to \$2,700 for retraining, and up to \$11,200 for relocation expenses. That is a high expenditure when no jobs are guaranteed at the end of search. My bill would create 150,000 jobs both for professionals and the unskilled.

H.R. 3613 has been called too categorical. But, the administration has just proposed a program to aid scientists and technicians who live in an area of a minimum of 1,000 similarly unemployed and who have worked in defense or aerospace jobs in 12 of the last 24 months. Thus, the Labor Department has administratively created categorical aid while at the same time condemning congressional efforts to create public service jobs as "just another categorical solution."

Under the Emergency Employment Act, persons will be able to find work within their own communities without having to uproot their families and relocate perhaps thousands of miles away. H.R. 3613 is scheduled for consideration on Tuesday, June 1, and Wednesday, June 2.

The text of the article follows:

SCIENTISTS SIGN FOR U.S. JOB AID
(By Philip Shabecoff)

WASHINGTON, May 24.—The Labor Department reported today that a Government pro-

gram to find jobs for scientists, engineers and technicians laid off by the aerospace and defense industries was now in full operation.

So far, however, the number of applicants is far outstripping the number of jobs registered with the program.

Paul J. Fasser, administrator of the department's Manpower Administration, reported at a news conference that 10,284 unemployed aerospace and defense industry professionals had registered with state employment agencies since the program officially began May 3.

During that time, he added about 300 jobs came into the national registry. He said, however, that this did not include the aerospace and defense jobs already listed with the national Job Bank. That number has not been tallied, he said.

The programs being conducted in 14 "target areas" hit hard by layoffs in the two industries. Nassau and Suffolk Counties on Long Island make up one of the target areas.

Mr. Fasser said that the Government's Technology Mobilization and Re-employment Program would serve a "universe" of about 100,000 scientists, engineers and technicians. He said he hoped that the program would be able to help find jobs for about 30,000 of these people over the next two years.

The program offers the following aids to eligible professionals in the target areas:

Job-search grants of up to \$500 for those who need to explore specific job opportunities outside their home areas.

Relocation grants of up to \$11,200 for those who need them to accept job offers outside their home area.

Grants of up to \$2,700 for job retraining by academic courses or on-the-job training or a combination of methods.

A job promotional efforts and studies to find out how people with technical abilities can use their skills in other areas.

The program is being conducted through state employment offices in the target areas. On Long Island, the state employment office handling the program is in Hicksville.

Mr. Fasser said today that eligible professionals would be told by their state offices what jobs are currently available would be placed on a national registry of available aerospace and defense personnel, and would even be assisted with their claims for unemployment insurance.

The target areas are those with a minimum of 1,000 unemployed scientists, engineers and technicians or areas with 500 unemployed and an overall unemployment rate of 6 percent or higher.

In addition to Long Island, the target areas are Huntsville, Ala.; Los Angeles-Long Beach, Orange County, San Diego and San Jose, Calif.; Atlanta; Wichita, Kan.; Boston; St. Louis and nearby areas of Illinois; Philadelphia-Camden, N.J.; Dallas and Fort Worth and Seattle.

So far, the largest numbers of applicants for the new program—3,327—are from the Seattle area. There have been 355 applications on Long Island.

The eligibility requirements for the program include the proof of having worked in defense or aerospace jobs in 12 of the last 24 months, or having been "substantially attached" to these industries, having been laid off as a result of contract terminations or reductions, having worked or lived in the target area and having canvassed employment opportunities in his home area.

BARBARIANS AT THE GATES

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

Mr. WAGGONER. Mr. Speaker, an article appears in the current issue of National Review which is too precious to

waste to the transitory nature of a weekly magazine. It must be preserved in the archives of this Nation's history and I would like to insert it in today's CONGRESSIONAL RECORD to be sure that it is available for thoughtful historians in some future time, if indeed there is a future time for this Nation. It is titled, "Barbarians at the Gates" and is written by James Burnham, as follows:

BARBARIANS AT THE GATES

(By James Burnham)

THE PROTRACTED CONFLICT

Many good, respectable people have taken part in this spring's antiwar campaign. They have contributed money, lent their names to appeals and committees, opened their churches and homes to the Kids, marched on April 24, spoken at rallies.

These good, respectable people, and especially the political figures conspicuous among them, have been anxious, as usual, to distinguish their own "responsible" expression of dissent from the "excesses" of "a small handful." However, granted that their motives were uniformly angelic, this in no way alters the objective consequences of their actions. They entered into a united front with the pro-Moscow Communist Party, the Trotskyist party, and assorted Maoists, Guevarists, anarchists and freaks; they marched beside them and spoke from the same platforms, they condoned and excused their behavior; they gave the revolutionists aid, comfort and cover.

In this operation, the revolutionists were the leaders; the good, respectable people, the led. Is this not plain in the triumphant voice of Madame Binh issuing her orders from Paris? What took place in Washington was a revolutionary field training exercise, designed to test the cadres' ability to assemble a large number of people representing a broad political and social spectrum, to guide these people along predetermined political lines, and to use them as a shield for revolutionary maneuvers.

NON-PROLETARIAN CULTURAL REVOLUTION

The revolutionary cadres in this country are still tiny, and it may seem absurd to discuss them seriously in strategic terms. But among them are able and energetic persons. Our revolutionary movement has gone through a Great Non-Proletarian Cultural Revolution in the past eight years, from which it is now emerging rejuvenated. This most recent "Spring Offensive" was the first large-scale operation in which there was, from the planning stage on, effective cooperation among the pro-Moscow Communists, the Trotskyists (who have made big strides lately), the Maoists and Ur-Maoists, and the irregulars, freaks and wild men. The disorderly influx of student youth eight years ago, which at first knocked the old-line Communists off their feet, is becoming disciplined and experienced. If it is not yet fused with the old organizations, it is uniting with them in common fronts against the enemy.

The term "antiwar" needs scrutiny. "Antiwar" is not "pacifist." "Antiwar" often means, as now, to be against *this* war—more specifically, against the American side in the Vietnam war. This is what all the revolutionists and some of the others mean. They are not in the least pacifist as should be obvious from their deliberately provocative, aggressive appearance, rhetoric, manner and conduct. They are warriors, but fighting in another war.

The new recruits in our revolutionary movement have perfected several tactics of profound revolutionary significance. One of the most striking is the use of obscenities, blasphemies and guerrilla theater to break

down the "sacred" aura—the *mani*—and the taboos that express and support the authority of the magistrates, institutions and procedures without which a social structure cannot hold together. To call policemen "_____ pigs" amazes and disgusts at first hearing. But constantly reiterated—in accordance with the precepts of *Mein Kampf*—it gradually alters the social image of the police. It promotes and reinforces, not only in the users of the phrase but in many who hear it, disrespect and scorn for the police, and a willingness to confront and combat them. I can call a cop a "_____ pig" and nothing happens to me! I don't get jailed or beaten or even criticized; the respectable people keep marching beside me. So I can go right ahead with the next steps—throwing rocks at the police, bombing police stations, knifing and shooting policemen. Why not? Isn't that the proper way to deal with "_____ pigs?"

So also with professors, congressmen, cabinet members, generals, Presidents. Anything goes with MacBird, doesn't it? And since the President, any President, is a lying fascist murderer, the only fit punishment for him is execution.

A similar tactic is used against procedures. The disruption of speakers and meetings, blocking of entrances, hallways, bridges and highways, occupation and trashing of offices, are obscenities in action. They desecrate and dissolve the processes of communication, transport and administration that are essential to the social structure. Gradually, with repeated performance, these shrewdly subversive actions come to be accepted by public opinion as "a normal part of the democratic process."

FANTASTIC AND GROTESQUE

It is fantastic that a great nation should permit the assault that has been mounted this spring on the seat of government—on the courts, the ministries of justice, security and defense, on the legislature itself. It is not simply fantastic but grotesque that revolutionists could have operated from and in the headquarters of a major department of government—Health, Education and Welfare.

But what is most fantastic of all is that we have come to accept these aggressions against civilized order. When the police finally threw the Mayday gang out of West Potomac Park, the university campuses, churches, and (so the newspapers reported) "many private homes" made them welcome. And some people think it's Abbie Hoffman who is crazy!

HORROR AND SHOCK OF AMERICAN PEOPLE OVER EXPOSURE OF INHUMANE AND BRUTAL MASSACRE OF BABY SEALS

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

Mr. MURPHY of New York. Mr. Speaker, the horror and shock of the American people over the exposure of the inhumane and brutal massacre of baby seals, their begging eyes waiting for the cruel club of the harvester; ice floes bloody and covered with seals gaffed, kicked, clubbed, and shot, nursing babies skinned alive before their mother's eyes, has finally brought to the country's attention the total lack of protection for all sea mammals. Our country has long been conservation minded—we have, over the years, realized the need to protect the species of animals indigenous to our

country, the symbol of the magnitude, beauty and wealth of our Nation. The same concern and protection should be given to the animals that live in the sea.

The story of the seal harvest on the Pribilof Islands and Canada's Gulf of St. Lawrence is a shocking one indeed. In the past, American, Canadian, and Japanese sealers have shot and speared fur seals from ships. They could not tell the sex or age of the animals, many of which were lost through wounding or sinking. When a nursing mother was killed it often meant slow starvation for her pup. This open sea killing was halted by international agreement in 1911. In exchange for the ban on pelagic sealing, the United States and the Soviet Union provide Japan and Canada each with 15 percent of the harvest from the Pribilofs and 15 percent of the harvest from those islands under the jurisdiction of the Soviet Union.

The Aleut Natives on the Pribilof Islands, as they have done for generations, drive the seals to shore from the coastal water, then killing them with clubs and knives. The skins are then sold, by the U.S. Department of Commerce, to the Fouke Co., which holds an exclusive contract with the Government for processing the skins.

I believe that this slaughtering is not in the interest of our country or any other country and I say it should stop.

There are other sea mammals which are being slaughtered to the point where some species are in danger of becoming extinct.

For instance, no more than 10,000 polar bears are left in the world according to a recent international conference held in Morges, Switzerland. Polar bears once lived in comparative safety, on their floating ice homes in the open arctic seas. But open-sea hunting, with its planes, fast motor boats and high-powered rifles have taken their toll of polar bears.

Whales too have long suffered from man's savagery. For more than 1,000 years they have been pursued for their valuable oil and whalebone. As whalers exhausted one species, they turned to another, finally extending their operations to all parts of the world. One by one, valuable kinds of whales were decimated. During the intense whaling in the last half of the 19th century, four important kinds of whales found in our waters were nearly destroyed.

The Atlantic right whale once ranged southward along our Atlantic coast as far as South Carolina where it probably wintered. Until depleted, it was for many years the mainstay of the New England whalers. Whaling in the early part of the 19th century depleted the gray whale almost to extinction. The gray whale was hunted intensely over most of its range, which includes the California coast, by Eskimos in Alaska, Indians along the Northwest coast, and whalers on our Pacific coast. Hunters even entered its nursery lagoons to take the cows and young calves.

In the last 60 years, whaling fleets

have taken more than 325,000 blue whales. Experts estimate there were 100,000 blue whales left in 1940. Today there are fewer than 3,000, perhaps as few as 500 in the home waters of the Antarctic. International Wildlife magazine says that—

Though most of the nations prominent in whaling early in the century have backed away from the enterprise, a few continue to whale extensively. And proposals of protection for the blue whale have failed against the objections of those nations which desire to continue to reap the whale.

Scott McVay in Scientific American said:

Each of the past eras of whaling has virtually eradicated its own most highly prized whale species. The bowhead whale and the right whales are monuments to man's thoughtlessness in the days of sail. The blue whale and humpback—and possibly the finback and sei as well—are monuments to an industry's lack of foresight in the days of steam. The whaling nations today face a third and almost certainly a final decision. If essentially unrestricted whaling continues, the only surviving stock of any economic importance—the sperm whale, of whose numbers more than 250,000 have been killed in the past 12 years—is doomed to become a monument to international folly.

The sea otter was once the world's most valuable fur animal. The sea otter performed a service to man and to nature by keeping in balance the natural order of his domain in the sea. He has a voracious appetite for sea urchins which in turn eat the giant kelp, the mainstay of life for the fish of the area. When the sea otter was virtually wiped out by hunters, the sea urchins consumed the food-supplying kelp, thus leaving none for the fish and not only endangering the total ecology of the area, but severely damaging fishing for consumer purposes.

So it is easy to see that this indiscriminate slaughter of the world's sea mammals does no more than add to the pocketbook of a few profiteers and it is virtually destroying this gift of nature.

Therefore, I am introducing today a bill to protect all ocean mammals from harassment or slaughter.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CAREY of New York (at the request of Mr. BOGGS), for June 1 and 2, on account of death in family.

Mr. DENT (at the request of Mr. O'NEILL), for June 1 and balance of the week, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. TERRY) and to revise and extend their remarks and include extraneous matter:)

Mr. BROOMFIELD, today, for 5 minutes.
Mr. COLLINS of Texas, on June 2, for 20 minutes.

Mr. MILLER of Ohio, today, for 5 minutes.

(The following Members (at the request of Mr. DAVIS of South Carolina) and to revise and extend their remarks and include extraneous matter:)

Mr. FLOOD, today, for 10 minutes.
Mr. RODINO, today, for 10 minutes.
Mr. MITCHELL, today, for 10 minutes.
Mr. KASTENMEIER, today, for 5 minutes.
Mr. McFALL, today, for 10 minutes.
Mr. GONZALEZ, today, for 10 minutes.
Mr. ST GERMAIN, today, for 10 minutes.
Mr. PUCINSKI, on June 2, for 30 minutes.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. TERRY) and to include extraneous matter:)

Mr. BURKE of Florida.
Mr. PELLY in three instances.
Mr. DICKINSON.
Mr. GUBE.
Mr. COLLINS of Texas in five instances.
Mr. CARTER.
Mr. REID of New York.
Mr. SCHWENGL in two instances.
Mr. FREY.
Mr. CONABLE.
Mr. HUNT in two instances.
Mr. ANDERSON of Illinois.
Mr. KEMP.
Mr. SCOTT.
Mr. SCHERLE.
Mr. WYMAN in two instances.
Mr. HOSMER in two instances.
Mr. BRAY in two instances.
Mr. BYRNES of Wisconsin.
Mr. MILLER of Ohio.
Mrs. HECKLER of Massachusetts.
Mr. CHAMBERLAIN.
Mr. KUYKENDALL.
Mr. BELL.

(The following Members (at the request of Mr. DAVIS of South Carolina) and to include extraneous matter:)

Mr. EILBERG.
Mr. EDWARDS of California in two instances.
Mr. LONG of Maryland.
Mr. HAMILTON.
Mr. BADILLO in five instances.
Mr. ADAMS in three instances.
Mr. MINISH in two instances.
Mr. FASCELL in three instances.
Mr. BINGHAM in two instances.
Mr. BENNETT in two instances.
Mr. RYAN in three instances.
Mr. HUNGATE in two instances.
Mr. GONZALEZ in two instances.
Mr. HANNA in two instances.
Mrs. SULLIVAN in two instances.
Mr. ANDERSON of California in three instances.
Mr. GRIFFIN in two instances.
Mr. ASHLEY in two instances.
Mr. HATHAWAY in two instances.
Mr. PICKLE 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. 103. Joint resolution to authorize the President to designate June 1, 1971, as "Medical Library Association Day".

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 12 minutes p.m.), the House adjourned until tomorrow, Wednesday, June 2, 1971, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

776. A communication from the President of the United States, transmitting amendments to the request for appropriations transmitted in the budget for fiscal year 1972 for the Atomic Energy Commission (H. Doc. No. 92-116); to the Committee on Appropriations and ordered to be printed.

777. A communication from the President of the United States, transmitting amendments to the request for appropriations transmitted in the budget for fiscal year 1972 for the Department of Health, Education, and Welfare (H. Doc. No. 92-117); to the Committee on Appropriations and ordered to be printed.

778. A letter from the Deputy Secretary of Defense, transmitting a report on disbursements made against the appropriation for "Contingencies, Defense" in the Department of Defense Appropriation Act, fiscal year 1971, covering the period July 1, 1970, to March 31, 1971; to the Committee on Appropriations.

779. A letter from the Secretary of Commerce, transmitting the 95th Quarterly Report on Export Control, covering the first quarter of 1971, pursuant to the Export Administration Act of 1969; to the Committee on Banking and Currency.

780. A letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to amend acts entitled "An act authorizing the Secretary of the Interior to arrange with States or Territories for the education, medical attention, relief of distress, and social welfare of Indians, and for other purposes", and "To transfer the maintenance and operation of hospital and health facilities for Indians to the Public Health Service, and for other purposes" and for other purposes; to the Committee on Interior and Insular Affairs.

781. A letter from Acting Chairman, Indian Claims Commission, transmitting a report of the final determination of the Commission in docket No. 167, *The Creek Nation, Plaintiff, v. The United States of America, Defendant*, pursuant to 60 Stat. 1049 and 1055; to the Committee on Interior and Insular Affairs.

782. A letter from the Executive Director, Federal Communications Commission, transmitting a report on the backlog of pending applications and hearing cases in the Commission as of April 30, 1971, pursuant to section 5(e) of Communications Act, as amended; to the Committee on Interstate and Foreign Commerce.

783. A letter from the Chairman, Federal Power Commission, transmitting a copy of a map entitled "Major Natural Gas Pipelines, as of December 31, 1970"; to the Committee on Interstate and Foreign Commerce.

784. A letter from the American Symphony Orchestra League, Inc., transmitting the audit report of the league for the fiscal year ended March 31, 1971, pursuant to Public Law 87-817; to the Committee on the Judiciary.

RECEIVED FROM THE COMPTROLLER GENERAL

785. A letter from the Comptroller General of the United States, transmitting a report that the Farmers Home Administration, Department of Agriculture, did not enforce its requirements designed to insure the financial soundness of loans to grazing associations; to the Committee on Government Operations.

786. A letter from the Comptroller General of the United States, transmitting a report on excesses and improvements made in inventories at naval shipyards, Department of the Navy; 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. 3146. A bill to authorize the Secretary of Agriculture to cooperate with the States and subdivisions thereof in the enforcement of State and local laws, rules, and regulations within the National Forest System. (Rept. No. 92-233). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS of Arkansas: Committee on Ways and Means. H.R. 8313. A bill to amend the Social Security Act in order to continue for 2 years the temporary assistance program for U.S. citizens returned from abroad (Rept. No. 92-234). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS of Arkansas: Committee on Ways and Means. H.R. 8311. A bill to amend the Renegotiation Act of 1951 to extend the act for 2 years, to modify the interest rate on excessive profits and on refunds, and to provide that the Court of Claims shall have jurisdiction of renegotiation cases; with amendments (Rept. No. 92-235). Referred to the Committee of the Whole House on the State of the Union.

Mr. ANDREWS of Alabama: Committee on Appropriation. H.R. 8825. A bill making appropriations for the legislative branch for the fiscal year ending June 30, 1972, and for other purposes (Rept. No. 92-236). 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. ASPIN: H.R. 8781. A bill to amend the Internal Revenue Code of 1954 to impose a retailers excise tax on the phosphate content of cleaning agents, and to provide that the collections of such tax shall be paid over to the municipalities in which such cleaning agents were sold; to the Committee on Ways and Means.

By Mr. BENNETT (for himself, Mr. SIKES, Mr. GARMATZ, Mr. CLARK, Mr. HALPERN, Mr. PEPPER, Mr. BEVILL, Mr. KUYKENDALL, Mr. NICHOLS, Mr. RARICK, Mr. MANN, Mr. WHITEHURST, and Mr. METCALFE):

H.R. 8782. A bill to provide Federal grants to assist elementary and secondary schools to carry on programs to teach moral and ethical principles; to the Committee on Education and Labor.

By Mr. BEVILL: H.R. 8783. A bill to amend the Federal Coal Mine Health and Safety Act of 1969 to provide for the continuance of the present system of entitlements; to the Committee on Education and Labor.

By Mr. BROOMFIELD:

H.R. 8784. A bill to discourage the use of leg-hold or steel jaw traps on animals in the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. BROTZMAN:

H.R. 8785. A bill for the relief of the Southwest Metropolitan Water and Sanitation District, Colorado; to the Committee on the Judiciary.

By Mr. BROYHILL of North Carolina:

H.R. 8786. A bill to encourage States to establish abandoned automobile removal programs and to provide for tax incentives for automobile scrap processing; to the Committee on Ways and Means.

By Mr. BURTON (for himself, Mr. ASPINALL, Mr. SAYLOR, Mr. DON H. CLAUSEN, Mr. HOSMER, Mr. TAYLOR, Mr. FOLEY, Mr. SKUBITZ, Mr. RYAN, Mr. RUPPE, Mrs. MINK, Mr. MEEDS, Mr. LUJAN, Mr. STEPHENS, Mr. VIGORITO, Mr. RONCALIO, Mr. BEGICH, Mr. McCLURE, Mr. TERRY, Mr. KASTENMEIER, Mr. STEIGER of Arizona, Mr. DELLENBACK, Mr. CORDOVA, Mr. MATSUNAGA and Mrs. CHISHOLM):

H.R. 8787. A bill to provide that the unincorporated territories of Guam and the Virgin Islands shall each be represented in Congress by a Delegate to the House of Representatives; to the Committee on Interior and Insular Affairs.

By Mr. COUGHLIN (for himself and Mr. BIESTER):

H.R. 8788. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. DOWNING:

H.R. 8789. A bill to amend title II of the Social Security Act to provide that the surviving spouse of an insured worker may authorize direct payment of the worker's lump-sum death payment to the funeral home for his burial expenses; to the Committee on Ways and Means.

By Mr. FISHER:

H.R. 8790. A bill to amend section 1481 of title 10 of the United States Code to extend funeral expense coverage thereunder with respect to military retirees who expire while patients in certain U.S. hospitals; to the Committee on Armed Services.

By Mr. FRASER:

H.R. 8791. A bill to amend the Northwest Atlantic Fisheries Act of 1950, the North Pacific Fisheries Act of 1954, and for other purposes; to the Committee on Foreign Affairs.

By Mr. GUDE:

H.R. 8792. A bill to authorize the transfer of jurisdiction of certain lands in the National Park System located in Montgomery County, Md., and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 8793. A bill to amend section 553, title 5, United States Code, relating to administrative practice and procedure, to remove certain exemptions from the requirement of notice of proposed rulemaking; to the Committee on the Judiciary.

By Mr. HAGAN (for himself, Mr. BROYHILL of Virginia, Mr. McKINNEY, and Mr. HOGAN):

H.R. 8794. A bill to provide for the payment of the cost of medical, surgical, hospital, or related health care services provided certain retired, disabled officers and members of the Metropolitan Police Force of the District of Columbia, the Fire Department of the District of Columbia, the U.S. Park Police Force, the Executive Protective Service, and the U.S. Secret Service, and for other purposes; to the Committee on the District of Columbia.

By Mr. HECHLER of West Virginia:

H.R. 8795. A bill to provide for the transfer to the Secretary of Labor of all functions of the Secretary of the Interior relating to

the health and safety of persons working in the mineral industries, and for other purposes; to the Committee on Education and Labor.

By Mr. HOSMER (for himself, Mr. STEIGER of Arizona, Mr. DON H. CLAUSEN, and Mr. SEBELIUS):

H.R. 8796. A bill to provide for the assumption of the control and operation by Indian tribes and communities of certain programs and services provided for them by the Federal Government, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HOSMER (for himself, Mr. DON H. CLAUSEN, Mr. CAMP, Mr. LUJAN, Mr. SEBELIUS, and Mr. TERRY):

H.R. 8797. A bill to provide for the creation of the Indian Trust Counsel Authority, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. JOHNSON of California (for himself and Mr. DON H. CLAUSEN):

H.R. 8798. A bill to preserve the domestic gold mining industry and to increase the domestic production of gold; to the Committee on Interior and Insular Affairs.

By Mr. KOCH (for himself, Mr. CORDOVA, Mr. FAUNTROY, Mr. GREEN of Pennsylvania, Mr. ROBINSON of Virginia, Mr. JAMES V. STANTON, Mr. SYMINGTON, and Mr. TIERNAN):

H.R. 8799. A bill to amend title V of the Social Security Act to extend for 5 years (until June 30, 1977) the period within which certain special project grants may be made thereunder; to the Committee on Ways and Means.

By Mr. MCFALL:

H.R. 8800. A bill to amend the Consolidated Farmers Home Administration Act of 1961 to authorize loans and grants to certain cooperatives serving farmers and rural residents, and for other purposes; to the Committee on Agriculture.

H.R. 8801. A bill to amend the Immigration and Nationality Act to classify as "Special Immigrants," alien veterans who served honorably in the U.S. Armed Forces, together with their spouses and children, for purposes of lawful admission into the United States; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 8802. A bill to amend the Egg Products Inspection Act to provide that certain plants which process egg products shall be exempt from such act for a certain period of time; to the Committee on Agriculture.

By Mr. MIKVA:

H.R. 8803. A bill to amend the Railroad Retirement Act of 1937 and the Railroad Retirement Tax Act to revise the eligibility conditions for annuities, to change the railroad retirement tax rates, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MURPHY of New York:

H.R. 8804. A bill to protect ocean mammals from being pursued, harassed, or killed; and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. NIX (for himself, Mr. DULSKI, Mr. HENDERSON, Mr. DANIELS of New Jersey, Mr. HANLEY, Mr. WHITE, Mr. BRASCO, Mr. PURCELL, Mr. BEVILL, Mr. GROSS, Mr. DERWINSKI, Mr. SCOTT, Mr. McCLURE, Mr. HOGAN, and Mr. YOUNG of Florida):

H.R. 8805. A bill to amend title 39, United States Code, to exclude from the mails as a special category of nonmailable matter certain material offered for sale to minors, to improve the protection of the right of privacy by defining obscene mail matter, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PERKINS:

H.R. 8806. A bill to authorize the Secretary of the Interior to establish and administer a program of direct Federal employment to improve the quality of the environment, the public lands, Indian reservations, and commonly owned and shared resources through

a program of recreational development, reforestation and conservation management, and for other purposes; to the Committee on Education and Labor.

By Mr. PETTIS:

H.R. 8807. A bill to amend the Railroad Unemployment Insurance Act to provide that the receipt of military retirement pay shall not cause benefits under that act to be diminished; to the Committee on Interstate and Foreign Commerce.

By Mr. QUILLEN:

H.R. 8808. A bill to equalize civil service retirement annuities and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 8809. A bill to amend section 8338, title 5, United States Code, to correct inequities applicable to those employees or members separated from service with title to deferred annuities, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. REID of New York:

H.R. 8810. A bill to amend title 10 of the United States Code to prohibit the discharge or release from active duty from the Armed Forces of persons who are addicted to narcotics or dangerous drugs; to the Committee on Armed Services.

H.R. 8811. A bill to expand eligibility for the treatment of addiction to narcotics by the Veterans' Administration; to the Committee on Veterans' Affairs.

H.R. 8812. A bill to amend title II of the Social Security Act to provide for purposes of the provisions thereof relating to deductions from benefits on account of excess earnings, there be disregarded, in certain cases, income derived from the sale of certain copyrights, literary, musical, or artistic compositions, letters or memorandums, or similar property; to the Committee on Ways and Means.

H.R. 8813. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. RODINO (for himself, Mr. RYAN, Mr. EILBERG, Mr. FLOWERS and Mr. SEIBERLING):

H.R. 8814. A bill to make additional immigrant visas available for immigrants from certain foreign countries, and for other purposes; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 8815. A bill to amend the Child Nutrition Act of 1966 to make the school breakfast program permanent, and for other purposes; to the Committee on Education and Labor.

By Mr. SAYLOR (for himself, Mr. HOSMER, Mr. SKUBITZ, Mr. McCLURE, Mr. DON H. CLAUSEN, Mr. LLOYD, Mr. DELLENBACK, Mr. SEBELIUS, Mr. McKEVITT, and Mr. CORDOVA):

H.R. 8816. A bill to provide for the establishment of the Gateway National Recreation Area in the States of New York and New Jersey, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SIKES:

H.R. 8817. A bill to further cooperative forestry programs administered by the Secretary of Agriculture and for other purposes; to the Committee on Agriculture.

By Mr. THOMPSON of Georgia:

H.R. 8818. A bill to amend the National Labor Relations Act to make certain secondary boycotts, regardless of motive, an unfair labor practice, and for other purposes; to the Committee on Education and Labor.

H.R. 8819. A bill to amend section 4491 of the Internal Revenue Code of 1954 to provide that the weight portion of the excise tax on the use of civil aircraft shall apply to piston-engined aircraft only if they have a maximum certificated takeoff weight of more than 4,000 pounds; to the Committee on Ways and Means.

By Mr. THOMPSON of New Jersey:

H.R. 8820. A bill for the relief of Soviet Jews; to the Committee on the Judiciary.

By Mr. WATTS:

H.R. 8821. A bill relating to the treatment of certain stock options for purposes of the 50-percent maximum tax on earned income; to the Committee on Ways and Means.

By Mr. ANDREWS of Alabama:

H.R. 8825. A bill making appropriations for the legislative branch for the fiscal year ending June 30, 1972, and for other purposes.

By Mr. BINGHAM:

H.J. Res. 669. Joint resolution to limit the authority of the President of the United States to intervene abroad or to make war in the absence of a congressional declaration of war; to the Committee on Foreign Affairs.

By Mr. PEPPER:

H.J. Res. 670. Joint resolution authorizing the President of the United States to issue a proclamation designating the week beginning October 10, 1971, as "National Records Management Week"; to the Committee on the Judiciary.

By Mr. SATTERFIELD:

H.J. Res. 671. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. SEIBERLING (for himself, Mr. HALPERN, Mr. BEGICH, Mr. GUDE, Mr. FORSYTHE, Mr. WILLIAM D. FORD, Mrs. GRASSO, Mr. MIKVA, and Mr. ANDERSON of Illinois):

H.J. Res. 672. Joint resolution authorizing the President to call an international conference to study the problems with respect to the development and use of supersonic aircraft; to the Committee on Interstate and Foreign Commerce.

By Mr. WHITEHURST:

H.J. Res. 673. Joint resolution to proclaim the last Friday in April as Arbor Day; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

200. By the SPEAKER: Memorial of the Senate of the Commonwealth of Massachusetts, relative to the persecution of Soviet Jews; to the Committee on Foreign Affairs.

201. Also, memorial of the Legislature of the State of Oklahoma, relative to the development of Oklahoma's water resources; to the Committee on Interior and Insular Affairs.

202. Also, memorial of the Legislature of the State of Alabama, relative to the posthumous restoration of Robert E. Lee's citizenship; to the Committee on the Judiciary.

PRIVATE BILLS

Under clause 1 of rule XXII, private bills and resolutions were introduced and referred severally as follows:

By Mr. ADDABBO:

H.R. 8822. A bill for the relief of Ester Dina Bursztyn; to the Committee on the Judiciary.

By Mr. BROTZMAN:

H.R. 8823. A bill for the relief of Stanislav M. Voukovich; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 8824. A bill for the relief of Jesus Tagle Kangleon and his wife, Solita Alconcel Kangleon; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

REASON ON HIS SIDE

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 1, 1971

Mr. BYRD of Virginia. Mr. President, the April 5 edition of the Richmond News Leader included an excellent editorial on the subject of the prohibition against importation of chrome ore from Rhodesia.

Chrome ore is a material vital to national defense, and the United States presently receives most of its supply from the Soviet Union. I have introduced legislation which would end the present ban on importing chrome from Rhodesia. The editorial supports their position.

I ask unanimous consent that the editorial, "Reason on His Side," be printed in the Extensions of Remarks.

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

[From the Richmond News Leader, April 5, 1971]

REASON ON HIS SIDE

Virginia's senior Senator, Harry F. Byrd, Jr., has a talent for zeroing in on a double standard with the precision of an expert bombardier. He believes that this nation's policy on trade with Rhodesia is one of the most yawning double standards languishing around Washington today, and in recent weeks he has been firing away at it. He has reason on his side.

Senator Byrd hopes that the Nixon Administration will drop all of the anti-Rhodesia economic sanctions that went into effect January 5, 1967. But he realizes that the lifting of those sanctions is unlikely. So his particular complaint is that the United States depends on the Soviet for chrome ore. Rhodesia is the major Free World producer of chrome ore; the only other signifi-

cant source of the ore in the entire world is the Soviet Union. Since the U.S. invoked sanctions against Rhodesia, the Soviets have taken advantage of their monopoly position to raise their price of chrome to more than twice their competitive, pre-sanction price. Consequently, money that used to go to companies in Rhodesia for \$35 a ton, now is being channeled to the Soviets at \$75 a ton.

The situation is ridiculous, and Senator Byrd knows it. So a week ago he introduced a bill to allow the importation of chrome ore from Rhodesia (a similar bill sponsored by 25 Congressmen has been introduced in the House). Under the Senator's proposal, the President could not prohibit imports of a strategic material from a Free-World country, if the same material is allowed into the U.S. from a Communist nation. Chrome ore is a strategic material. It is a necessary component of stainless steel, and it is critical in the manufacture of engines for missiles and jets.

Under present American policy, the United States is dependent on the Soviets for