welcome this opportunity to call them to your attention:

IMPLICATIONS OF CONGRESSIONAL ACTION ON FOREIGN ASSISTANCE

The frustrations of the Congress are easily understood in its response to Presidential and other pressures in processing foreign assistance legislation, notably in respect to such matters as military aid to Greece and Cambodia which with all military programs it should have separated long ago from U.S. and U.N. development assistance and relief efforts.

Nevertheless the action of the Senate in killing the current foreign aid bill in the wake of the U.N. resolution of the China issue has had ominous reverberations both here and abroad. The subsequent passage by the Senate of economic assistance (in a more limited form) and military assistance authorizations has only partially offset the damage.

These comments focus on development assistance administered through the Agency for International Development (AID) or United Nations agencies.

1. The Senate action signaled a direct linkage between the granting and withdrawal of assistance to the way a country votes in the U.N. and accords other support for U.S. purposes. A sufficient number of Congressmen responded in pique to the U.N. vote on China to give a worldwide impression that development assistance and other foreign aid was in fact extended primarily to gain support—rather than to help economic and social development among impoverished nations.

2. Most of our bilateral and multilateral economic and technical assistance has been developed on the basis of matching and cooperative efforts of national governments and international agencies. A worldwide network of matching funds and joint ventures has been a keystone of the U.S. contribution: U.N. Development Program, the Children's Fund, Palestine Refugees, U.N. Program in Population Control, World Food Program, and many others. Thousands of agriculture, health, education, and other government agencies, universities, and voluntary associations all over the world are engaged in development efforts and reforms made possible by this network of assistance efforts. To pull out or impair the critical U.S. element without careful phasing will cripple the total effort. Millions of persons involved and affected will be resentful about the U.S.

3. Precipitous ending of the program would result in irreparable waste of institutional capabilities and human assets developed over a long period of time. Granted that the performance of U.S. and international agencies is not of the highest standard, the solution is not to destroy the system and start over. Administration of assistance and of development programs is exceedingly difficult. A company desiring to improve its product or methods dosen't disband and start from scratch. Intensive planning and development are necessary to phase into new approaches. AID is continuously diverted from implementing to rescuing its program and to maintain morale.

4. Officials in Moscow and Peking must be exultant. It should be obvious that their aim is to foment U.S. withdrawal from international cooperation and involvement. They will be glad to take over our place as partners of the third world, offering aid with no overt strings. They are already doing this. The People's Republic of China has already started to champion the cause of small nations at the U.N. Whatever the final outcome of Congressional action in salvaging the program, much psychological damage has been done, as well as considerable reduction in assistance. As the U.S. increasingly stands alone, the advocates of higher defense budgets will gain support. The ultimate cost to the U.S. is incalculable.

5. Part of the opposition to development assistance is based on the allegation that the U.S. carries an excessive burden—that we should care for our domestic needs before assisting low-income countries. The first fallacy is that 11 other countries allocate a higher percentage of their GNP to foreign assistance. Our percentage has been steadily decreasing. With the highest per capita income—30 to 40 times that of many countries—our allocation to economic and technical assistance can hardly be called scarificial, especially since over 80% of the dollars are used to purchase U.S. goods and services. The second fallacy is the assumption that a person or nation should take complete care of his own needs before helping to meet those of others, whether in a local, national, or world community. This is a self-destructive and morally reprehensible assumption.

These five factors or consequences are surely sufficient grounds for the Congress, hopefully with accommodated support by the President, to revive the foreign assistance program at a creditable level and now to speed appropriations. The year to which the legislation applies is already one-third over. This is no justification for such delinqunecy in operating a program.

If this is accomplished, we can face the third world with less embarrassment. We can also secure time to work out those improvements in the assistance system which are long overdue. One of the first steps, now initiated by the Senate is to separate military aid from development assistance and relief. Another is to channel an increasing proportion of development loan funds through international agencies. A third is to press for better administration by AID and U.N. agencies. And above all our officials should stop manipulating development assistance for short-run poltical purposes with the expectation that other countries should be grateful for what we do in our self-interest.

HOUSE OF REPRESENTATIVES—*Tuesday, December 14, 1971*

The House met at 11 o'clock a.m.

Rev. George M. Perry, pastor, Bethany Church, Inc., Bronx, N.Y., offered the following prayer:

God is our refuge and strength, a very present help in trouble.

We come before Your throne of grace and mercy, O God, in behalf of the people of this great Nation, and in behalf of these Representatives chosen by the people. We look to You, Lord God, for strength and help in these uncertain times. Each one of us, here and now, commit ourselves to you, whom we honor as the Governor of the universe.

We look to You today also for divine wisdom to deal with the complex problems of our society and our world.

We look to You today for courage and strength to make the kinds of decisions that will ultimately bring answers to the needs of humanity, and that will bring glory to God.

We look to You today in behalf of our troubled Nation. Help us to realize that "righteousness exalteth a nation, but sin is a reproach to any people."

In these closing days of this session, may we understand that it is Thy leadership that we need and want. 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.

FURTHER MESSAGE FROM THE SENATE

(OMITTED FROM THE PROCEEDINGS OF DECEMBER 13, 1971)

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 9961) entitled "An act to provide Federal credit unions with 2 additional years to meet the requirements for insurance, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the joint resolution (S.J. Res. 176) entitled "Joint resolution to extend the authority of the Secretary of Housing and Urban Development with respect to interest rates on insured mortgages, to extend and modify certain provisions of the National Flood Insurance Act of 1968, and for other purposes."

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 701. An act to amend the Migratory Bird Hunting Stamp Act to authorize the Secretary of the Interior to establish the fee for stamps issued thereunder, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2891) entitled "An act to extend and amend the Economic Stabilization Act of 1970."

The message also announced that the Senate agrees to the amendment of the House with amendments to a bill of the Senate of the following title:

S. 1938. An act to amend certain provisions of subtitle II of title 28, District of Columbia Code, relating to interest and usury.

REV. GEORGE PERRY

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

Mr. BINGHAM. Mr. Speaker, we have had the privilege today of having prayer

offered by Rev. George M. Perry, pastor of Bethany Church, Christian and Missionary Alliance, from the Bronx, N.Y.

Reverend Perry is a native of the Bronx and was born and raised in the community where his church now is. He attended P.S. 63 and James Monroe High School in the Bronx and later went for his undergraduate work to the University of Washington.

He later received a bachelor of theology degree from Northwest College, in Kirkland, Wash., and did graduate work at the Zion Bible Institute in East Providence, R.I., and Hunter and Lehman Colleges in New York State.

Currently, he is doing graduate work in education at Antioch College in Philadelphia.

He is on the board of directors of the National Negro Evangelical Association and has served in many ways as a distinguished leader in the community in my district in the Bronx. For example, he is coordinator of the community liaison team for the Community School Board No. 9 in the Bronx. Also he manages the church youth program in his own church serving more than 100 youngsters—with a Girl Scout program, a special music program and a tutorial program which includes a black studies program taught by college students from the congregation.

Reverend Perry is also a former instructor in black studies at Nyack Missionary College in Nyack, N.Y., which is the denominational college of the Christian and Missionary Alliance.

Mr. Speaker, it is a pleasure to welcome Reverend Perry today.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

Mr. BOGGS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

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

[Roll No. 462]

Abourezk	Evins, Tenn.	Leggett
Alexander	Fish	Lennon
Anderson, Ill.	Flynt	Long, La.
Anderson, Tenn.	Ford, William D.	Lujan
Andrews, Ala.	Fraser	McClure
Badillo	Fulton, Tenn.	McKevitt
Baker	Fuqua	McKinney
Barrett	Gallagher	McMillan
Belcher	Gaydos	Macdonald, Mass.
Bell	Giaimo	Martin
Biaggi	Gibbons	Mills, Md.
Blatnik	Goldwater	Mink
Bolling	Grasso	Mitchell
Broyhill, Va.	Gray	Mollohan
Byrnes, Wis.	Green, Pa.	Morse
Caffery	Griffiths	Moss
Casey, Tex.	Gubser	Nelsen
Celler	Hall	O'Hara
Chisholm	Hansen, Idaho	O'Neill
Clark	Hansen, Wash.	Pelly
Clay	Hathaway	Price, Ill.
Collins, Ill.	Hébert	Pryor, Ark.
Colmer	Heinz	Quie
Conte	Helstoski	Railsback
Conyers	Hicks, Wash.	Rees
Dellums	Horton	Reuss
Dent	Jarman	Rhodes
Diggs	Karth	Robison, N.Y.
Dowdy	Kastenmeier	Rooney, N.Y.
Dulski	Landgrebe	Rousselot
Dwyer	Landrum	Ruppe
Edwards, La.	Latta	St Germain
Scheuer	Stokes	Veysey
Sisk	Stuckey	Waggonner
Smith, Calif.	Sullivan	Wyatt
Smith, N.Y.	Symington	Wydler
Springer	Thompson, N.J.	

The SPEAKER. On this rollcall, 321 Members have answered to their names, a quorum.

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

CONFERENCE REPORT ON H.R. 10604 AMENDMENTS TO TITLE II OF THE SOCIAL SECURITY ACT

Mr. MILLS of Arkansas submitted the following conference report and statement on the bill (H.R. 10604), to amend title II of the Social Security Act to permit the payment of the lump-sum death payment to pay the burial and memorial services expenses and related expenses for an insured individual whose body is unavailable for burial:

CONFERENCE REPORT (H. REPT. No. 92-747)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10604) to amend title II of the Social Security Act to permit the payment of the lump-sum death payment to pay the burial and memorial services expenses and related expenses for an insured individual whose body is unavailable for burial, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same.

IMPROVEMENT OF WORK INCENTIVE PROGRAM

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with amendments as follows:

On page 3, line 2, of the Senate engrossed amendments, strike out "or".

On page 3, line 4, of the Senate engrossed amendments, after the semicolon insert the following: "or".

On page 3, after line 4, of the Senate engrossed amendments, insert the following:

"(vi) the mother or other female caretaker of a child, if the father or another adult male relative is in the home and not excluded by clause (i), (ii), (iii), or (iv) of this subparagraph (unless he has failed to register as required by this subparagraph, or has been found by the Secretary of Labor under section 433(g) to have refused without good cause to participate under a work incentive program or accept employment as described in subparagraph (F) of this paragraph);"

On page 3 of the Senate engrossed amendments, after line 9, insert the following:

"(3) Section 402(a)(19)(B) of such Act is amended by striking out 'by reason of such referral' and inserting in lieu thereof 'by reason of such registration or the individual's certification to the Secretary of Labor under subparagraph (G) of this paragraph,'."

On page 3, line 10, of the Senate engrossed amendments, strike out "(3)" and insert the following: "(4)".

On page 3, line 11, of the Senate engrossed amendments, strike out "effective January 1, 1972,".

On page 3 of the Senate engrossed amendments, strike out lines 13 through 18.

On page 3, line 21, of the Senate engrossed amendments, after "(6)" insert the following: "(1)".

On page 3 of the Senate engrossed amendments, strike out "by" in line 22 and all that follows down through line 25, and insert the following: "by striking out 'referred to the Secretary of Labor pursuant to subparagraph (A) (i) and (ii) and section 407(b)(2)' and inserting in lieu thereof 'certified to the Secretary of Labor pursuant to subparagraph (G)'."

On page 3 of the Senate engrossed amendments, after line 25, add the following:

"(ii) Section 402(a)(19)(F) of such Act is further amended by adding 'and' after the semicolon at the end of clause (iv) thereof."

On page 4 of the Senate engrossed amendments, strike out "and will" in line 17 and all that follows down through the end of line 19 and insert the following: "and will, when arrangements have been made to provide necessary supportive services, including child care, certify to the Secretary of Labor those individuals who are for".

On page 5 of the Senate engrossed amendments, strike out "by which" in line 9 and all that follows down through the end of line 12, and insert the following: "by which the number of individuals certified, under the program of such State established pursuant to section 402(a)(19)(G), to the local employment office of the State as being ready for employment or training under part C, is less than 15 per".

On page 5, lines 16 and 17, of the Senate engrossed amendments, strike out ", effective January 1, 1972,".

On page 5, line 19, of the Senate engrossed amendments, after "(d)" insert the following: "(1)".

On page 5, line 23, of the Senate engrossed amendments, strike out the quotation marks.

On page 5 of the Senate engrossed amendments, after line 23, insert the following:

"(2) Of the sums authorized by section 401 to be appropriated for the fiscal year ending June 30, 1973, not more than $750,000,000 shall be appropriated to the Secretary for payments with respect to services to which paragraph (1) applies."

(10) Section 407(b)(2)(A) of such Act is amended by striking out "referred" and inserting in lieu thereof "certified".

(11) Section 407(c) of such Act is amended by striking out "refer such father" and inserting in lieu thereof "certify such father".

On page 6, line 9, of the Senate engrossed amendments, strike out "40" and insert the following: "33⅓".

On page 6 of the Senate engrossed amendments, strike out lines 14 through 24 and insert the following:

"(c) Of the sums appropriated pursuant to subsection (a) to carry out the provisions of this part for any fiscal year (commencing with the fiscal year ending June 30, 1973), not less than 50 percent shall be allotted among the States in accordance with a formula under which each State receives (from the total available for such allotment) an amount which bears the same ratio to such total as—".

On page 7 of the Senate engrossed amendments; strike out lines 1 and 2.

On page 7, line 3, of the Senate engrossed amendments, strike out "(A)" and insert the following: "(1)".

On page 7, line 10, of the Senate engrossed amendments, strike out "(B)" and insert the following: "(2)".

On page 9 of the Senate engrossed amendments, strike out lines 20 and 21 and insert the following:

"(i) by striking out 'referred to him by a State, pursuant to section 402' and inserting in lieu thereof 'certified to him by a State, pursuant to section 402(a)(19)(G)'; and".

On page 10 of the Senate engrossed amendments, strike out lines 1 through 10 and insert the following: "for individuals certified to him under section 402(a)(19)(G), shall accord priority to such individuals in the following order, taking into account employability potential: first, unemployed fathers; second, mothers, whether or not required to register pursuant to section 402(a)(19)(A),

who volunteer for participation under a work incentive program; third, other mothers, and pregnant women, registered pursuant to section 402(a)(19)(A), who are under 19 years of age; fourth, dependent children and relatives who have attained age 16 and who are not in school or engaged in work or manpower training; and fifth, all other individuals so certified to him".

On page 11 of the Senate engrossed amendments, strike out lines 10 through 24 and insert the following:

"'(3) The Secretary shall develop an employability plan for each suitable person certified to him pursuant to section 402(a)(19)(G) which shall describe the education, training, work experience, and orientation which it is determined that such person needs to complete in order to enable him to become self-supporting'."

On page 12 of the Senate engrossed amendments, strike out lines 4 through 11 and insert the following:

(ii) Section 433(e)(2)(A) of such Act is amended to read as follows:

"'(A) for the payment by the Secretary to each employer, with respect to public service employment performed by any individual for such employer, of an amount not exceeding 100 percent of the cost of providing such employment to such individual during the first year of such employment, an amount not exceeding 75 percent of the cost of providing such employment to such individual during the second year of such employment, and an amount not exceeding 50 percent of the cost of providing such employment to such individual during the third year of such employment;'."

On page 12 of the Senate engrossed amendments, strike out lines 19 through 21 and insert the following:

"(E) Section 433(g) of such Act is amended—

"(i) by striking out 'referred to the Secretary of Labor pursuant to section 402(a)(19)(A)(i) and (ii)' and inserting in lieu thereof 'certified to the Secretary of Labor pursuant to section 402(a)(19)(G)'; and

"(ii) by striking out 'which referred such individual' and inserting in lieu thereof 'which certified such individual'."

On page 13, lines 11 and 12, of the Senate engrossed amendments, strike out ", effective January 1, 1972,".

On page 13 of the Senate engrossed amendments, strike out lines 22 through 25.

On page 14 of the Senate engrossed amendments, strike out lines 1 through 8.

On page 14, line 9, of the Senate engrossed amendments, strike out "(8)" and insert the following: "(7)".

On page 14, line 11, of the Senate engrossed amendments, strike out "(9)" and insert the following: "(8)".

On page 14, lines 14 and 15, of the Senate engrossed amendments, strike out "not later than six months after the date of enactment of the Revenue Act of 1971" and insert the following: "not later than July 1, 1972".

On page 14, lines 16 and 17, of the Senate engrossed amendments, strike out ", as amended by the Revenue Act of 1971".

On page 15, line 1, of the Senate engrossed amendments, strike out "(10)" and insert the following: "(9)".

On page 15, line 3, of the Senate engrossed amendments, after the semicolon insert the following: "and".

On page 15, line 10, of the Senate engrossed amendments, strike out "; and ".

On page 15 of the Senate engrossed amendments, strike out lines 11 through 25.

On page 16 of the Senate engrossed amendments, strike out lines 1 through 18.

On page 16, line 19, of the Senate engrossed amendments, strike out "(11)" and insert the following: "(10)".

On page 16, lines 19 and 20, of the Senate engrossed amendments, strike out ", effective January 1, 1972,".

On page 17, line 1, of the Senate engrossed amendments, strike out "(12)" and insert the following: "(11)"

On page 17, lines 1 and 2, of the Senate engrossed amendments, strike out ", effective January 1, 1972,".

On page 17 of the Senate engrossed amendments, after line 4, insert the following:

"(12)(A) Section 444(a) of such Act is amended by striking out 'referred' each place it appears and inserting in lieu thereof 'certified'."

On page 17, line 5, of the Senate engrossed amendments, strike out "(13)(A)" and insert the following: "(B)".

On page 17, line 9, of the Senate engrossed amendments, strike out "(B)" and insert the following: "(C)".

On page 17 of the Senate engrossed amendments, strike out "and (iii)" in line 13 and all that follows down through the end of line 14, and insert the following: "and (iii) by striking out 'referred to the Secretary by such agency under such section 402(a)(15)' and inserting in lieu thereof 'certified to the Secretary by such agency under section 402(a)(19)(G)'."

And the Senate agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with amendments as follows:

On page 17, line 24, of the Senate engrossed amendments, strike out "period" and insert the following: "semicolon".

On page 18, line 7, of the Senate engrossed amendments, strike out "care.'" and insert the following: "care;' ".

And the Senate agree to the same.

W. D. MILLS,
AL ULLMAN,
JAMES A. BURKE,
JOHN W. BYRNES,
JACKSON E. BETTS,
Managers on the Part of the House.

RUSSELL B. LONG,
CLINTON ANDERSON,
HERMAN TALMADGE,
CARL T. CURTIS,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the Conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10604) to amend title II of the Social Security Act to permit the payment of the lump-sum death payment to pay the burial and memorial services expenses and related expenses for an insured individual whose body is unavailable for burial, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

IMPROVEMENT OF WORK INCENTIVE PROGRAM

Amendment No. 1: This amendment made a number of changes in the Work Incentive Program to:

Require an individual, as a condition of eligibility for welfare, to register for the WIN program unless the person is:

(1) a child under age 16 or attending school;

(2) ill, incapacitated or for advanced age;

(3) so remote from a WIN project that his effective participation is precluded;

(4) caring for another member of the household who is ill or incapacitated; or

(5) the mother or other relative of a child under the age of six who is caring for the child. Mothers who are not required to register must be told of their opportunity to volunteer to participate.

Increase Federal matching for the WIN program from 80 percent to 90 percent.

Require the welfare agency to designate a separate administrative unit to make arrangements for supportive services needed by welfare recipients in order to participate in WIN program and to refer recipients so prepared to the Labor Department for participation in the WIN program.

Penalize a State if its welfare agency prepares and refers to Labor Department less than 15 percent of registrants in a year by reducing Federal matching one percent for Aid to Families with Dependent Children for every percentage point the proportion of registered individuals the State welfare agency prepares and refers is under 15 percent.

Increase from 75 percent to 90 percent Federal matching for supportive services, including child care, provided to enable welfare recipients to work or participate in WIN program.

Require that not less than 40 percent of expenditures under the WIN program be for on-the-job training and public service employment.

Provide a formula for allotting WIN funds to the States based on number of registrants for WIN program (in fiscal years 1973 and 1974, formula is based on number of AFDC recipients).

Require Secretary of Labor to utilize existing manpower and training programs to the maximum possible extent in implementing the Work Incentive Program rather than establish new ones.

Require Secretary of Labor to establish in each State, municipality, or other appropriate geographic area with a significant number of WIN registrants a Labor Market Advisory Council whose function is to identify the types of jobs available or likely to become available in the area; no WIN institutional training may be established unless it is related to these kinds of jobs. The Secretary may designate any appropriate body in existence as the Labor Market Advisory Council in its area.

Require Labor Department in handling WIN referrals to accord priority in the following order, taking into account employability potential:

(1) unemployed fathers;

(2) dependent children and relatives age 16 or over who are not in school, working, or in training;

(3) mothers who volunteer for participation; and

(4) all other persons.

Require Labor Department and WIN unit of State welfare agency to develop joint State operational plan detailing how WIN program will be operated and joint employability plan for WIN participant.

Delete present funding arrangements for public service employment (special work projects) and instead provide for 100 percent Federal funding for the first year of employment and 90 percent for subsequent years (if employment is less than 3 years, the matching for the first year is reduced to 90 percent).

Authorize Federal matching for the costs related to supervision and materials associated with public service employment.

Require Secretaries of Labor and Health, Education, and Welfare to issue joint regulations, which shall provide for the establishment of (1) a National Committee to coordinate uniform reporting and similar requirements for the administration of the WIN program, and (2) a regional coordination Committee for each region to review and approve the Statewide operational plans required elsewhere in the amendment.

Prevent the Labor Department from entering into any contract for the dissemination of information about the Work Incentive Program.

Require Secretary to collect and publish certain statistical information related to the WIN program.

Authorize Labor Department to pay allowances for transportation and other costs necessary for and directly related to participation in the WIN program.

Authorize the Labor Department to provide technical assistance to providers of employment or training in connection with the WIN program.

Set effective date of July 1, 1972, for all changes unless otherwise specified (increased Federal matching for WIN training and supportive services becomes effective January 1972).

The conference agreement includes the Senate amendment with the following changes:

Exempts from the registration requirement a mother in a family where the father registers.

Makes clear that the WIN unit in the State welfare agency is to provide child care and other supportive services to persons required to be registered with the Secretary of Labor, and to certify when such persons are so prepared.

Sets a limit of $750,000,000 in fiscal year 1973 on appropriations for supportive services receiving 90 percent Federal matching.

Requires that 33⅓ percent (rather than 40 percent) of expenditures under the Work Incentive Program be for on-the-job training and public service employment.

Provides that 50 percent of the WIN funds be allotted under a formula based on number of registrants; the remaining 50 percent would be distributed by the Secretary of Labor based on criteria he develops.

Sets the following order of priority in handling Work Incentive Program participants: (1) unemployed fathers; (2) mothers who volunteer for participation; (3) other mothers and pregnant women under nineteen years of age; (4) dependent children and relatives age sixteen or over who are not in school, working, or in training; and (5) all other persons.

Deletes requirement of jointly developed employability plan for each Work Incentive Program recipient.

Provides 100 percent Federal funding for the first year of public service employment, 75 percent funding in the second year, 50 percent in the third year and no Federal funding thereafter.

Sets effective date of July 1, 1972, for increased Federal matching for WIN training, public service employment, and supportive services (including child care for WIN participants) rather than January 1, 1972.

Deletes requirement to collect and publish certain WIN statistical data.

The conferees agreed to direct the Secretary of Labor to prepare and publish monthly the following information, by age group and sex, about the operations of the WIN program:

(1) the number of individuals registered, the number of individuals receiving each particular type of work training services, and the number of individuals receiving no services;

(2) the number of individuals placed in jobs by the Secretary, and the average wages of the individuals placed;

(3) the number of individuals who begin but fail to complete training, and the reasons for their failure to complete training, and the number of individuals who register voluntarily but do not receive training or placement;

(4) the number of individuals who obtain employment following the completion of training, and the number whose employment is in fields related to the particular type of training received;

(5) the number of individuals who obtain employment following the completion of training, their average wages, and the number retaining employment 3 months, 6 months, and 12 months following the completion of training;

(6) the number of individuals in public service employment by type of employment, and the average wages of such individuals; and

(7) the amount of savings under the AFDC program realized by reason of the operation of the WIN programs.

MEDICAID COVERAGE FOR CARE IN INTERMEDIATE CARE FACILITIES

Amendment No. 2: This amendment added to the House bill a new section providing (effective January 1, 1972) for the coverage of care in intermediate care facilities as an optional service under the medicaid program. (Under present law such care is covered instead, in effect, as an optional benefit under the various cash assistance programs.) An intermediate care facility is defined as an institution licensed to provide regular health-related care and services to individuals who need institutional care but do not need the degree of care which a hospital or skilled nursing home provides; and services in a public institution for the mentally retarded could be included if their primary purpose is to provide health or rehabilitation services, the patient is receiving active treatment, and the public agency agrees that non-Federal expenditures for patients in the institution will not be reduced because of the medicaid payments. The need of individuals for care in these facilities would be determined under an independent professional review and medical evaluation program which must be provided for in the State plan.

The conference agreement includes this Senate amendment, with two minor technical changes.

PROVISION FOR DISREGARDING OF CERTAIN OASDI OR RAILROAD RETIREMENT INCOME IN DETERMINING NEED FOR PUBLIC ASSISTANCE

Amendment No. 3: This amendment added to the House bill a new section extending for one year (through December 1972) the existing temporary provision which guarantees that an amount equal to the 1969 social security or railroad retirement benefit increase (or $4 a month, if less) will be passed along, by being disregarded in determining their need or otherwise, to recipients of cash public assistance who are also entitled to social security or railroad retirement benefits.

The conference agreement includes this Senate amendment.

W. D. MILLS,
AL ULLMAN,
JAMES A. BURKE,
JOHN W. BYRNES,
JACKSON E. BETTS,
Managers on the Part of the House.

RUSSELL B. LONG,
CLINTON ANDERSON,
HERMAN TALMADGE,
CARL T. CURTIS,
Managers on the Part of the Senate.

Mr. MILLS of Arkansas. Mr. Speaker, in accordance with House Resolution 729, I call up the conference report on the bill (H.R. 10604), to amend title II of the Social Security Act to permit the payment of the lump-sum death payment to pay the burial and memorial services expenses and related expenses for an insured individual whose body is unavailable for burial, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, may I ask the distinguished gentleman from Arkansas if this bill has been amended?

Mr. MILLS of Arkansas. Yes, there are three amendments that were adopted by the Senate, all of which are germane to the House-passed bill. They are all amendments to the Social Security Act, as is the bill. The text of the House-passed bill was not amended. These are three additions added by the Senate. I shall explain them.

Mr. GROSS. Mr. Speaker, with the statement that all the amendments are germane to the bill, I withdraw my reservation.

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

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object—and I shall not object, because I certainly think we should have the statement of the managers read—the question that I raise with the gentleman at this time is that the conference report contains a very extensive revision of part of the Aid to Dependent Children program, with particular respect to the placement and training of women. I wonder if there is not some way that the Members could be advised of the changes that were made and the effect they will have on the general administration of the program of Aid to Dependent Children.

Frankly, I doubt that the House can get a very solid understanding of those changes and their effects in the limited time that we have under a conference report. Would there not be some advantage, depending upon the legislative schedule, in trying to delay this until we have the desired information in written form for the Members.

Let me say to the gentleman, I am going to reluctantly support the conference report. I signed the report, but at the time I did so yesterday afternoon, I made it clear that I was reserving the right to oppose it. I intend to make my arguments for my position later on, and do not intend to take advantage of this reservation to do so at this time.

But, Mr. Speaker, I do think that this is a rather substantial change we are making by this conference report, and we are doing so without the House having considered these particular proposals in the proper context. We considered them only by general reference when we debated earlier in the year the problem of Aid to Dependent Children in connection with the Welfare Reform provisions of H.R. 1. Now we are taking a different route.

I ask the chairman if there is any way we can consider this matter more carefully. I am not trying to avoid consideration of it at this session of the Congress.

Is there some way we can consider it in a framework in which the Members would have a better understanding of it than just listening to the gentleman and me trying to give an explanation?

Mr. MILLS of Arkansas. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Arkansas.

Mr. MILLS of Arkansas. Mr. Speaker, I have a great deal more confidence in the gentleman's ability to explain the matter than perhaps he has himself, and that is understandable. But I do think if we take the time that is allotted in connection with the conference report we

can advise any and every Member of the House of the details of this proposition.

I would call to the gentleman's attention the fact that this particular amendment as it was added in the Senate has passed the Senate three times, and the Senate has had hearings on it, and it has been before the public. As the gentleman knows, some of what is in the Senate amendment was also included in H.R. 1 as it passed the House, but I think the matter has been discussed publicly enough so that we can bring it up for consideration by the House and explain it in the hour's debate.

Mr. BYRNES of Wisconsin. Mr. Speaker, the gentleman does not address himself to the question of whether it is absolutely essential. Of course, I am glad to have the flattery, but it does not mean very much, because frankly we did not go into the matter in conference in the depth that it deserves. We made some changes we thought were desirable on the basis of information we were able to develop in that limited discussion in the conference, but I will not stand here in the well and say that I can tell the Members of this House the details or the effect of some of the amendments that were made and are being reported by this conference.

I think generally the amendments are workable. But there are specifics I am not too sure of, and I do not think the gentleman from Arkansas can speak with too much assurance on them. He can have the general feeling that they will work out all right and represent a step in the right direction—and he probably feels that way—but I do not think this is the usual way the gentleman from Arkansas brings a bill to this House, and it is not the usual way in which I like to participate in bringing a bill or a conference report to this House.

Therefore, if at all possible, it would be desirable if the Members could have a little time to review what we finally ended up agreeing to in conference around 4:30 or 5 o'clock yesterday.

Mr. Speaker, there are some things in the conference report which I have not had a chance to read. The gentleman told the staff to try to draft it in a particular way, and if they had problems to do the best they could. It probably has not gone to the printer—some of it was probably concluded just this morning—and the staff did the best they could, but I do not know everything they have done. I have confidence in them, and I have general confidence that what we have done here will prove generally satisfactory. We have provided that it does not go into effect until July 1, 1972, and we will have 6 months during which we can make some corrections, but what I am asking is: Is there some way in which we can get a little more time to know the details of what we agreed to in the conference?

The gentleman says the parliamentary situation is such that the closing date of this session is imminent, and that such time is impossible, and the gentleman asks this House to take it on his word. That is up to the gentleman, but I think the gentleman from Arkansas would feel more comfortable, and I know I would feel more comfortable, if we could say to the House it ought to be able to work its will on this conference report. Mr. Speaker, I do not oppose it, but I think we should know what we are doing.

Mr. GROSS. Mr. Speaker, further reserving the right to object, when this matter first came up, I thought we were dealing with H.R. 10604, a bill to permit payment of the lump-sum death payment to pay the burial and memorial services expenses and related expenses for an insured individual whose body is unavailable for burial.

Now I find, thanks to the gentleman from Wisconsin, Mr. BYRNES, that the bill has been used as a vehicle for perhaps far-reaching amendments dealing with the Social Security Act. I certainly suggest to the gentleman from Arkansas that he give careful consideration to the suggestions of the gentleman from Wisconsin (Mr. BYRNES) that somehow or other more time be contrived so that the Members of the House may have at least some faint idea of what the amendments propose to accomplish.

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

Mr. BYRNES of Wisconsin. Mr. Speaker, further reserving the right to object, is it the gentleman's feeling that this is the only way he can handle this matter? I want to be reasonable.

Mr. MILLS of Arkansas. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. Certainly I yield to the chairman.

Mr. MILLS of Arkansas. There are two provisions in this bill added by the Senate about which there can be no question about the necessity for passing them promptly. One is the $4 pass through which must be enacted before the 1st of January, or otherwise it is ineffective.

I am advised, perhaps by rumor, that the Congress is getting ready to adjourn sometime this week. I have been scheduled for calling up the conference report this morning by the leadership on our side.

Frankly, I believe if we get into a discussion of this matter I will be able to satisfy the need that exists for making the Members of the House fully cognizant of what is in this other amendment.

Mr. BYRNES of Wisconsin. I agree with the gentleman as to the other two amendments. They are needed and desirable. There is no question about that. Everybody agrees to them, just as everybody agrees with the basic principles of what we have done so far as the original bill which passed this House is concerned.

I should like to ask the gentleman at this point when he intends to bring up the bill relating to unemployment compensation. On that I take an entirely different attitude, and I shall oppose the conference report. But I should like to have some knowledge from the gentleman as to whether he intends to use this same procedure in asking the House to vote on very substantial amendments without having the language of the substantial amendments before this House.

Mr. MILLS of Arkansas. The gentleman is talking about the second conference report?

Mr. BYRNES of Wisconsin. I am talking about the one on unemployment compensation.

Mr. MILLS of Arkansas. I want to call it up some time this afternoon, if it is possible.

Mr. BYRNES of Wisconsin. I was wondering whether we could not have an understanding, Mr. Chairman, that you would speak with the leadership and see if we could not at least have 24 hours on that. If we are going to be in session tomorrow we could take it up at that time.

I wonder whether the gentleman would not, in that particular case, where there is a high element of controversy, agree that it could go over until tomorrow?

Mr. MILLS of Arkansas. Let us proceed with this, and then the gentleman and I will talk with the Speaker.

Mr. BYRNES of Wisconsin. I would always rather have the gentleman give me a suggestion that at least he is sort of sympathetic with what I am proposing, rather than saying, "Let us forget about it."

Mr. MILLS of Arkansas. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman.

Mr. MILLS of Arkansas. The gentleman and I have worked on the committee together long enough, I know, for the gentleman to know that these are unusual circumstances which would prompt us to bring up conference reports in this manner. It is only the time element which causes us to do it. Normally we have always given the House plenty of time to go over conference reports, to have access to all amendments and the language and so forth; but time just does not permit it under these circumstances.

Mr. BYRNES of Wisconsin. But our committee has always, I thought, had the reputation of trying to bring things to this House so that the House could work its will by understanding what it is doing, by having the language in front of us and full explanations of what we are doing. Here we have a situation where that is not the case. The gentleman is suggesting that not one conference report, but two of them, will come up in this session. I plead with him and with the Democratic leadership to let their own Members have some idea as to what is being done by having at least a statement of the managers that they can look at and read. We could have it in mimeograph form by this afternoon. But if you are going to call that up following this conference report, then the Members will not have any idea what this is all about. I think it is wrong. I will not be a party to it.

You have the authority under the rule to call it up, but to me it is bad to bring something of this significance and importance before this House in this way unless it is absolutely essential. There is no showing of essentiality, because there are other conference reports waiting and other matters waiting. My understanding is that we will be meeting tomorrow, and if that is the case, at least that bill can go over until tomorrow.

Mr. MILLS of Arkansas. Will the gentleman yield?

Mr. BYRNES of Wisconsin. Yes. I yield to the gentleman.

Mr. MILLS of Arkansas. The gentleman knows, because I asked him to join me in obtaining the permission of the House to have until midnight last night to file both of these conference reports. The gentleman did not do that. If he had not objected, they would be available in printed form today.

Mr. BYRNES of Wisconsin. I wonder about that, and I wonder what kind of staff work would have been done if you had asked them to prepare these two conference reports, in the details required and to have them in by midnight. Certainly no member of that conference could see what kind of a statement they were filing.

Mr. MILLS of Arkansas. But at least they would have been here and available.

Mr. BYRNES of Wisconsin. But no one would have had a chance to see what they were saying and what we were putting in the report as conferees.

Mr. Speaker, I withdraw my reservation of objection.

CALL OF THE HOUSE

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

The SPEAKER. The Chair will count.

One hundred and seventy-one Members are present, not a quorum.

Mr. MILLS of Arkansas. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

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

[Roll No. 463]

Alexander	Fuqua	Mitchell
Anderson, Ill.	Gallagher	Mollohan
Anderson, Tenn.	Gaydos	Mosher
Andrews, Ala.	Giaimo	Moss
Archer	Gibbons	O'Hara
Baker	Goldwater	O'Neill
Belcher	Grasso	Pelly
Blatnik	Griffiths	Pryor, Ark.
Bolling	Gubser	Railsback
Caffery	Hall	Rees
Casey, Tex.	Hanna	Reid, N.Y.
Cederberg	Hansen, Idaho	Reuss
Celler	Hansen, Wash.	Rhodes
Clark	Harsha	Robison, N.Y.
Clay	Hastings	Rousselot
Colmer	Hathaway	Sarbanes
Conte	Hébert	Scheuer
Conyers	Heckler, Mass.	Shoup
Curlin	Heinz	Sikes
Dellums	Helstoski	Sisk
Dent	Henderson	Smith, Calif.
Derwinski	Hicks, Wash.	Springer
Dickinson	Kastenmeier	Staggers
Diggs	Keith	Stokes
Dingell	Landrum	Stuckey
Dowdy	Latta	Sullivan
Dwyer	Lennon	Symington
Edwards, La.	Lujan	Teague, Calif.
Evins, Tenn.	McClure	Thompson, N.J.
Fish	McKevitt	Vander Jagt
Flowers	McMillan	Veysey
Flynt	Macdonald, Mass.	Waggonner
Ford, William D.	Martin	Whitehurst
Fraser	Mikva	Wilson, Charles H.
Fulton, Tenn.	Minish	
	Mink	

The SPEAKER. On this rollcall 326 Members have answered to their names, a quorum.

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

CONFERENCE REPORT ON H.R. 10604, AMENDMENTS TO TITLE II OF THE SOCIAL SECURITY ACT

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

There was no objection.

The SPEAKER. The Clerk will read the statement.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of today.)

Mr. MILLS of Arkansas (during the reading). Mr. Speaker, I had intended that the Clerk read the entire statement, but if the Members are not going to listen to it I wonder if they want to dispense with further reading of it?

The SPEAKER. Does the gentleman ask unanimous consent?

Mr. MILLS of Arkansas. I do ask unanimous consent, Mr. Speaker, to dispense with further reading of the statement.

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

Mr. BYRNES of Wisconsin. Reserving the right to object, Mr. Speaker, I shall not object because I believe the gentleman's request is certainly in keeping with the facts of the situation. The Members cannot understand the conference report just by the reading of the statement. One has to have it before him or to have somebody explain it to him. That is one of the reasons why I complained about this procedure.

I certainly have no objection to dispensing with further reading of the statement, because it is perfectly clear that the reading, in many cases, is rather a meaningless operation.

Mr. Speaker, I withdraw my reservation.

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

There was no objection.

The SPEAKER. The Chair recognizes the gentleman from Arkansas (Mr. MILLS).

Mr. MILLS of Arkansas. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, first let me apologize to the House for bringing in a conference report in a rather unusual manner. It is true that we do not have printed copies of the conference report, but I believe it is entirely possible for the Members who desire to know what is in the conference report to follow the words of the gentleman from Wisconsin, of myself, and of others who may speak, and thus develop a full understanding of the content of the report.

It will be remembered, Mr. Speaker, that we sent, by unanimous consent, H.R. 10604 to the Senate.

The Senate did not change the language of the House-passed bill. The Senate did add three amendments, all of which are germane to the bill. The bill and the three amendments amend the Social Security Act.

The first amendment the Senate added would provide coverage of care in intermediate care facilities as an optional service under the medicaid program, title XIX of the Social Security Act.

Under present law such service is covered instead as an optional benefit under the various cash assistance benefit programs. An intermediate care facility is designed as an institution licensed to provide regular health-related care and services to people who need institutional care but who do not need the degree of care which a hospital or a skilled nursing home provides.

Services in a public institution for the mentally retarded could be included within the scope of the amendment if the primary purpose of the institution is to provide health or rehabilitation services, the patient is receiving active treatment, and the public agency agrees that non-Federal expenditures for the patient in the institution will not be reduced because of the medicaid benefits.

The need for care in these facilities would be determined under an independent professional review and medical evaluation program which must be provided for in the State plan.

The Senate amendment is virtually the same as a provision included in H.R. 1 which passed the House last June. The basic purpose of the provision is to avoid situations, which can arise under present law, where an individual who is medically indigent, but who is not receiving cash public assistance, cannot be transferred from a skilled nursing home to an intermediate care facility and still have Federal matching available. The result has been that people have been kept in skilled nursing homes when a lower level of care would have been more appropriate. And, of course, the more skilled the care the more we are paying for that care because intermediate care should cost less than skilled care. The Senate amendment would remove that effect. The House conferees agreed to the Senate amendment. There was no argument in the conference on this amendment.

The second amendment included by the Senate to the bill would extend through December 1972 the so-called $4 pass-along associated with the 15-percent benefit increase which was effective in January of 1970. A similar provision was in H.R. 1 when it passed the House. This amendment is needed now in order to provide that some 600,000 aged, blind, and disabled people will not have their public assistance checks reduced by $4 next month. The House agreed to this Senate amendment without any controversy. This is the amendment that the gentleman from California (Mr. BURTON) has done so much to support to help these people on assistance.

Now, the third Senate amendment involves a lot more detail. The amendment made a series of changes in the work incentive program under present law. These amendments would make the following changes in that program:

Require an individual, as a condition of eligibility for welfare, to register for the WIN program unless the person is:

First, a child under age 16 or attending school;

Second, ill, incapacitated, or of advanced age;

Third, so remote from a WIN project that his effective participation is precluded;

Fourth, caring for another member of the household who is ill or incapacitated; or

Fifth, the mother or other relative of a child under the age of six who is caring for the child. Mothers who are not required to register must be told of their opportunity to volunteer to participate.

The amendment increases the Federal matching for the WIN program from the present 80 percent, which is one of the handicaps in some of the States, to 90 percent Federal. It requires the welfare agency to designate a separate administrative unit to make arrangements for supportive services needed by welfare recipients in order to participate in the WIN program and to refer recipients so prepared to the Labor Department for participation in the WIN program.

The amendment would penalize a State if its welfare agency prepares and refers to the Labor Department less than 15 percent of registrants in a year by reducing Federal matching 1 percent for aid to families with dependent children for every percentage point the proportion of registered individuals the State welfare agency prepares and refers is under 15 percent.

The amendment increases from 75 percent to 90 percent Federal matching for supportive services, including child care, provided to enable welfare recipients to work or participate in the WIN program.

The amendment requires that not less than 40 percent of the expenditures under the WIN program be for on-the-job training and public service employment. Then it provides a formula for allotting WIN funds to the States based on the number of registrants for the WIN program in fiscal years 1973 and 1974.

The amendment requires the Secretary of Labor to utilize existing manpower and training programs to the maximum extent in implementing the Work Incentive program rather than establishing new ones.

The amendment would require the Secretary of Labor to establish in each State, municipality, or other appropriate geographic area with a significant number of WIN registrants, a Labor Market Advisory Council whose function is to identify the types of jobs available or likely to become available in the area. No WIN institutional training may be established unless it is related to these kinds of jobs. The Secretary may designate any appropriate body in existence as the Labor Market Advisory Council in its area.

Next, the amendment requires the Labor Department in handling WIN referrals to accord priority in the following order, taking into account employability potential:

First. Unemployed fathers;

Second. Dependent children and relatives age 16 or over who are not in school, working, or in training;

Third. Mothers who volunteer for participation; and

Fourth. All other persons.

The amendment requires the Labor Department and WIN units of State welfare agencies to develop a joint State operational plan, detailing how the WIN program will be operated with joint employability plans for WIN participants.

It would delete present funding arrangements for public service employment, called special work projects, and instead provide for 100-percent Federal funding for the first year of employment and 90 percent for subsequent years. If employment is less than 3 years, then the matching for the first year is reduced to 90 percent.

The amendment authorizes Federal matching for the costs related to supervision and materials associated with public service employment.

The amendment requires the Secretaries of Labor and Health, Education, and Welfare to issue joint regulations, which shall provide for the establishment of first, a National Committee to coordinate uniform reporting and similar requirements for the administration of the WIN program, and second, a regional coordination committee for each region to review and approve the Statewide operational plans required elsewhere in the amendment.

It would prevent the Labor Department from entering into any contract for the dissemination of information about the work incentive program.

The amendment requires the Secretary to collect and publish certain statistical information related to the WIN program.

The SPEAKER. The time of the gentleman from Arkansas has expired.

Mr. MILLS of Arkansas. Mr. Speaker, I yield myself 5 additional minutes.

The SPEAKER. The gentleman from Arkansas is recognized for 5 additional minutes.

Mr. MILLS of Arkansas. Mr. Speaker, the amendment authorizes the Labor Department to pay allowances for transportation and other costs necessary for and directly related to participation in the WIN program.

The amendment authorizes the Labor Department to provide technical assistance to provide employment or training in connection with the WIN program.

The effective date for the bill is July 1, 1972, except for the Federal matching for WIN training, and supportive services which becomes effective on January 1, 1972.

The conferees on behalf of the House went into these amendments in considerable detail with the Senate, and agreed to the Senate amendment, with the following changes:

Exempts from the registration requirement a mother in a family where the father registers.

Makes clear that the WIN unit in the State welfare agency is to provide child care and other supportive services to persons required to be registered with the Secretary of Labor, and to certify when such persons are so prepared.

Sets a limit of $750 million in fiscal year 1973 on appropriations for supportive services, such as day care, receiving 90 percent Federal matching.

Requires that 33⅓ percent, rather than 40 percent, of expenditures under the Work Incentive program be for on-the-job training and public service employment.

Provides that 50 percent of the WIN funds be allotted under a formula based on a number of registrants; the remaining 50 percent would be distributed by the Secretary of Labor based on criteria he develops.

The conference report sets the following order of priority in handling Work Incentive program participants: first, unemployed fathers; second, mothers who volunteer for participation; third, other mothers and pregnant women under 19 years of age; fourth, dependent children and relatives age 16 or over who are not in school, working, or in training; and fifth, all other persons.

The conference report deletes the requirement of jointly developed eligibility plan for each Work Incentive program participant.

The conference report provides 100 percent Federal funding for the first year of public service employment of each participant, 75 percent funding in the second year, 50 percent in the third year, and no Federal funding thereafter.

The conference report sets effective dates of July 1, 1972, for increased Federal matching for WIN training, public service employment, and supportive services, rather than January 1, 1972.

The conference report deletes the requirement to collect and publish certain WIN statistical data. While the House conferees did not accept this amendment, requiring the collection and publication of certain statistical data with respect to the WIN program, the conferees agreed to direct the Secretary of Labor to carry out the purpose of that provision.

The House conferees were guided in their consideration of the Senate amendment by action already taken in H.R. 1, which would have set up an entirely new work program for public assistance recipients. The House can be assured that there is nothing to which the House has agreed which would be inconsistent with the adoption of the new work program which was included in H.R. 1. As a matter of fact, it can very well be argued that the interim steps which these amendments would make would mean an earlier and more effective operation of the new program included in H.R. 1.

And I also want to make clear that there is nothing in this bill which would affect the earnings disregard provision in present law.

It will be borne in mind, Mr. Speaker, that the President asked, after the bill passed the House, for the effective date of H.R. 1 to be delayed from July 1, 1972, to July 1, 1973. Certainly if we can make an improvement in the operation of the WIN program for just 1 year and see to it that those who are qualified for training are required to take training, do take training and enhance their possibility for jobs, we should do it even for that 1 year.

I would urge the adoption of the conference report.

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

Mr. MILLS of Arkansas. I yield to the gentleman from Missouri.

Mr. ICHORD. Mr. Speaker, I would like to ask the distinguished gentleman from Arkansas whether or not the WIN program is strictly voluntary with the

welfare recipient, that is, other than those requirements for those who are physically and mentally able to work, to do anything or to suffer some penalty?

Mr. MILLS of Arkansas. The catch in the whole thing is this: In existing law we use this mandate to the States, that they be responsible for assigning people to the WIN program. The welfare office assigns to the WIN program those who are "appropriate" for such training and work.

The definition of the word "appropriate" is left to the State welfare department. In some States there has been a rather strict interpretation of the word "appropriate" and many people have been assigned to the WIN program. In other States, there has been a less strict interpretation of the word "appropriate" and very few, if any, have been assigned to the WIN program.

So we are requiring all people except those who are specifically excluded in this amendment to sign up for the WIN program.

This is a material improvement.

Mr. BYRNES of Wisconsin. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, as I said earlier this afternoon, I think it very regrettable that a committee such as the Committee on Ways and Means, which deals with very sensitive areas of legislation, should come in here and ask the House to accept the work of five members in a conference committee that was under pressure so far as time is concerned, and to accept it, more or less with the oral assurances or explanations of some members of the conference as to what was done.

I would hope that this does not set a precedent.

Mr. MILLS of Arkansas. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman.

Mr. MILLS of Arkansas. I think there is a great deal of merit in what the gentleman says about this unusual procedure. I have just conferred with the Speaker of the House and the Speaker tells me that if we want to hold over the next conference report until tomorrow, it is agreeable with him and he will recognize you and me to call it up when the House convenes tomorrow. I am perfectly willing to do that because I do not like this business of bringing in these reports without having a printed copy of the report available.

Mr. BYRNES of Wisconsin. I thank the gentleman. I think it would be most salutary if we could have the information available, as it will be sometime today, on the conference report. I would assume that the printer has been requested to expedite the printing of the report.

If I may suggest to the chairman and the Speaker, it would be helpful if this material, as soon as it arrives from the printer, could be available at the clerk's desk so that Members may have it in preparation for a discussion of the matter tomorrow.

Mr. MILLS of Arkansas. Mr. Speaker, will the gentleman yield further?

Mr. BYRNES of Wisconsin. I yield to the gentleman.

Mr. MILLS of Arkansas. If the gentleman will yield for that purpose now, that is perfectly agreeable to me and I will submit the conference report now for printing under the rules, so as to expedite the matter as much as possible.

Mr. BYRNES of Wisconsin. I would appreciate that.

CONFERENCE REPORT ON H.R. 6065, UNEMPLOYMENT COMPENSATION

Mr. MILLS of Arkansas submitted the following conference report and statement on the bill (H.R. 6065) to amend section 903(c)(2) of the Social Security Act:

CONFERENCE REPORT (H. REPT. NO. 92-749)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6065) to amend section 903(c)(2) of the Social Security Act, having met, after full and free conference, have agreed to recommend and do recommend to their respective House as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with the following amendments to the Senate engrossed amendment:

Page 3, line 3, strike out "extended".

Page 4, line 2, strike out "extended".

Page 4, line 9, strike out "extended".

Page 4, line 13, strike out "extended".

Page 4, line 21, strike out "6.0 per centum" and insert: "6.5 per centum".

Page 5, line 13, strike out "6.0 per centum" and insert: "6.5 per centum".

Page 5, line 16, strike out "insured employment" and insert: "insured unemployment".

Page 5, line 21, strike out "should be equal to—" and insert "is the percentage arrived at by dividing—".

Page 5, line 25, strike out "divided".

Page 6, line 25, strike out "100 per centum" and insert: "50 per centum".

Page 7, line 5, strike out "twenty-six" and insert: "thirteen".

Page 7, strike out lines 14, 15, and 16 and insert: "this Act. No emergency compensation shall be payable to any individual under such an agreement for any week ending after—

"(1) June 30, 1972, or

"(2) September 30, 1972, in the case of an individual who (for a week ending before July 1, 1972) had a week with respect to which emergency compensation was payable under such agreement."

Page 9, strike out line 5 and all that follows down through line 9 on page 10 and insert:

"(b) There are hereby authorized to be appropriated, without fiscal year limitation, to the extended unemployment compensation account, as repayable advances (without interest), such sums as may be necessary to carry out the purposes of this title. Amounts appropriated as repayable advances and paid to the States under section 203 shall be repaid, without interest, as provided in section 903(b)(3) of the Social Security Act.

"(c) Section 903(b) of the Social Security Act is amended by adding at the end thereof the following new paragraph:

"'(3) The amount which, but for this paragraph, would be transferred to the account of a State under subsection (a) or paragraph (1) of this subsection shall (after applying paragraph (2) of this subsection) be reduced (but not below zero) by the balance of that portion of the advances made under section 204(b) of the Emergency Unemployment Compensation Act of 1971 which was used for payments to such State under section 203 of such Act. An amount equal to the sum by which such amount is reduced shall be transferred to the general fund of the Treasury. Any amount transferred as a repayment under this paragraph shall be credited against, and shall operate to reduce, any balance repayable under this paragraph by the State to which (but for this paragraph) such amount would have been payable.' ".

Page 10, line 20, strike out "emergency extended" and insert: "emergency".

Page 10, line 23, strike out "emergency extended" and insert: "emergency".

Page 11, after line 4, insert: "For purposes of any State law which refers to an extension under Federal law of the duration of benefits under the Federal-State Extended Unemployment Compensation Act of 1970, this title shall be treated as amendatory of such Act."

Page 11, line 7, strike out "continuing and".

Page 11, line 16, strike out "after June 30, 1973" and insert: "after the period prescribed in section 202(f)".

Page 11, line 19, strike out "after June 30, 1973" and insert: "after the period prescribed in section 202(f)".

Page 11, line 20, strike out "July 1" and insert: "May 1".

Page 11, line 23, strike out "May 31" and insert: "March 31".

Page 12, line 4, strike out "after June 30, 1973" and insert: "after the period prescribed in section 202(f)".

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill and agree to the same.

W. D. MILLS,
AL ULLMAN,
JAMES A. BURKE,
Managers on the Part of the House.

RUSSELL B. LONG,
CLINTON ANDERSON,
HERMAN TALMADGE,
CARL T. CURTIS,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE ON CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6065) to amend section 903(c)(2) of the Social Security Act, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommend in the accompanying conference report:

The bill as passed by the House extended for an additional 10 years the period during which States may obligate, for administrative purposes, certain funds transferred from excess Federal unemployment tax collections.

The Senate amendment to the text of the bill made no change in the House provisions explained in the preceding paragraph but added a title II to the bill, relating to emergency unemployment compensation. Under the Senate amendment, any State, the State law of which provides for the payment of extended compensation in accordance with the requirements of the Federal-State Extended Unemployment Compensation Act of 1970, may enter into an agreement under which the agency of the State which administers the State unemployment compensation law will pay emergency compensation to individuals who have exhausted all rights to both regular compensation and extended compensation. The weekly benefit amount of the individual is determined in the same way as for regular compensation purposes; and the total amount of emergency compensation payable to an individual is an amount equal to the lesser of 100 percent of the regular compensation payable to him for the most recent benefit year or 26 times his average weekly benefit amount for his benefit year.

The emergency compensation payable under the amendment is payable only during an emergency extended benefit period.

Such a period is triggered in a State when the rate of unemployment (which takes into account both the rate of insured unemployment and the rate of exhaustions of regular compensation) for such State for a 13-week period equals or exceeds 6.0 percent. Under the Senate amendment, emergency compensation is payable only for weeks of unemployment which begin more than 30 days after the date of the enactment of the bill (or, if later, after the week in which the State agreement is entered into). In addition, such compensation is payable only for weeks which end before July 1, 1973.

The Senate amendment provides for financing emergency benefits by increasing the rate of the Federal unemployment tax imposed by section 3301 of the Internal Revenue Code of 1954 on wages (as defined in section 3306(b) of such Code) paid during 1972 or 1973 from 3.2 percent to 3.29 percent.

The Senate amendment also provides for the Secretary of Labor to submit to Congress a full and complete report of the emergency compensation program on or before July 1, 1972.

The House recedes with amendments.

The conference agreement in general follows the Senate amendment with these major changes:

(1) Under the conference agreement, the total amount of compensation payable to an individual is the lesser of (A) 50 percent of the regular compensation payable to him with respect to the benefit year on the basis of which he most recently received regular compensation, or (B) 13 times his average weekly benefit amount for his benefit year.

(2) Under the conference agreement, the emergency benefit period is triggered in a State when the rate of unemployment (which takes into account both the rate of insured unemployment and the rate of exhaustions of regular compensation) for such State for a 13-week period equals or exceeds 6.5 percent.

(3) Under the conference agreement, no emergency compensation is payable for any week of unemployment which ends after June 30, 1972; except that, in the case of an individual who had a week of unemployment ending before July 1, 1972, for which emergency compensation was payable under a State agreement, the period for paying emergency compensation to that individual under the State agreement will also include weeks of unemployment which end before October 1, 1972.

(4) Under the conference agreement, the emergency compensation will be payable out of the Federal extended unemployment compensation account. The agreement authorizes the appropriation to such account of repayable advances (which shall not bear interest) to carry out the emergency compensation program provided by the bill. The amounts paid to any State for benefits under this program are to be repaid by transferring to the general fund of the Treasury amounts equal to such benefits. These transfers are to be made out of amounts which would otherwise (but for the new section 903(b)(3) of the Social Security Act added by the bill) be paid over to such State out of excess Federal unemployment tax collections.

(5) The conference agreement also modifies the reporting provisions of the Senate amendment. Under the conference agreement, the Secretary of Labor is required to submit before May 1, 1972, a full and complete report of the emergency compensation program provided by the bill. The report is to cover the period ending on March 31, 1972, and is to contain recommendations of the Secretary with respect to the program, including (but not limited to) the operation and funding of the program and the desirability of extending the program beyond June 30, 1972.

W. D. MILLS,
AL ULLMAN,
JAMES A. BURKE,
Managers on the Part of the House.

RUSSELL B. LONG,
CLINTON ANDERSON,
HERMAN TALMADGE,
CARL T. CURTIS,
Managers on the Part of the Senate.

CONFERENCE REPORT ON H.R. 10604, AMENDMENTS TO TITLE II OF THE SOCIAL SECURITY ACT

Mr. BYRNES of Wisconsin. Mr. Speaker, now to this conference report. First, the House passed a very desirable change in the Social Security Act with respect to providing lump sum death benefits in certain cases where the body itself could not be found for burial, in order to help with memorial services, and other expenses in connection with the death. I think it was a laudable purpose; it was a good bill, and it passed here, by unanimous consent.

The Senate added two amendments which I think are also very desirable as changes to the Social Security Act. One provides for the coverage of patients in intermediate care facilities as an optional source under the medicaid program. Under present law, such service is covered instead as an optional benefit under the various cash assistance benefit programs.

I think this is a most desirable amendment from our standpoint and from the standpoint of the States.

I think it is most important that we enact this at the earliest possible date.

As the chairman pointed out, the Senate also added an amendment to continue the authority of the States to pass through the social security benefits to individuals who, in addition to receiving old-age and survivors insurance, are also receiving old-age assistance, so that when we increase the social security by $4, it would not mean that some old-age assistance checks automatically would be reduced by $4, and so that individuals would have, in the end, $4 more in purchasing power than might be the case if this amendment did not pass.

While I have some question as to the policy involved, I think it is advisable, particularly under current economic circumstances, that we provide for this passthrough and make sure it does not expire. We have provided for it in H.R. 1, but because the Senate has not seen fit to enact the various social security amendments and revisions in H.R. 1, this is one item that does face a deadline, and therefore I think action here is desirable.

Then, as the chairman has pointed out, the Senate also added a very substantial change in the treatment of people receiving benefits under the program of aid to dependent children. Let me say, Mr. Chairman, that I am completely sympathetic with the objectives and the general purposes of the amendment known as the Talmadge amendment, adopted by the Senate, which does beefup the program to get people into jobs or training for jobs. I do not appear here in opposition to the underlying philosophy of the Senate amendments.

I am going to vote for the conference report. I signed the conference report. In conference I asked to make some changes which were agreed to by the conferees in this particular amendment to make it conform more to what the House had done in passing H.R. 1.

The SPEAKER. The gentleman from Wisconsin has consumed 10 minutes.

Mr. BYRNES of Wisconsin. Mr. Speaker, I yield myself 5 additional minutes.

We were successful in the conference in that regard.

My concern here is twofold. First, I am not sure that because of the limited time we had to deal with a very complex area that we really understand all the implications of what we were doing. It is a very far-reaching and broad amendment. As I said, I am 100 percent for the general proposition and the general principle. The questions I have are on the details. Have we created some problems? Have we created some inequities? Have we created some injustices? Have we thrown up roadblocks to getting people into the economic mainstream of this country, to making them more self-sufficient and less dependent upon public assistance, thus improving our whole welfare system?

I do not know the answers. That is my whole problem, because in the time we had on this complex area, we could not go into all facets and details. We were not fresh from hearings on this subject. We were not fresh from consideration of the issue. We were last year, but many other matters have intervened to occupy the time of the conferees, so we probably entered that conference not as familiar as we normally would have been. We simply had not the time to refresh our minds on all the details. That is the part that really bothers me, the cursory fashion in which we have acted.

There is another problem. I happen to be a proponent, and an enthusiastic proponent, of the welfare reform that was contained in H.R. 1. I think we have a welfare nonsystem which grew up like Topsy, and now we are adding another layer by our action here. It seems to me we should do many of the things that are provided in this amendment, but we should do them in a more coordinated way—coordinated with reform of our current welfare system.

This is a piecemeal approach. It takes part of H.R. 1 and tries to graft it on. I hope it will be an improvement on present operation. It should be, but I think we would do much better if we insisted that the Senate act on a bill that we have twice sent to them, which involves true welfare reform, instead of playing with it on a piecemeal basis, and never facing up to the real need for reform. I think the conference made a mistake in even agreeing to consider this matter in this context. We should have said we will consider it, and we want to consider it, but bring it to us in a form in which we can have in conference not just what the other body decided to do in the area of welfare, but also what the House has decided to do on two different occasions.

So that is basically what I object to

here—the manner in which this is handled, the cursory treatment it has received, and its treatment independently from the overall and more pressing problems that we all know exist, embodied in the need for welfare reform.

I do not know of anyone who will endorse the present welfare system—the taxpayers, the counties, the States, the Federal Government, or the welfare recipients.

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. BYRNES of Wisconsin. Mr. Speaker, I yield myself 5 additional minutes.

They are all disgusted with the existing system, and it is time that they became disgusted with the Congress for not doing something about it or for doing it only in a piecemeal fashion.

I believe it is time for us to say to the other body: "Send us this welfare reform bill. Make what changes you want, but send it back so that when we get to conference we have before us what we in the House have done on two different occasions as well as what you desire to have done, and then we can work out a compromise."

There were some changes which we thought should be made in the Senate amendment to make it conform more to the expressed wishes of the House. But we could not do that. Why? Because it would not have been within the purview of the conferees, and the conference report than would have been subject to a point of order.

I believe this House has a right to have its say on what is done in the area of welfare reform. We should have in conference the product of this House and the product of the Ways and Means Committee, which has been twice passed, as I mentioned, but has been held up in the Senate.

When they come to conference, not with that basic legislation and amendments to it, but with some facet of it, we have no opportunity to make changes which would be more in accord with the House position. That is what I protest today, Mr. Speaker.

But I am not going to oppose the conference report because I do realize that there are three other items in this bill which are desirable.

So far as its basic implementation is concerned, the effective date for the main provisions of this controversial amendment is July 1, 1972. We shall have at least 6 months for the staffs, for the Department, for others to go over it in a more studious way, to see whether mistakes or errors have been made in what we have done, and to recommend corrections before the implementing date.

Therefore, I can accept the conference report on the ground that even though there may be some errors in it, we do at least have some time to make corrections before it becomes effective.

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

Mr. BYRNES of Wisconsin. I yield to the gentleman from Oregon.

Mr. ULLMAN. Mr. Speaker, I believe the gentleman is understating both the consideration that was given to this matter and the expertise that was brought to bear, which the gentleman himself has. I want to commend him for going into this conference on each one of the items that are a part of this amendment, and going into them in great detail and great thoroughness.

The gentleman, I know, agrees these are not new concepts. We have been working with every single one of these concepts. Back in 1967 we originated the WIN program, and then we gave them all lengthy consideration in H.R. 1, and then more recently.

These are all concepts the gentleman did bring to bear a great deal of consideration and expertise on in the conference.

So far as I am concerned, I believe we put it together in a better way, perhaps, than we could have done had we had some other vehicle to do it.

Mr. BYRNES of Wisconsin. I appreciate the comments of the gentleman. If this all turns out well I will be glad to accept credit for what has been done. If it does not, let me suggeset at this point that I can kind of hold in reserve any responsibility for it, and we can leave it at that.

Mr. MILLS of Arkansas. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the chairman.

Mr. MILLS of Arkansas. It is my understanding that the chairman of the Finance Committee in the conference said it was his intention to have H.R. 1 on the floor of the Senate for consideration not later than March 1. Did he make that statement?

Mr. BYRNES of Wisconsin. There was something said that I think generally had that effect. I am not too sure how firm it is or that it was any guarantee, although he did suggest he had had an understanding, I believe, with his party leadership in the Senate and that he would do what he could to bring it to the Senate for action approximately the first of March next year.

The SPEAKER. The time of the gentleman has expired.

Mr. BYRNES of Wisconsin. Mr. Speaker, I yield myself 3 additional minutes.

Mr. Speaker, even March 1 would be a long overdue date. We should have had this in conference several months ago, so that we could have worked out and had in law or in a conference report something in the area of real welfare reform. That is where I have my grievance with what is being done here and with the Senate.

Mr. MILLS of Arkansas. Will the gentleman yield further?

Mr. BYRNES of Wisconsin. Yes. I yield to the chairman.

Mr. MILLS of Arkansas. I only asked the question because if it works out that the Senate does act on H.R. 1 in the first part of March, it is entirely possible that we could complete a conference report by the effective date of this amendment, which is July 1, 1972.

Mr. BYRNES of Wisconsin. I think, though, Mr. Chairman, that since this is grafted onto a Federal-State system, and since what we contemplated in H.R. 1, at least in the area of work requirements, was federalization, that you are going to have to make some substantial changes, and it would not change the effective date or the effectiveness on this part of that situation.

Mr. MILLS of Arkansas. That is my point. But if we do have to make some changes, we will have the opportunity to do it before July 1 at least.

Mr. BYRNES of Wisconsin. Right. Really, it seems that even if the Senate does not send us this bill——

Mr. MILLS of Arkansas. Absolutely. Absolutely.

Mr. BYRNES of Wisconsin. But that is what I am going on. However, no matter what happens we can bring it to fruition, or have some action to correct any deficiencies or errors in this amendment.

Mr. SAYLOR. Will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman.

Mr. SAYLOR. Mr. Speaker, I want to join with the gentleman from Wisconsin in complaining about this piecemeal approach to welfare reform.

Some cases in Pennsylvania have come to my attention where men are earning $22,000 a year and drawing as much as $3,000 in welfare and, believe it or not, that is the program in effect right now. They deduct their Federal and local taxes. They deduct their automobile payments. They can deduct their car payments and deduct all of their transportation expenses. A breakdown of the arithmetic used to justify and trim an annual salary of $21,853.20 to justify $3,004.80 in cash grants, plus $312 worth of food stamps and free medical care are as follows:

Monthly gross earnings	$1,821.10
Less $30 (WIN regulation)	30.00
Less ⅓ (WIN regulation)	579.03
Less Federal and local taxes	325.10
Less union dues	169.00
Less car payment	110.90
Less transportation expenses (7 cents a mile)	147.51
Adjusted income total	441.56
Add contribution of working dependent	15.00
Adjusted income for welfare purposes	456.56

On this basis the recipient qualified for a monthly cash grant of $250.40 plus other welfare benefits.

This is one of the things that just has to be gotten rid of. I agree we should not attack the welfare problem in this piecemeal manner.

Mr. MILLS of Arkansas. Will the gentleman yield to me?

Mr. BYRNES of Wisconsin. I yield to the gentleman.

Mr. MILLS of Arkansas. As I followed the gentleman from Pennsylvania, my good friend, the cases he mentions are completely illegal payments under our Federal law.

Mr. SAYLOR. Will the gentleman yield to me?

Mr. BYRNES of Wisconsin. I yield to the gentleman.

Mr. SAYLOR. Very frankly, the State of Pennsylvania is paying this kind of arrangement and the Federal Government

has concurred in it. John L. Costa, Commissioner, Social and Rehabilitation appeared at a meeting and said that he had heard some of the interpretations being used in Pennsylvania and that they are correct.

He further stated "Under the present Federal law, it is possible for a family to earn substantial income and still be eligible for welfare assistance."

This is just an absolute disgrace to the people who must be on welfare, and who deserve our best.

Mr. BYRNES of Wisconsin. The problem the gentleman refers to is attributable—at least in part—to the methods used in computing the income disregard under existing law. We corrected this problem and many others in H.R. 1; unfortunately, this problem the gentleman refers to and the others the House welfare reform bill dealt with are still with us and have not been corrected in the piecemeal approach taken in this bill.

Mr. MILLS of Arkansas. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. CAREY).

Mr. CAREY of New York. Mr. Speaker, I thank the chairman for yielding me this time.

I take this time in order to propose one query of the chairman.

Those of us who supported the gentleman in the preparation of H.R. 1 knew it was meant to be a massive forward step in cooperating with the major national problem on welfare through the federalization of welfare, and so forth. The time lag in between the passage of the House bill in two different Congresses and the Senate action thereon caused a great deal of difficulty and dilemma among the State and local welfare agencies in waiting to see what Congress will do.

As I view the action of the conferees and the House today, we are just moving a transmission belt toward a new system. This may help solve the dilemma and the difficulties that the State and local welfare people have who are just waiting for such eventual action as we know Congress is bound to take.

This is a phase-in arrangement and it has in it some attractive features which will make H.R. 1 work more effectively when it comes into being, specifically I note the provision of day care services at Federal expense. A major achievement, in law for family assistance.

Mr. MILLS of Arkansas. I think the gentleman is exactly correct.

Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. HOLIFIELD).

Mr. HOLIFIELD. Mr. Speaker, I would like to thank the chairman of the committee and the conferees on both sides as well as the distinguished minority leader on the committee for their courteous consideration of this small original bill, I had no idea at the time it would get into such trouble over in the other body. But, we do appreciate the courtesy the committee has shown me in arriving at a resolution of these very difficult problems.

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. Yes, I yield to the gentleman from Wisconsin.

Mr. BYRNES of Wisconsin. I think in our experience here that no matter what you send over there, you have got to keep your fingers crossed as to what is going to come back.

Mr. MILLS of Arkansas. Mr. Speaker, if the gentleman will yield, I might suggest to the gentleman from California that his matter was entirely noncontroversial and entirely desirable. We brought back, though, three additions to it which in my opinion enhances the gentleman as the author of the original legislation.

Mr. HOLIFIELD. In my opinion the original bill, about which there was no objection to its purpose, now carries with it a tremendous amount of humanitarian benefits. I thank the members of the Ways and Means Committee again.

Mr. EDMONDSON. Mr. Speaker, I support the conference report on H.R. 10604 and commend the House conferees led by our distinguished colleague, the Honorable WILBUR MILLS.

The acceptance by the conferees of a Senate amendment regarding intermediate care will avert a real crisis in the nursing homes of Oklahoma, and I appreciate the action taken in conference.

I trust the conference report will be overwhelming approved.

Mr. ULLMAN. Mr. Speaker, as ranking majority member of the Committee on Ways and Means, I was an active participant in the deliberations of the conference on H.R. 10604. I would like to review this legislation briefly with special emphasis on the changes it makes in the existing work incentive program. I want to show here and now that these changes when taken together can move effectively to break the welfare cycle.

I also want to point out that these WIN amendments have a considerable history and have been the subject of considerable public debate. The Senate passed these amendments on three separate occasions; the first two times the amendments were adopted by the Finance Committee and retained on the floor.

Most recently, the Senate added the provisions to the Revenue Act of 1971. The conferees on that bill dropped them only because they were not germane. And it should be pointed out that the Finance Committee held hearings on these provisions when Senator TALMADGE first introduced them in 1970.

Mr. Speaker, I wish to express my strong support for the conference agreement reached on H.R. 10604. As passed by the House, this bill would have somewhat broadened the conditions under which a lump-sum payment can be made upon the death of a person who is insured under the social security system. The Senate added amendments dealing with other Social Security Act programs which would extend a temporary provision for passing along to public assistance recipients a portion of their increased social security benefits under 1969 legislation, which would provide for coverage under the medicaid programs of care in intermediate care facilities, and which would make a number of changes in the WIN or work incentive program for recipients of aid to families with dependent children—AFDC.

In general, the conference accepted the Senate amendments in each of these three areas, with several modifications in the WIN provisions. I am particularly enthusiastic about the work incentive amendments since they, in many ways, strike directly at the heart of some of the worst features of the existing program—features which I and others have long recognized as barriers to achieving self-sufficiency for employable welfare recipients and their families.

As agreed to by the conference committee, H.R. 10604 would require the registration with the Labor Department of all AFDC recipients who do not meet one of a limited number of specific exceptions. The exceptions include those categories of recipients who would not generally have much employment potential such as, for example, children, the aged and ill, and mothers caring for preschool children.

This registration requirement is an important step in the direction of an objective I have seen as an absolute essential if we hope to solve the welfare problem, and that objective is the clear separation of employable and nonemployable recipients so that our efforts at improving employability can be directed to those who can use them.

A second major aspect of the WIN amendments agreed to by the conference committee flows logically from the first. Having identified those who are potentially employable, the State welfare agencies are required to propose them for jobs, or to participate in training leading to jobs. A very reasonable and attainable goal is set by the legislation that each State must certify to the Department of Labor as ready for employment or training at least 15 percent of those required to register. To the extent that a State fails to meet this goal, it would be penalized by having its Federal matching funds for AFDC reduced.

The bill also contains important provisions to help assure that State welfare agencies will be able to meet or exceed the minimum requirements. For one thing, it requires each State welfare agency to establish a separate unit which will have the sole responsibility for providing to registered AFDC recipients those services necessary to prepare them for work or training. More importantly, it increases the Federal matching share for such services from the 75 percent which is now in effect to 90 percent. And among the services covered by this increased matching is child care.

I have long felt that the lack of an adequate supply of child care is the greatest single barrier to making welfare recipients self-sufficient through employment. And this is a view which I know is nearly universally shared. Similarly, the administration has testified time and again that the greatest barrier to expanded child care under the AFDC program is the requirement of a 25-percent State or local matching. By reducing the required State and local share to 10 percent, this bill should virtually eliminate that barrier to employment. As a safeguard, however, the conference agreement puts a $750 million limit on the services which can qualify for the 90-percent matching in fiscal year 1973.

After employables are identified and after they are prepared for work or training, there still remains the task of finding work for them or placing them in training which will enable them to get work. The bill also attacks this problem. Because the limited funds that are available for this expensive business of transforming an employable person into an employed person have too often been spent on institutional training which did not in fact lead to a job for the trainee, the bill requires the Secretary of Labor to establish, in each appropriate area, labor-market advisory councils which will advise him of the types of jobs available or likely to become available in each area. It also requires him to expend at least one-third of all WIN funds each year on those employment-based programs of on-the-job training and public-service employment—programs which create jobs for recipients rather than training them for jobs which may or may not exist.

To further bolster the work and training aspects of the WIN program, the bill cuts from 20 to 10 percent the required State or local share of program costs and simplifies the funding of public service employment by providing that a recipient may be placed in a public service job with 100 percent Federal funding of the costs involved for the first year of his employment, 75 percent for the second year, and 50 percent for the third year. This is essentially the same public service employment provision as that already approved by the House as a part of H.R. 1.

To assure the proper and efficient use of WIN program funds, the bill requires that at least half of such funds be allocated among the States under a formula based on the number of registrants and it requires the Secretary of Labor to provide manpower services to those certified to him according to specified priorities.

These amendments to H.R. 10604 are not hastily conceived additions. They are, rather, thoughtful responses to some of the most basic flaws in the present welfare system. Essentially the same amendments, as I indicated above, were proposed by the Senate Committee on Finance as amendments to the social security bill considered at the end of the last Congress. The Ways and Means Committee also heard extensive testimony on these basic points. The faults brought before both committees are in large measure corrected by these amendments.

As I said in my dissenting views in the report on H.R. 1, the keystones of welfare reform are child care, job training, and job placement. This bill takes a significant step in just those directions.

GENERAL LEAVE

Mr. MILLS of Arkansas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days during which to extend their remarks at this point in the RECORD on the conference report.

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

There was no objection.

Mr. MILLS of Arkansas. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

INTEREST, USURY, AND CONSUMER CREDIT IN THE DISTRICT OF COLUMBIA

Mr. CABELL. Mr. Speaker, on behalf of the Committee on the District of Columbia, I ask unanimous consent to take from the Speaker's desk the Senate bill (S. 1938) to amend certain provisions of subtitle II of title 28, District of Columbia Code, relating to interest and usury, with Senate amendments to the House amendments thereto, and concur in the Senate amendments to the House amendment.

The Clerk read the title of the Senate bill.

The Clerk read the Senate amendments to the House amendment, as follows:

Page 1, line 3, after "28–3308," insert "and".

Page 2, line 5, strike out "or 39".

Page 11, line 13, strike out "his" and insert "this".

Page 15, line 8, strike out "ability" and insert "liability".

Page 18, in the line following line 16, strike out "military".

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

Mr. GROSS. Mr. Speaker, reserving the right to object, I simply want to inquire if the amendments are germane to the bill.

Mr. CABELL. Mr. Speaker, if the gentleman from Iowa will yield, the gentleman from Texas is pleased to advise him that there are no substantive changes in the bill as passed by the House yesterday. There are neither deletions nor additions to the subject matter. There are some purely technical amendments which have been agreed to by counsel of both committees.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Senate amendments to the House amendment were concurred in.

A motion to reconsider was laid on the table.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

Mr. ROONEY of New York. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

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

[Roll No. 464]

Anderson, Ill.	Giaimo	O'Neill
Anderson, Tenn.	Goldwater	Pelly
	Griffiths	Pike
Andrews, Ala.	Gubser	Pryor, Ark.
Baker	Hall	Rees
Belcher	Hansen, Idaho	Reuss
Blatnik	Hansen, Wash.	Rhodes
Bolling	Harsha	Robison, N.Y.
Broomfield	Hébert	Rousselot
Caffery	Heinz	Sarbanes
Casey, Tex.	Hicks, Wash.	Scheuer
Clay	Horton	Seiberling
Conte	Kastenmeier	Sisk
Conyers	Landrum	Smith, Calif.
Davis, Ga.	Latta	Springer
Dent	Leggett	Stanton, James V.
Diggs	Lujan	
Dowdy	McClure	Stephens
Downing	McKevitt	Sullivan
Dwyer	McMillan	Symington
Edwards, La.	Macdonald, Mass.	Thompson, N.J.
Evins, Tenn.		Veysey
Fish, N.Y.	Martin	Waggonner
Flynt	Michel	Waldie
Ford, William D.	Mills, Ark.	Whitten
	Mink	Wilson, Bob
Fulton, Tenn.	Mollohan	Wilson, Charles H.
Fuqua	Moorhead	
Gallagher	Moss	Yatron
Gaydos	O'Hara	

The SPEAKER. On this rollcall 346 Members have answered to their names, a quorum.

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

CONFERENCE REPORT ON S. 2891, ECONOMIC STABILIZATION ACT AMENDMENTS OF 1971

Mr. PATMAN. Mr. Speaker I call up the conference report on the bill (S. 2891) to extend and amend the Economic Stabilization Act of 1970, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

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

POINT OF ORDER

Mr. GROSS. Mr. Speaker, I desire to make a point of order against the consideration of the conference report.

The SPEAKER. The gentleman will have to wait until the report is read.

The Chair will protect the gentleman.

The Clerk will read the report.

(For conference report and statement, see proceedings of the House of December 13, 1971.)

The SPEAKER. Without objection, further reading of the report will be dispensed with.

There was no objection.

The SPEAKER. Does the gentleman from Iowa desire to make his point of order at this time?

POINT OF ORDER

Mr. GROSS. Mr. Speaker, I make a point of order against the conference report on S. 2891 on the basis that the House managers exceeded their authority, did not confine themselves to the differences committed to them and on the basis that the managers' report contains matter clearly not germane to the matter in disagreement, all in flagrant violation of clause 3, rule XXVIII, and the precedents of the House of Representatives.

The Senate-passed bill contained a section 3 which in effect waives the pro-

visions of the Federal Pay Comparability Act of 1970—Public Law 91-656—and directs the President to put into effect January 1, 1972, pay adjustments for the three statutory salary systems—General Service, Foreign Service, and Veterans' Administration Medicine and Surgery—in an amount not to exceed the pay guidelines under the Economic Stabilization Act or not greater than the actual comparability adjustments.

The House-passed bill contained no such section 3.

The conference report, as agreed to by the conferees, contains section 3 with two significant changes that are clearly not germane to the section 3 as passed by the Senate.

First, section 3 in the conference report contains an additional provision which raises the maximum pay limitation applicable to employees of the Senate and House of Representatives from level 5 to level 4 of the Executive Salary Schedule. This is a proposition which was clearly not committed to the Conference Committee.

Second, the conference report in section 3 eliminated the Senate-passed provision which provided that no pay adjustment under the Federal Statutory Pay System could exceed comparability based on the 1971 Bureau of Labor Statistics Survey.

In essence, Mr. Speaker, the conferees not only eliminated a restriction on the amount of pay adjustment for the three statutory salary systems but they also increased rates of pay for groups of employees—those employees of the House and the Senate—who were not specifically cited in either the Senate- or House-passed bills.

Clause 3 of rule XXVIII of Rules of the House reads in part as follows:

> Moreover, their report shall not include matter not committed to the conference committee by either House, nor shall their report include a modification of any specific topic, question, issue, or proposition committed to the conference committee by either or both Houses if that modification is beyond the scope of that specific topic, question, issue, or proposition as so committed to the Conference committee.

The rule was actually strengthened and tightened up in the Legislative Reorganization Act of last year in order to make it abundantly clear that no specific topic, question, issue, or proposition could be agreed to by the conferees unless committed to the Conference Committee by either or both Houses.

The pay of legislative employees certainly was not committed by either House to the Conference Committee and the additional provision contained in section 3 on this subject constitutes a modification which goes clearly beyond the scope of the "specific topic, question, issue, or proposition" as committed to the Conference Committee.

I might add, Mr. Speaker, that the subject of pay maximums and limitations is much too important to be considered in this manner late in the session buried as nongermane amendments to a conference report. If amendments or changes are needed they should be considered in the regular order by the appropriate committees and reported to the House as separate matter in the next session.

Mr. Speaker, I insist upon my point of order against the conference report.

The SPEAKER. Does the gentleman from Texas desire to be heard on the point of order?

Mr. PATMAN. I do, Mr. Speaker.

Mr. Speaker, a point of order should not lie against the so-called Federal Pay Section of the Economic Stabilization Act of 1971 for several reasons. First, the Economic Stabilization Act speaks to the general subject of wages, prices, rents, and so forth. Federal workers are a segment of the general working population of the United States and, therefore, must be treated both as an economic matter and, in this instance, as a parliamentary matter of the general working population. Second, what the House did in passing this legislation before going to conference was to strike all of the language under the Senate-passed bill, S. 2891, and substitute the language contained in H.R. 11309 and then ask for a conference. As such, Mr. Speaker, it is my understanding that since the language accepted by the conferees in this instance was language contained in the Senate bill, this section of the act is neither subject to a point of order here in the House, nor can a separate vote be demanded thereon.

Therefore, Mr. Speaker, I hope that the point of order will be overruled.

The SPEAKER. The Chair is ready to rule.

The gentleman from Iowa (Mr. GROSS) makes a point of order against the conference report on the bill S. 2891 on the ground that the conferees on the part of the House have exceeded their authority as defined in clause 3 of rule XXVIII by including matter not submitted to conference by either House.

Specifically, the gentleman from Iowa asserts that the conferees have broadened that provision of the Senate bill which authorizes comparability adjustments in the rates of pay of each Federal statutory pay system covered by the Federal Pay Comparability Act of 1970 at a rate not in excess of 5.5 percent, effective after January 1, 1972.

The House amendment contained no comparable provision. As stated in the joint statement of the managers on page 22, the conferees have adopted the Senate provision with a "clarifying amendment" to assure that the comparability adjustments be made not only in the "statutory pay systems" as that term is defined in 5 U.S.C. 5301(c), but also in "all other Federal pay systems" covered by the Federal Pay Comparability Act of 1970; namely, those under which rates of pay are fixed by administrative action under 5 U.S.C. 5307. This would include employees in the executive, legislative, and judicial branches and employees of the District of Columbia whose pay is disbursed by administrative action. It would also include employees whose pay is disbursed by the Secretary of the Senate or the Clerk of the House.

The Chair is compelled to hold that the conferees, by deleting the word "statutory" in the Senate bill, have broadened the coverage of the comparability adjustments beyond the scope of the Senate bill or the House amendment. The Chair therefore sustains the point of order.

MOTION OFFERED BY MR. PATMAN

Mr. PATMAN. Mr. Speaker, I move that the House insist on its amendments to the bill (S. 2891) to extend and amend the Economic Stabilization Act of 1970, and request a further conference with the Senate thereon.

The motion was agreed to.

The SPEAKER. The Chair appoints the following conferees: Messrs. PATMAN, BARRETT, Mrs. SULLIVAN, Messrs. REUSS, ST GERMAIN, MINISH, WIDNALL, JOHNSON of Pennsylvania, J. WILLIAM STANTON, and BROWN of Michigan.

ALASKA NATIVE CLAIMS SETTLEMENT ACT

Mr. ASPINALL. Mr. Speaker, I call up the conference report on the bill (H.R. 10367) to provide for the settlement of certain land claims of Alaska Natives, and for other purposes, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of December 13, 1971.)

Mr. ASPINALL Mr. Speaker and Members of the House, since 1951 your Chairman of the Committee on Interior and Insular Affairs, together with his colleague from Pennsylvania (Mr. SAYLOR) and their many committee colleagues have been studying and working on the matter of the settlement of claims made by the natives of Alaska. Since the time the gentleman from Florida (Mr. HALEY) took over the chairmanship of the Subcommittee on Indian Affairs, we have worked closely and continuously in trying to bring this matter into some satisfactory resolution. At this time I would commend Congressman HALEY and all of those who have worked with him in bringing before the House at this time for final action a bill which endeavors to take care of the claims of the Alaskan natives as well as we think it can be done, at least, at this time. I especially wish to commend the most able and cooperative gentleman from Iowa (Mr. KYL) one of the most effective members of the Committee on Interior and Insular Affairs.

As has been stated in that part of the report already read, I suppose there is not a member of the committee or of the conference committee who is entirely satisfied with parts of this bill. I know at this time my colleague, the ranking Member from Pennsylvania, is not satisfied with certain parts of it, and he has not signed the report from the conference.

On the other hand, he has permitted the conference report to be brought before us to be debated and to be voted

on in accordance with the merits of the report.

The conferees labored long. There were 9 days of conference sessions, with a staff that, I believe, is as capable and as able as any staff here on the Hill. We had a very complicated piece of legislation before us. It is so interwoven that it is difficult to understand it unless the whole picture is laid out for one desiring to understand what is involved, and we do not have the time, of course, this afternoon.

We worked on the House bill, which received a good vote from the House when it passed here several weeks ago. The conference report generally is in the format of the House language.

It is true that we added certain provisions of the Senate bill. But to show you what the difference is, the bill comes back to us from conference with just about all of the House language that was in the bill sent to the other body.

There are certain matters we should keep in mind as we make our final decision. This legislation endeavors to take care of three major matters.

We endeavor to take care of the claims of the Natives for the lands from which they have been dispossessed, either outright or in part, and we endeavor to lay to rest for all time any further claims that the Natives may have. We also endeavor—and I think we do in this legislation—to take care of the situation so that those tribes of Indians living in the Southern 48 States will not be able to use this as a precedent.

With that in mind, what does the conference report and legislation purport to do? First of all, it gives the Natives under certain provisions 40 million acres of land in that Northern State. About 22 million acres of land are given to the villages which will be incorporated either as profit or nonprofit organizations. It takes another 2 million acres of land and makes it possible for the Secretary to use them for hardship cases. Then the remaining 16 million acres of land are to be given to the regional corporations. Those corporations will have not only the surface rights to the 16 million acres of land, but also the subsurface rights to 22 million acres of land which go to the villages, and the 2 million acres of land which will be used for hardship cases. This is the land settlement.

A large settlement? Yes, if viewed as we would view it here in the lower 48 States perhaps, but no, if viewed in the light of the area where the land is situated, and viewed in the light of those who have used it for decades, for centuries, and for millenniums. Some of them say they have used this land, or their ancestors have, for 9,000 years.

In addition to the 40 million acres of land, we are providing for the cash settlement of $962,500,000. Some will say this is a large sum of money for the 55,000 people or thereabouts—and it is. But I can show Members tribes of Indians in the United States which have been able to get payments which will be as large as these payments, and in some instances, larger, as far as money is concerned. The $462.5 million will be paid from the Treasury of the United States according to a certain schedule which is set forth in the conference report, and $500 million from 2 percent of the royalties and rentals and leases and so on from the subsurface resources which belong to the State.

In addition to that, we have set up a corporate organization. There will be 12 regions in Alaska determined by the Secretary in conformity with historic use, and one corporation for each region as a maximum, but not less than seven if some of them wish to merge. The corporations will be controlled by the Natives themselves. They will be corporations organized under the laws of the State of Alaska. Stock will be issued. The first stock will not be alienable for 20 years, and the stock will be canceled and issued again, so that these corporations will be given the opportunity to take care of their best interests and take care of their relations with the villages and the Natives.

In addition to these 12 corporations, we have provided for a 13th corporation which will take care of those Natives who no longer live in Alaska. It will take a majority of those who are entitled to be enrolled to make a determination that they desire a corporation, rather than the outright payment of the moneys due them. However, these Natives will also have the right to choose whether or not they wish to belong to the nonresident corporation, as whether they wish to register in the village and region where they would otherwise register if they were not nonresident.

It will be to their benefit, in many instances, not to form a 13th corporation but to register in their old region, because this new corporation, the 13th corporation, will have no interest in lands whatsoever. It will have to be satisfied with the corpus of money that has been paid to them under the provisions of this bill.

We provide for withdrawal of lands to protect the Natives and to protect the State.

We provide for the lifting of the present freeze.

We provide for the withdrawal of certain townships that are near the villages or of which the villages are a part.

We provide for the withdrawal from which the land can be chosen to give to the Natives 25 townships in the maximum, which is almost 600,000 acres, if I remember correctly.

We make all these provisions. We also go further in this legislation and we provide for planning by the Federal Government and by the State government in order to protect the interests of the Federal Government.

We also provide for the temporary withdrawal by the Secretary, if he sees fit, of 80 million acres to satisfy any Federal need for additional national parks, national forests, or wildlife refuges.

We provide also that if any land is taken from the present national forests, national parks, or wildlife refuges "in lieu" lands will be made available.

We provide for the continuance of petroleum reserve No. 4, in the interests of the Federal Government, as one of our national security areas and national security resources.

We make all these provisions.

Briefly, we have taken care of the interests of the Natives. We have protected the interests of the Federal Government. We have provided for the viability of the State of Alaska as nearly as it is possible to do, because it is just not in the interest of the people of the United States that we provide for a supergovernment in or around the State of Alaska. We have taken care of that.

Members might be interested to know we have also taken care of attorney fees, though not quite as economically as we had provided in the House bill. We split the difference a little bit in favor of the Senate bill, to $2 million. Some people may say that this is a lot of money. Let me suggest a comparison.

In my own district in eastern Utah where the Ute Indian Tribes live, the attorneys in Salt Lake City representing them there came to Washington and secured a judgment in favor of the Indians of $31 million-plus. The attorneys took 10 percent, or over $3 million for their work in this little judgment of $31 million. This is common in this program. So when we think in terms of attorneys' fees it might be said we are quite niggardly.

We also provide, however, that those claiming attorneys' fees have to go before the chief commissioner of the Court of Claims and prove the value of their services.

Mr. Speaker and Members of the House, I unhesitatingly recommend this conference report to my colleagues, knowing that it is not a perfect document but believing sincerely that it is absolutely necessary as of this time, that it is the best we could bring before the House, and that it will do the job it is intended to do.

The conference report contains a clear summary of the provisions of the compromise that is recommended, and also shows the changes that have been made in the bill that was passed by the House. That report is already in the RECORD, and I shall not review it in detail at this point. I recommend that it be studied by any of my colleagues who want more detail.

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

Mr. Speaker and Members of the House, I was appointed a conferee on this legislation by the Speaker, but I did not sign the conference report. I did not sign the conference report because I am satisfied that, while December 14 may be celebrated some years in the future in Alaska as the day on which 50,000 Eskimos, Indians, and Aleuts were given 40 million acres of land and the mineral rights thereunder and almost $1 billion to be turned over to 12 or 13 corporations, today will also be celebrated by the 200,000 non-Natives who live in Alaska as a day of infamy and deceit because, when land that was purchased for $7 million in 1867, and a portion thereof, 40 million acres was repurchased for over $1 billion, that is not a bad return, even with compound interest on 100 years.

Mr. Speaker, I have dealt with this Native Claims Act, as the chairman of the committee stated, since 1951. There were those, including the gentleman from Florida—and, unfortunately, I was not one of them—who said that this matter should have been taken care of before Alaska became a State. If we would have, I could say to the Members of the House that we would have had a real bargain. We could have probably settled it for a miniscule part of what we are paying today in this bill.

Very frankly, the Eisenhower administration came up with the first recommendation, shortly after statehood, that this be taken care of, and they recommended a few million acres of land and a few million dollars. During the Kennedy administration and the Johnson administration it increased slightly, and even in the first year of this administration they recommended a settlement of only 14 million acres of land.

Lo and behold, you, then the great oil discovery was made on Prudhoe Bay. Oil talks and oil has talked to the White House and oil has talked to the Indians and oil has talked to the people of the United States. The price has gone up and up and up.

I say that because, ladies and gentlemen, there is no legal responsibility, according to the U.S. Supreme Court, to pay 1 cent. There is a moral responsibility in this country, and we are the only country that has ever recognized a moral responsibility for Native claims.

If we would have used the same formula for all of those Indian tribes in the lower 48, there has never been enough money in the U.S. Treasury to pay their claims. But we now have this bill before us and it is the best that you can do.

Mr. Speaker, I want to say that I think, personally, everyone of those 176 Members of the House of Representatives who voted with the gentleman from Arizona (Mr. MORRIS UDALL) and myself when we tried to get a land planning section in the House bill but were defeated, because of the strength of that vote it strengthened the hand of the Senate conferees and there is a land planning provision in this conference report. It is not as good and is not as strong as I would like to see it, but it is even better in some respects than the land planning provision that Mr. UDALL and I offered.

Mr. Speaker, one of the things that disturbs me about this conference report—and I call the attention of the Members to page 25 of the report—subparagraph (d)(1) "Public Land Order Numbered 4582," 34 Federal Register 1025, as amended, is repealed and for a period of 90 days all the land in Alaska is withdrawn.

Very frankly, I do not think the Secretary of the Interior can do the job he is supposed to do in 90 days. I am, therefore, notifying the Members of the House now that I may upon the convening of the 2d session of this Congress after the 18th of January, if I am told by the Secretary of the Interior that he needs more time, I am going to introduce a bill that will call upon the Congress to give the Secretary of the Interior more time on this total withdrawal because he should have it. He represents not just the 50,000 Natives and the 200,000 people who live in Alaska. He represents 205 million Americans.

Now, Mr. Speaker, let me turn to one element of this conference report which is of the utmost importance. As I have pointed out before, this settlement of Native land claims is also the first step in the carving up of the hitherto undeveloped public domain in Alaska. Fortunately, this conference recognized the potential damage to the public interest that could result, and has provided conservation provisions which can protect the public interest.

The simple fact is that in this bill we have the outlines of the greatest opportunity for a singular advance in land conservation that any Nation has ever had before it in one moment in time.

Embodied in this conference report is nothing less than the once only opportunity, if we will but grasp it. The opportunity to acquit ourselves as true trustees and stewards of the greatest expanse of virtually virgin, unspoiled land anywhere. The public domain in Alaska is the last great frontier over which we can exercise the truest kind of statesmanship, that which secures for all the people, for all time, a priceless natural heritage.

This legislation as reported by the conference committee provides the tools and sets up the opportunity, which must be grasped and taken full advantage of by the Secretary o. the Interior and his staff. I hope the Secretary and his people are conscious of the unparalleled opportunity now before them, and I believe they are. It is my hope, as a conferee, as ranking minority member of the Committee on Interior and Insular Affairs, and simply as a Member of this great body, that those to whom this legislation now entrusts the power will act swiftly, with determination, and with the broadest and most far-sighted vision of the public interest before them, to bring to reality the enormous, unexampled conservation achievement for which we now give them the tools.

The opportunity here is, in one word, "Alaska." The last great frontier of unopened public domain is, by this bill, going to be opened, taken, by many different interests, and developed. Not all of that will be a bad thing, but here as elsewhere, there is a great threat the development will be overdone, misplaced and insensitive.

We have argued from the first day that Native claims legislation was under discussion, that this process of opening up Alaska ought to begin, first of all, with full protection of the interests of all the people and of future generations of Americans. We have brought out a final bill, in this conference report, that provides the means to protect that first interest. If we do it right and properly, we will have taken one of the single most historic steps in the annals of conservation in this or any other era.

One of the most historic days in American conservation was that day when President Theodore Roosevelt and his Chief Forester, Gifford Pinchot, pored over maps of the United States and drew out the boundaries of millions of acres to be permanently reserved for all the people as America's great system of national forests. It was a controversial move, and its full importance was not immediately evident to everyone. But those two men, who were men of vision, foresaw the elemental significance of what they did, and that was why they did it. We remember that action with such national pride because we recognize it as a singular example of a great opportunity to protect the public interest which was fully grasped, just at the single moment when it was possible. The heritage of public forest lands was protected. We are the richer for the vision and courage of those two men.

Today, we lay the framework for another opportunity of similar vast importance and perhaps even greater ultimate significance. This opportunity, too, is controversial. In the face of competing claims from special interests, many chose to oppose the recognition of this great need for protecting the public trust in Alaska. It is a great source of pride to me, that the conference committee, brought back a bill that looks beyond the immediate, the mundane, the narrow spectrum of special interests, and beyond those limits to the broadest horizons of the public interest and the future.

In this legislation, we set before the Secretary of the Interior and the President, an opportunity beyond even that Teddy Roosevelt and Gifford Pinchot had. We place the fate of the public interest and the national heritage in their hands.

In making the decisions they must make in implementing the conservation provisions of this legislation over the next nine months, the Secretary of the Interior and the President can write the brightest chapter in American conservation history. They can act boldly and with vision, and that is what we charge them to do.

The Members of this body will recall that we argued, when this legislation first came before the Committee of the Whole House, that it was flawed for lack of a suitable mechanism to assure that the public interest, the national interest would be protected as the Alaskan public lands were opened up. That simple proposition, and the amendment we proposed to meet that need, aroused an enormous storm of opposition from a host of special interests, including the oil industry, several large labor unions, the State of Alaska, the leadership of the Alaska Native groups, and even the administration. In the face of that opposition, I am proud to say that 177 of my colleagues saw where the true public interest lay and supported the Udall-Saylor amendment.

It is one of the ironies of the way this system operates, that the great opposition to our amendment had a lot more to do with fulfilling the special needs of narrow selfish interests and meeting the claims of perogrative and power, than it did with opposition to the purpose and intent of the amendment itself. This was hidden, of course, in a wealth of rhetoric most notable for its complete irrelevance

to the issues we raised in the Udall-Saylor amendment.

I want to say a few words to those 177 of my colleagues who did support the Udall-Saylor amendment. You are vindicated and recognized, among the people who care, as having been in the right. And I am proud to be able to say to you that we have brought in a bill here that does incorporate the principles which you had the courage to stand up for when you supported the Udall-Saylor amendment. I will not soon forget, nor will the American people, that when the choice had to be made, whether you would ally yourselves with the mindless claims of the system and the power of the special interest, or with the claims of the public interest and future generations, you had the foresight and courage to stand for the right. If and when the mechanisms of this legislation are used to take the historic step of protecting the national interest in Alaska, you, 177 Members of this body, may rightly claim to have laid the all-important foundation for that act.

We have here a conference report that embodies much of the intent and mechanism we had in the Udall-Saylor national interest amendment. Members will recall that our amendment directed the Secretary of the Interior to designate and protect "national interest study areas," which would not be available for other use or disposition during a period of time when the Secretary would study their potential for permanent reservation as new national parks, national forests, wildlife refuges or wild and scenic rivers. He would then submit his recommendations to Congress and the areas would remain protected during the time Congress considered action to give them permanent protective status.

We called that the "national interest amendment" for good reason. It embodied the essential elements necessary to assure that the public interest was fully served.

The conference bill we have before us now embodies much of the same mechanism. It will work something like this:

First, the entire Federal domain in Alaska will continue to be withdrawn from entry or adverse disposition for another 90 days after this legislation is enacted. During that period, the Secretary of the Interior is to review that tremendous area and to take affirmative action under his existing legal powers, to extend the withdrawal of those areas he deems require continuing protection in the public interest.

It is our expectation that the Secretary will be particularly generous in determining what areas of Alaska he will withdraw in this first round. We recognize that this is the first step in a process of eliminating from the "withdrawn" and protected category, some part of the public's domain. None would argue that every last acre should be forever preserved in the status quo, but few would argue, except on the most narrow and self-interested grounds, that this great national trust should be carved up on a wholesale basis without the most exhaustive and cautious judgments to protect the public interest.

Once vast areas of Alaska have been given interim protection by the Secretary's withdrawals during the first round, he is then given a period of 9 months from the date of this Act in which he is to determine those areas in the public domain in Alaska which he deems are suitable as additions to or creation as new national parks, new national forests, new national wildlife refuges or ranges, new protected wild or scenic rivers, or for similar protective classifications, such as new wilderness areas. By the end of the 9-month period, the Secretary is directed to withdraw up to 80 million acres of unreserved public land in Alaska for these national interest purposes.

What is involved here? First of all, the term "unreserved public lands" is a very specific usage. It refers to all areas of Federal ownership in Alaska which have not already been given protective status and reservation. For example, it does not include areas such as Mount McKinley National Park and the Arctic National Wildlife Range, which already have been reserved and protected in the public interest under existing authorities or by congressional action. It does not include, also, an area like Naval Petroleum Reserve No. 4, which has already been reserved for other purposes. It is our intent, of course, that lands within Naval Petroleum Reserve No. 4 which have important natural values and national significance would also be proposed for proper protection, most logically as a national refuge, but this can be accomplished by the Secretary of the Interior under existing authorities and would not count against the 80-million-acre ceiling provided in this particular bill.

That is an important point: The ceiling involved in this particular legislation is a ceiling, and in a sense a target, for special withdrawals which the Secretary can make from the unreserved public lands in Alaska and which will lead, on the basis of further decisions, to interim protection, recommendations to Congress and so forth. It is clear that the Secretary and the President have other authority under existing law to establish such categories of areas as national monuments and national wildlife refuges directly and immediately. Should they choose to do so—and this may be desirable in particular cases—those actions would not count toward fulfillment of the 80-million-acre ceiling we have in this legislation.

Now, the withdrawal of these 80 million acres is to take place within 9 months from the date of this act. But to assure continued monitoring of this important program, we provide a regular series of reporting deadlines for the Secretary, the first of which will fall six months after the act takes effect. On that occasion, and each 6 months thereafter for a period of 2 years, the Secretary is directed to report to Congress on his progress and actions under the act, including details on the location, size, and values of lands he has withdrawn as potential parks, forests, and so forth. Moreover, within the 2-year period, and on these 6-month intervals, he is directed to send to Congress his recommendations with respect to each of the areas he has withdrawn within the 9-month period. Thus, while all withdrawals will have taken place by 9 months from the enactment of the act, the Secretary has a period of 2 years in which to provide us his more detailed recommendations as to the final status and protection we should give these areas.

Now, the bill provides that areas which were withdrawn, but not included in actual recommendations to the Congress, would immediately become available for other uses or disposition at the end of the 2-year period. That could have the effect of sharply limiting the range of options available to Congress in considering and perhaps modifying the Secretary's recommendations, particularly as involves such things as boundary locations. Hence, it will be most important that the Secretary's recommendations to us be generous in scope and imagination, in order that Congress retain full latitude to exercise its final judgment on boundaries and similar matters. The Secretary should bear ever in mind that in decisions of this magnitude, he will be wiser by far to err on the side of protection than in giving up too much too soon.

As the Secretary's recommendations reach Congress during and at the end of the 2-year period, the burden then shifts to the Congress, for us to consider each of the Secretary's recommendations and take final action to confer the appropriate permanent protective status and designation on the individual areas. In order to assure that our decisions are not foreclosed by adverse action, we will have a period of 5 years from the receipt of the recommendations during which the interim withdrawal and full protection of each of these areas will remain in force. Should we not have completed action on a particular recommendation at the end of the 5-year period, it would be possible, of course, for the interim protection to be extended, either by a secretarial order continuing the withdrawal under authorities available to the Secretary in existing law, or by special congressional action. I point this out to assure all concerned that nothing in this 5-year interim protection feature curtails the continuing withdrawal powers of the Secretary under existing law, or impose any obligation or expectation that the withdrawal of an area on which Congress had yet to act would automatically have to terminate. Special interests obviously should not be given any expectation that they could acquire such lands simply by managing to frustrate congressional action until the end of the 5-year period.

As in the case of the Udall-Saylor amendment, the withdrawal of these areas for potential national interest status makes them unavailable for immediate selection by the State of Alaska or the Native regional corporations. We have included a provision, however, that those interests could express their interest in a particular area and, should it ultimately not be given a permanent Federal protective status, they would then be permitted to make their selection as authorized by law. Should an area identified by the State or a regional corporation be confirmed in permanent

Federal status, on the other hand, we provide that an area of equal acreage would then be available elsewhere for alternative selection.

This is a relatively simple set of procedures, but only adequate to do the job if they are used to their full potential. I believe it is the intention of the Secretary of the Interior that this potential be realized, but I wish to make clear here that there are a number of areas in the public domain in Alaska in which I have particular concern that this stewardship be fully exercised.

Foremost, perhaps, is the potential for a Gates of the Arctic National Park, embracing the great wilderness of the Central Brooks Range, extending across a boad sweep of that range, and to the arctic coast. This could be our largest and most truly wild national park. It is an area of such extraordinary natural values and significance.

Of equal importance, for the purpose of wildlife protection and propagation, is the tremendous area of the Yukon Flats, comprising great wetlands near the Arctic Circle. This area is among the most productive wildlife habitats anywhere on earth. The area contains outstanding wilderness and natural values essential as the breeding place for thousands of migratory birds, waterfowl which migrate throughout the Western Hemisphere. I will have more to say about this and other waterfowl areas later, but the foremost importance of this area of nearly 9 million acres is essential that it be dedicated permanently as a national wildlife range.

The Wrangell Mountains in southeastern Alaska are one of the most scenic and awesome wilderness areas on the continent. Presently classified by the Secretary of the Interior for multiple uses and administered by the Bureau of Land Management, this area is eminently qualified and deserving of national park status. Not all of the classified area need be recommended as a national park, but certainly a substantial portion of it—at least 16 million acres—should be recommended immediately.

The entire Alaska Peninsula is an area of remote splendor and beauty, containing tremendous fish and wildlife resources. Spawning and rearing habitat for red salmon supports the world's largest salmon fishery. Some of the continent's most spectacular big game occurs in this region, including brown bears and caribou. The lake system at the head of Bristol Bay supports the world's largest salmon run. Associated estuarine areas are particularly significant, especially eight major lagoons which provide outstanding staging areas for geese. At least 10 million acres are considered highly important for preservation of critical fish and wildlife habitat.

In addition to a great Gates of the Arctic National Park, at least 5 million acres needs to be added to the existing Arctic National Wildlife Range. This would assure the preservation of a viable wilderness-wildlife ecosystem matched nowhere else on earth.

I have listed but a few of the areas which the Secretary of the Interior must review and withdraw if he is to meet the charge given to him by this measure.

There is one question that I would like to direct to the chairman of the full committee, the gentleman from Colorado (Mr. ASPINALL), and it has to do with the land in wildlife refuges.

It is my understanding of this conference report that the Native villages that are located within wildlife refuges are permitted to withdraw and have one section or one township in which the village is located and that they get the surface rights; is that correct?

Mr. ASPINALL. Mr. Speaker, if my colleague will yield, they have a right to three townships, if they qualify.

Mr. SAYLOR. In other words, it is a minimum of one and a maximum of three, if they qualify?

Mr. ASPINALL. If my colleague will yield further, the gentleman is correct. As the gentleman said, they have the right to the surface rights only.

Mr. SAYLOR. And those villages that are entitled to more land are to get it outside of the present boundaries of those reserves or the boudaries which will be established by the Secretary of Interior; is that correct?

Mr. ASPINALL. I will say to my colleague from Pennsylvania that that is correct, and they will get it under the formula we set up in accordance with the decision of the Secretary.

Mr. SAYLOR. And that means a village can get as much as 25; is that correct, or they may choose from 25?

Mr. ASPINALL. They may choose from 25, and you must remember after they have prior opportunity at the 25, then the State has the right within that 25 township area to go in and seek its selections also.

Mr. SAYLOR. As for the land that is in the wildlife refuges which a village will get the surface rights to, will the regional corporation, get the mineral rights there, or will they get in lieu mineral rights outside?

Mr. ASPINALL. They are supposed to get in lieu mineral rights outside, leaving the wildlife refuges intact. Keep in mind, however, if I remember the law correctly, that the Secretary does have the right, if he sees fit, to issue leases on some lands that have to do with wildlife refuges.

Mr. SAYLOR. That is correct. But the reason I want to make this history is to see to it that somebody does not come along and say to the corporation, "We are entitled to get the mineral rights within the reservation."

Mr. ASPINALL. The gentleman's position is correct, they do not have the right.

Mr. SAYLOR. So, my colleagues in the House, while I did not sign the conference report, it is the best we can do. I did not raise any points of order—and I might say that in view of the ruling which the Speaker just made on the last conference report, it is probably a very good thing that I did not. But, very frankly, I am urging that the conference report be adopted.

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

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

Mr. CEDERBERG. Mr. Speaker, I want the record to indicate that I really have no objection to reasonable settlement of these claims, but that I think that this is an unreasonable settlement. That we are going to give 40 million acres of land and $900 million to approximately 50,000 people, the size of my hometown, in my opinion, is absolutely an unreasonable settlement for the taxpayers of this country to be saddled with. I intend to vote against the conference report.

Then there are $2 million in legal claims—I just think that this is so unreasonable for us to pass this, and that it is just not in the best interests of the taxpayers. The claims should have been settled at a much lesser amount, and I believe they could have been at an earlier time.

Mr. SAYLOR. I might say to my colleague it could have been settled at a lower rate, but unfortunately if we do not settle it at this rate there are certain people in the executive branch who want to increase it.

Mr. STEIGER of Arizona. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Arizona.

Mr. STEIGER of Arizona. Mr. Speaker, I would not want the gentleman from Michigan to have his entry in the RECORD less than accurate. The cost to the taxpayers is going to be $462.5 million. The additional $500 million is going to come out of the revenues of the State of Alaska from their mineral revenues. I am sure the gentleman would want the statement to be accurate, even though colorful.

Mr. CEDERBERG. I accept that, but I still think it is too high.

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

Mr. SAYLOR. I yield to the gentleman from Wyoming.

Mr. RONCALIO. Mr. Speaker, I would just like to indicate my appreciation for the work of the committee this year, and wish that the eminent minority ranking member of this committee had joined with my chairman in signing this conference report. But I am, nevertheless, happy that the gentleman from Pennsylvania (Mr. SAYLOR) and the gentleman from Arizona (Mr. UDALL) feel that the land-use provisions in this conference report are adequate, and that they will support them.

With respect to the criticism just touched upon, I would like to advise that the American Bar Association in the many years that I practiced law held that the value of the corpus involved in a matter—or judgment—shall be one of the factors taken into consideration in determining the fee. Therefore, for the $490 million herein, I think the $2 million fee sets a new low on what the lawyers have heretofore received, percentagewise—and I think this is a definite step in the right direction.

Mr. Speaker, the bill before us today will finally resolve the longstanding matter of Alaskan Native claims. It is a good bill, reflecting many long hours of hard work by the House Interior Committee under the able leadership of Chairman

WAYNE ASPINALL and Senate-House conferees who have hammered out a compromise bill of high order.

Social justice for Native Alaskans—Eskimos, Aleuts, and Indians—has been achieved in the form of a generous settlement of land and money in return for the extinguishment of their aboriginal rights. The Alaskan Native people, perhaps the most neglected and needy group of Americans in our society today, can now achieve full parity citizenship on an equal footing with other citizens of our great country. The bill gives them this opportunity. I am certain that they will manage their own affairs as Alaskan citizens, in a manner which will bring credit not only to themselves, but to the great State of Alaska as well.

While providing social justice for Native Alaskans, this bill provides us with another opportunity, perhaps equally important to its major purpose and unparalleled in the history of our country. I refer, Mr. Speaker, to the public land aspects of this measure. At present Alaska is 95 percent federally owned, the last large block of public land left in the United States. This land contains tremendous resources—scenic, wildlife, and wilderness as well as minerals, timber, and other resources of vast economic potential. The bill wisely contains provisions for land planning so that these resources may be utilized in a prudent and planned manner or preserved for the enjoyment of future generations. Land planning of this magnitude is a first in the history of public land management and is of prime importance when one considers that once this bill is enacted into law 40 million acres will be transferred to the Alaskan Natives and the State of Alaska will proceed with the selection of 103 million acres, granted to it in the Alaska Statehood Act. But, the bill assures that the interests of all 207 million Americans in their public lands will be preserved by directing the Secretary of the Interior to identify and withdraw up to 80 million acres as additions to or creation as units of the national park, national wildlife refuge, national forest and scenic rivers systems. The Secretary is directed to report his recommendations to the Congress which will make the final determination on each area.

Mr. Speaker, Alaska is our last great frontier. This measure assures that we shall identify and establish those areas which should be preserved now while they are still in public ownership instead of having to buy them back at great cost to the taxpayer at some future date. This has been the history of national conservation area establishment in the past and instead of history repeating itself we chart a new and wise course.

In closing, Mr. Speaker, I point out that the Secretary of the Interior has a tremendous responsibility to quickly withdraw these areas so that the Congress may begin an orderly review of them. It is only right that he assume responsibilities granted in this measure with dispatch so that the natural heritage of the citizens of Alaska and of the Nation will be assured.

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

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

Mr. COLLIER. Just as a point of information, did the question of land rights compensation ever come into the discussion when there was rather strong lobbying for Alaskan statehood?

Mr. SAYLOR. Very frankly, my best recollection is that no one appeared at the time Alaskan statehood was being considered and urged that this matter be settled then. There were some few Natives who came and talked about it.

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

Mr. SAYLOR. I yield to the gentleman.

Mr. ASPINALL. May I say, so far as I know there were no lobbyists, I will say to the gentleman, lobbying for the natives, but there were those who were interested in Alaska, as well as those on our committee, including our friend, the gentleman from Florida (Mr. HALEY) who suggested that we should go ahead and take care of this problem at the same time or even before we gave statehood to Alaska. But it just was not in the cards to do so, as my friend will remember, who was here.

The matter of statehood was of such paramount interest and necessity as of that time that it overrode the wishes of the others.

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

Mr. SAYLOR. I yield to the gentleman.

Mr. COLLIER. I could not agree more that the question of statehood at that time was paramount. As my good friend from Colorado will remember, I was on the Public Lands Subcommittee at the time. I was trying to recollect as to whether or not this ever entered into the discussion. I recall there was substantial lobbying for statehood and that is perfectly understandable. I do not know which groups were necessarily doing the lobbying at the time, but it was in order to lobby. I was merely trying to recollect whether or not the issue, which is an important issue and which must have been a consideration at that time, was even brought into the discussion of statehood—that is all.

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

Mr. SAYLOR. I yield to the gentleman.

Mr. ASPINALL. My friend's memory is correct. It was brought up. We did place a savings clause stating that the Natives would have the right to come back and make their claims. It was a part of the discussion and it was brought up.

Mr. COLLIER. I thank the gentleman.

Mr. SAYLOR. That is why I say to my colleagues in the House, just to refresh the recollection of those who were here when we had this issue before us, you will recall in one of the sessions we had a combined bill for Alaskan and Hawaiian statehood and it could not get very far because the then Speaker and the delegation from the then largest State in the Union were unanimously opposed to it. Suddenly, there was a discovery of oil.

Well, you know the discovery of oil in Alaska changed the attitude of many people in this country. They no sooner discovered oil than the cry for statehood became paramount. I think that is the reason this issue was overlooked at the time.

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

Mr. SAYLOR. I yield to the gentleman.

Mr. ASPINALL. After the discovery of oil, there was the possibility of financing the government or statehood.

Mr. SAYLOR. That is correct. With that discovery, there was the whole potential of getting the legislation.

Mr. ASPINALL. Mr. Speaker, I yield as much time as he may desire to the ranking majority member of the Committee on Interior and Insular Affairs, the gentleman from Florida (Mr. HALEY).

I have already stated my evaluation. I would say unhesitatingly that no chairman of the committee has a greater helper sitting at his right or his left hand, as the case may be, and in this case the left, than JAMES A. HALEY of Florida.

Mr. HALEY. Mr. Speaker, when I brought this bill to the floor of the House I said that it was a generous bill. Many Members probably think it was too generous. I might remind the Members of the House that I wanted to settle all of these land problems as far as Alaska is concerned prior to granting statehood. Had they been settled at that time when Alaska was a Territory, we would have had a different situation. Nevertheless, the Congress said, "Let us give statehood now."

Even up to a short time ago I think many of you realized that this was going to be an expensive proposition because of the oil strike in Prudhoe Bay. Many acres of land were involved, we were told. Sure, there are a lot of acres of land involved. As a matter of fact, there are approximately 4 million more acres than are in my entire State of Florida. But in Alaska it is not lush land, by any means. Alaska is a huge State, 375 million acres of land.

Mr. Speaker, it has been said here that no hearings were held. As a matter of fact, 11 members of my subcommittee and I went to Alaska. We held hearings at Juneau, Anchorage, Nome, Barrow, and Fairbanks. So there was plenty of opportunity for the people to express their opinion. Sure, there were many people down here during the time we were debating statehood. What is wrong with that? That happens every day.

So I say again, Mr. Speaker, that this is a generous bill. It is a bill on a subject that should have been settled and must be settled now. Otherwise, as time goes on and other discoveries, which I anticipate, are made there, this will be a more expensive project than it is now. In fact, the 40 million acres of land was a compromise. The Natives up there wanted 60 million acres of land, and probably they were entitled to lots of consideration.

After all, I would rather be generous and make this kind of settlement than to load onto the backs of the American people the horrible example we have loaded on already by our treatment of other aboriginal people of this United States. Here we are saying, "Here it is, go out and take over and paddle your own canoe back to whatever is there." So I say to the Members of this House we had better accept this settlement, this

generous settlement, it is true, but it is one which is long past due, and I think it is one which is fair to the natives of Alaska, to the other people of Alaska, and to the people of the whole United States.

Mr. Speaker, the provisions of this conference report have been fully explained, and there is no need to say anything more about the provisions of the bill recommended by the conferees.

I do want to say, however, that in my opinion this bill treats the Alaska Natives not only fairly, but in fact most generously. The combination of 40 billion acres of land and $962.5 million is a much more generous settlement than Congress has provided for any other Indian tribe. In fact, I am inclined to think it is a little too generous.

Nevertheless, I hope this bill will be enacted. It is no secret that I believe we have waited too long to make this settlement. It should have been made before Alaska was admitted into the Union as a State. I said so then, and I am now more convinced than ever that Congress made a mistake when it delayed. I do not want to delay any longer. Further delay would be bad for all parties concerned. It would be bad for the Natives. It would be bad for the State. It would be bad for all of the people of the United States.

So I say to my colleagues, this is not a perfect bill. If I were a dictator with power to make a decision all by myself, I might write a different bill. But I am not writing this bill by myself. Although the bill is not perfect, it is a good bill—fair to all concerned—and I ask the House to agree to the conference report.

Mr. ASPINALL. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. UDALL).

Mr. UDALL. Mr. Speaker, as a conferee and one who has worked on this bill for a long time, I approve of it. I signed the conference report and shall vote for its adoption.

If we serve here another 20 years, I do not think we will ever deal with a more complicated piece of legislation. It is a monument to the dedication of JIM HALEY, WAYNE ASPINALL, JOHN SAYLOR, and NICK BEGICH here and a lot of other people on our committee, that the House should finally resolve these compelling problems because in reality it was making three difficult, crucial settlements with the State of Alaska which was economically on dead center and unable to move forward; with 55,000 poor but proud Natives who owned this land long before the Americans or Russians got there. It was not a gift to them. We settled with them. They had some claims that had merit.

Finally, with this conference report, we settled with the people of the United States who have the biggest stake of all in this last frontier. Those who stood with JOHN SAYLOR and me in the fight in the House on the national interest conservation amendment will be pleased to know that, in my judgment, we got about 95 percent of what we were fighting for.

We may have lost that skirmish, but in the final analysis we have a bill that conservationists, that all Americans can be assured will preserve the great public lands and resources of this State for all of us. Alaska is almost as big as four Californias. It is as big as two States of Texas. It is a huge, complicated area of great resources. I think the Congress has dealt with it in this bill in a very responsible fashion, and I am proud to have been a party to working out its very difficult situation.

I want to say before I close that I have never seen anyone work harder than NICK BEGICH on a complicated piece of legislation, or one who was saddled in his first term in this body with a more difficult assignment. The gentleman from Alaska has been shot at from all sides. He has been hit at by all parties, and he has handled this tough bill in a magnificent and statesmanlike manner. If NICK BEGICH never serves another day in this body I do not think there will be many people in the State of Alaska who will have done as much for the State and the people of this country as this good man has done in the course of this legislation.

And now, Mr. Speaker, I would like to make some detailed comments on the specifics of the Native claims bill.

The conference has brought back a good basic bill. It is not all that I could have hoped in every respect. In a few, it continues to have serious weaknesses and gaps. Yet, on the whole, the spirit of sound compromise has prevailed, and the conference has produced a package that is worthy of support. I support the conference bill and urge its approval.

Of all the elements in this long and complex bill, I would single out the conservation provisions as the area in which we have achieved the greatest success. That is all the more significant, because the problems of conservation involved in this issue have been tremendous and intricate. And it was in this area that the original bill reported by our Interior Committee was weakest. The conference has done a good and thorough job in providing conservation provisions that can do the job.

At the time we debated this bill back in October, I said that I knew of no conservation issue of greater importance in the period of 10 years I have been a Member of this body. On reflection, I believe I was, if anything, too conservative in that judgment. It is my conviction that the conservation aspects that are intertwined with the settlement of Alaska Native claims constitute the greatest opportunity this country has ever faced to take a single, giant stride in protection of a uniquely vast domain of unparalleled natural values and surpassing national significance.

The conference bill contains a number of important conservation provisions.

The bill has strong provisions to assure the protection of wildlife values on lands within existing national wildlife refuges which may be selected by Native village or regional corporations under the terms of the settlement. These provisions comprise both the provisions for the continued protection of wildlife values on lands transferred to Native ownership which were developed in an amendment in the other body by Senator LEE METCALF, but also the strong provisions for replacement of acreage lost to existing wildlife refuges, which were developed within our Interior Committee with the leadership of our colleague, ED EDMONDSON. Together, these provisions comprise a thorough and adequate set of measures to protect those wildlife areas.

The bill establishes a special Joint Federal-State Land Use Planning Commission for Alaska, to be comprised of 10 members. This is virtually identical to the structure proposed by the distinguished gentleman from Pennsylvania and myself in the so-called Udall-Saylor national interest amendment. The Commission is not given the full authority we had envisaged, and it has certain structural weaknesses which are lamentable, yet it can do a reasonable job in an area where some mechanism is desperately needed, as virtually everyone agrees. This is the job of coordinating the overall planning for Alaska between the Federal and State governments, each of which will have many separate programs, and both of which will remain strong central forces in the shaping of Alaska as that State is developed. I believe this temporary, 5-year Commission has an important role to play, and I expect that the President and the Secretary of the Interior, in making their appointments of the Federal members of the Commission, will exercise the greatest care to seek men and women of knowledgeability and absolute dedication to representing unstintingly the truly national interest in the deliberations and actions of the Commission.

With reference to the Commission, I should make one more point. The major argument against the creation of such a body when I proposed it in this House was that in view of imminent passage of national land use planning legislation—creating a National Land Planning Commission and a like commission for each of the States—there was no need to single out Alaska for special treatment. Both the Senate and the conference committee ultimately rejected this argument and created a special temporary commission just for Alaska.

Having created such a temporary commission, we should not assume that our job is finished. One of this Congress' highest priorities should be to develop at the soonest possible date a general land use planning authority which, in cooperation with all the States, can effectively shape a policy to guard against the squandering of this precious and deminishing resource. The clock is running.

Mr. Speaker, the most important and far-reaching conservation aspect of this bill is found in section 17(d). This is the mechanism for advance identification and special protection of land areas in Alaska which have great potential values as new national parks, forests, wildlife refuges, or wild and scenic rivers. In its operation and effect, this provision is much like that which was proposed in the Udall-Saylor amendment, and I want to pay tribute to the efforts of Senator ALAN BIBLE, who was successful in obtaining these provisions in the Senate bill. Senator BIBLE, as chairman of the Parks and Recreation Subcommittee in the Senate, recently spent a considerable period of time in Alaska, personally surveying the potential park and refuge

areas which are there in such great magnitude and expanse.

On the basis of this exposure firsthand, Senator BIBLE was successful in developing an amendment which won the unanimous support of the other body, and the basic features of which prevailed in the conference, in combination with features already included in the House bill. Thus, section 17(d) of the conference bill provides a clear and systematic mechanism to fulfill the immediate need for protecting these national interest areas against adverse development or disposal to private interests. The process involved will assure that these areas are carefully considered by Congress for permanent national protection, and that they are fully protected from alternative development in the interim.

This is a sound mechanism, adequate to meet the need. But its actual effectiveness and results, as always, will depend on the dedication, determination, and even courage of those who will implement it. This challenge falls primarily to the Secretary of the Interior. The basic decisions, which will set the framework for all that may follow, are to be completed within a period of 9 months, and hence the greatest conservation challenge ever to come to a Secretary of the Interior will be the opportunity for the incumbent, our former colleague, Rogers C. B. Morton.

Knowing the dedication of Rogers Morton, I believe he will be equal to this challenge and will see this momentous opportunity for what it is. I trust he will give it the absolute top priority it must have in the immediate future, and that we will take the personal initiative and involvement necessary to fulfill this opportunity expeditiously and imaginatively to its very limits of possibility.

The task before Secretary Morton under this provision will be nothing less than to give shape and permanence to those areas in Alaska which will remain for all time in the treasury of our natural heritage. His is the opportunity to bring under the high status of national park, forest, refuge and wild river protection, the single greatest package of new areas ever contemplated in one program or so brief a period of time. It will be up to him and his staff to work with utmost dedication to use these tools we are providing wisely and well.

As the Secretary undertakes these decisions, it is our expectation that he will follow a clear system of priorities based on the inherent importance and magnitude of the areas to be considered. In the first round of withdrawals, within the next 3 months, he will have to be both cautious and generous in his actions, to protect the public interest fully and insure widest scope for his later, ultimate recommendations and for the actions of the Congress. As a former member of our Interior Committee, I trust the Secretary will be alert to our desire that his recommendations and the areas to which he extends interim protection be liberally defined, so that we in Congress will have wide latitude in arriving at our ultimate decisions.

It would be possible for a small man to deal with this great challenge in a small way, in piecemeal fashion, with little imagination and limited sights. In that event, we will see only small proposals, the bare minimum and even less will emerge. But Rogers Morton is not a small man, nor are his sights lowered, so we can expect great things, I believe, matching the limitlessness of the opportunity to grasp a whole sweep of the horizon in vast areas that will preserve, for all time, the great wilderness of the Alaskan Federal domain.

There could be no greater monument to his stewardship than the vigorous implementation—not just of the letter—but of the spirit of this new law.

Among the areas to be considered, it is not easy to pick priorities, and so we have set a ceiling of large expanse, wanting the Secretary always to err on the side of protecting too much, and being too expansive—if that is possible. Each area has its own greatest values, and is of particular importance in itself. Each waterfowl habitat area, for example, has importance to particular species, and is the particular home ground of birds that migrate to particular States and along different flyways in the lower 48. All of these factors must be considered systematically, to assure that priorities are chosen with greatest care. I know the Department of the Interior is already at work on this problem. My own feeling is that the Yukon Flats area has perhaps greatest importance among the waterfowl lands, for here is the richest and single most productive waterfowl reserve in the Western Hemisphere. It has been under threat already, despite its remoteness, and its permanent preservation should be on the top of the list of priorities. Similarly, the other lowlands and coastal plains and deltas, together with offshore areas and estuaries, must be protected, including substantial wildlife areas of great importance on the Arctic Slope adjacent to and within the Naval Petroleum Reserve No. 4. I should add here, that I raised this specific question in conference, and was assured that any protective designation within the area of this Naval Reserve is not to be counted against the ceiling of 80 million acres within this provision of the bill. This is based on the language of section 17(d)(A) in which the ceiling refers only to "unreserved" public lands. Among wildlife refuge projects, expansion of the existing refuges will be important in several cases notably the Clarence Rhodes National Wildlife Range and the Arctic Wildlife Range.

In terms of potential park and wilderness areas in Alaska, the list is again long and the areas of enormous importance. There is, in all the diversity and expanse of Alaska's land forms and habitats, an opportunity of unique scale to round out the national park system. This will involve, as priorities, expansion of the presently limited boundaries of several areas, including the boundaries of Mount McKinley National Park and of Katmai National Monument.

New park units, with a prime purpose of preserving the existing wilderness character of huge expanses, are needed for the Wrangell Mountains, in the Lake Clark-Lake Illiamna region, and, most important of all, in the Gates of the Arctic region, encompassing the entire vastness of the Central Brooks Range and the slope north to the Arctic Ocean. Here, as nowhere else in the country and perhaps on earth, we still have the opportunity to set apart as a permanent wilderness park, an expanse of rugged wildness and grandeur across tens of millions of acres, in which future generations of hardy Americans can find the last vestiges of wild America still beyond a real and lasting frontier. It is a possibility we can only destroy by development, and the limits of which we can only draw by the limits of our imagination and dedication to the future.

Over the next few months and years, Mr. Speaker, the shape of Alaska will be determined, both by what we develop and give away, and by what we keep and protect and treasure. We have, in this bill, set up the mechanisms to deal wisely with an opportunity such as no other nation has confronted in a single moment. We will have to be vigilant and imaginative, all of us—the public, the Congress, the administration—to see that our great Alaskan opportunity is taken to the full.

Mr. SAYLOR. Mr. Speaker, I yield such time as he may consume to the gentleman from Iowa (Mr. KYL).

Mr. KYL. Mr. Speaker, I take this time at this point to try to explain to those who may have been misled by some of the preceding colloquy that this piece of legislation on which we vote finally today is not some monstrosity, something unconscionable we are trying to foist onto the people of the United States.

No. 1, the United States is one of the very few nations in the history of the world that has ever compensated the aboriginal people for the land which we occupy and which they once owned. We have gone farther than any other nation. We think it is a matter of justice—a matter of conscience. If Members disagree with the philosophy that we ought to compensate those aborigines, then the Members are opposed to this legislation, and to all the rest of the Native claims. I know that more than 99 percent of the American people believe that this is the right procedure. What is the alternative?

This figure of 40 million acres of land scares some of our Members unquestionably, and the figure of $1 billion, half of which comes from the Treasury, apparently frightens them. These are impressive statistics.

Someone asked a moment ago what did we do to the Natives of the lower 48 States? I ask the Members to compare this ostensibly very large, very favorable settlement for these people of Alaska with the attempts at settlement that we have made for the Natives in the lower 48 States. Take the cost of all the attempts, and the failures through all of the years, in trying to deal equitably with the native peoples of the lower 48, and we come up with a figure which is many times higher than the amount of money we have in this act per person on a per capita basis.

In Alaska we are giving the Natives the right to choose some land. In the lower 48, unfortunately, for too long a

period, we tried to find out what was the most useless, the least valuable land we had, and if we had a piece of land that was no good to anyone, we said, "Now you Indians can go there on a reservation."

When we add up the cost of this policy, which has failed in the lower 48 States, add the cost in dollars and the cost in paternalism and the cost in human misery, and face the fact that today we still have a failure in that policy in the lower 48, then no one in good conscience can oppose an attempt to handle the situation properly, as we have tried to do in this Alaska legislation.

If we adopt this conference report, and I am sure we will, we will have at least taken a step in the right direction to solve the problem of aboriginal people in one of our States, and ultimately we will find that cost is very much less than it has been per capita for the Natives in the lower 48. More than that, we give these people their birthright of individuality, of freedom and dignity.

This bill is significant in another fashion. Seventeen years ago we created a State which has been unable, until this time, to be a State. It has been unable to make its contribution to the other 49 States because we have not settled the land problem, because we have not permitted that State to select its land. This act finally does that job.

It is a good piece of legislation on which thousands of hours have been spent in preparation. I do not apologize for any portion of it. One can say it is not perfect the same as one can say any legislation is not perfect. This is an excellent piece of legislation and a piece of legislation of which every Member will be proud in the future to say he had a part.

Mr. SAYLOR. Mr. Speaker, I yield the remaining time on our side to the gentleman from Arizona (Mr. STEIGER).

Mr. STEIGER of Arizona. I thank the gentleman from Pennsylvania.

I should merely like to point out it must be very tempting for those who are not as familiar with the bill as the members of the committee and particularly the members of the conference to rear back and let the invective fly with regard to $962.5 million and 40 million acres. I suspect if I had not been a member of the committee and privy to the conference I, too, would only see those large amounts of money and land.

There is a very logical explanation for it, as the gentleman from Iowa (Mr. KYL) suggested, and as the gentleman from Pennsylvania (Mr. SAYLOR) has indicated.

Had the gentleman from Florida (Mr. HALEY) been heeded at the time of his suggestion, the value that became apparent with the discovery of oil at Prudhoe Bay would not have raised the ante so far as the Natives were concerned. But we did not heed the gentleman from Florida (Mr. HALEY). We did not settle with the Natives. The value became apparent when oil was discovered, so the price went up. I do not believe that should surprise anybody.

Had we gone the other route and extinguished each title, or each claim to aboriginal title, it would have cost us more to extinguish the claims one by one because of the presence of oil.

There is nothing insidious about it. It is simply a fact of life. What we are doing today is not some kind of mystical bounty for some 50 million or 60 million Eskimos, Aleuts, and Alaska Natives. It is not some boondoggle for the oil companies. It is a question of whether the State of Alaska was going to continue on the dole or be able to survive.

It was not even a question of whether we were or were not going to face up to our obligations to the Natives. The time had come when we were forced to face up to them. I suspect if our hand had not been forced we would still be hedging. We were forced. We did settle.

There was a great deal of thought which went into both the disbursement and the use of these resources, and I believe that is important. I hope those Members who may be inclined to vote only against the superficiality of the amounts of money involved and the land involved will recognize this was simply the best possible deal that could have been made under the conditions which exist, and if we had waited longer the costs would only have gone up. Those are the simple facts.

Mr. ASPINALL. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. MEEDS).

Mr. MEEDS. Mr. Speaker, I rise in support of this legislation.

I should like at the outset to express my appreciation to the chairman of the committee, the gentleman from Colorado (Mr. ASPINALL), and to the chairman of the subcommittee, the gentleman from Florida (Mr. HALEY) for their generous time and effort consumed in respect to the passage of this legislation. This legislation has consumed more time in our committee than, I believe, all other legislation in this session.

I also wish to say to this body and to the people of the State of Alaska that I believe they are indeed fortunate in their selection of the gentleman from Alaska (Mr. BEGICH).

As Mr. UDALL said, I do not know how any young Member could have come here in his first term and done a better job than the gentleman from Alaska has done. He has alternately been tough and soft. He has alternately been mad and happy. He has had the burden of this legislation on his back ever since he arrived here as a new Member, and, believe me, I think no one person could have done the tremendous job better than he has done it.

Lastly, Mr. Speaker, I would like to say there are some of us natives down here who believe that the Natives up there should have gotten a little more. However, as the gentleman from Colorado said, this is a compromise, and I think it is a good compromise. I think it is a fair and equitable and just solution to the claims of the Alaskan Natives and will write, I think, the final major chapter in that book which we have written in our dealings with the aboriginal people of this continent with honor and justice.

Mr. ASPINALL. Mr. Speaker, I yield the remainder of the time to the gentleman from Alaska (Mr. BEGICH) who has done a yeoman service, as has already been said.

Mr. BEGICH. Mr. Speaker, after years of dedicated effort on the part of many people in the cause of the Alaska Native land claims, it is nearly impossible to capsulize the meaning of this moment. Still, I consider it essential that this legislation, which was hammered out in this practical marketplace, be recognized clearly in historic and future perspective.

The Native people of Alaska, the State of Alaska, and a varied array of interests are among those who will be deeply affected by the enactment of this law. Still, I suspect it is the fiber of American society which will face the most searching scrutiny of history. As consideration of the Alaska Native claims went forward and reached its conclusion as the largest Indian land settlement in our history, there were constant reminders of the past experience with such settlements, many of which have been tragic failures. How well we all responded to the cause of the Alaska Natives in the face of the experiences of history will very likely be the yardstick for this bill, and that judgment will reflect a great deal about our society.

To take the side of our response, and the bill before this House today, I must say that never before has such a cause been subjected to the modern pressures that this legislation faced. These pressures were numerous, incredibly varied, almost always conflicting, and, amazingly, nearly all legitimate to some degree.

Unquestionably, the Natives of Alaska put forward a claim of substance and integrity, and presented a subsidiary case of social and human needs which made the cause as much moral as legal. Still, that cause conflicted in many respects with the needs of a State only 13 years old, which felt entitled to the prosperity of economic development. That, in turn, conflicted with a growing recognition of the Alaskan environment as the symbol of all that has been lost in the other parts of the country, and the need to provide comprehensive protection. Around such major areas of conflict clustered hundreds of others, each pulling tenaciously on the legislation, and demanding total satisfaction of one position or another. Few representatives of any specific viewpoint realize how hard won some limited victories were in the face of conflicting and equally persuasive positions.

The Alaska Native land claims bill (H.R. 10367) which has resulted from this process is far more than an Indian land settlement. It is legislation which compromises the many interests I have described, and forms them into a valuable blueprint for the future of Alaska's Natives, for the State of Alaska, and for all those who have a part in that future. Like all successful compromises, this one can be measured by the fact that every competing interest is slightly dissatisfied with the result, yet still recognizes the basic integrity of the agreement.

For Alaska's Indians, Aleuts and Eskimos, the bill represents the successful conclusion of a long struggle, and the

beginning of a new era in their own history. It was not many years ago that the notion of Alaska native land claims was nothing more than a dim but growing awareness on the part of a few Native leaders and other Alaskans dedicated to the cause. I need not mention them here, but to those who have worked closely with the land claims, they are well known pioneers on this historic assertion of Indian rights. All of us stand, to a certain extent, in the shadow of these persons who provided early leadership and inspiration for the continuing land claims struggle.

For the most part, these were people who understood the basic importance of the Native family and the rural Native village, and projected this cultural value as the basis for the land claim. In my view, the final bill remains sensitive to the Native village and its needs, and insures that the point of the struggle is not irretrievably lost.

Under the bill, each village gains title to extensive lands contiguous to the village, so that historic areas of usage may continue to be protected. The monetary provisions of the act are designed to compliment the land grant, and insure that lack of financial resources does not make possession of the land meaningless. The distribution of money and the system of administration established by the legislation focuses on self-determination, village autonomy, and an orderly flow of revenues over a period of years which will permit the social, economic and cultural choices of Alaska's Natives to be made as independently, as deliberately, and as responsibly as possible.

That the choices I mentioned will be made deliberately and responsibly is not debatable. A byproduct of the land claims struggle, nearly as important as the legislation itself, has been the growth of Native organizational strength. On the village level, on the regional level, and through the Statewide Alaska Federation of Natives, viable and important organizations now exist, and make important contributions to the State of Alaska.

For the State of Alaska, and all the people of Alaska, the prospects are no less exciting and optimistic. Every citizen of the State, Native and non-Native, has shared in years of frustration since the Statehood Act of 1958. Economic development and the independence it brings, have come distressingly slow. The necessary, even essential, assistance of the Federal Government brought with it unwelcome supervision, the feeling of a distant decisionmaking process, and has simply lasted too long.

Clearly, it is because of circumstances rather than intention that this pattern has continued. The "land freeze" imposed in 1966 was the climax of these frustrations, and its demise with the passage of this bill will be both welcome and characteristic of the relief it will bring to the State.

This bill marks the beginning of the end of these frustrations, and a period of great changes in Alaska. With the ending of the freeze, the State of Alaska may proceed to select the land it is entitled to select under the Statehood Act. In addition, the selections made during the freeze will be confirmed to the State. In sum, this will mean that the land of Alaska will begin to open, ending the paradox of the Nation's largest State being the State where land is least available.

At the same time, the act recognizes that this event brings dangers as well as benefits, and the final bill includes a State-Federal and planning commission to accomplish the transition as smoothly as possible.

All the people of Alaska will also feel the massive economic impact of this legislation, which will bring over $900 million to the State within 15 to 20 years. The benefits of this money in circulation, both primary and secondary, will be an early indication of a new era in Alaskan history.

All the people of Alaska will also recognize very early how very far this act has gone to integrate its provisions into the present conditions of the State. These provisions are far too numerous to set out completely here, but some deserve special attention.

The act protects all presently existing property rights for all citizens, and where substantial untitled rights exist on lands selected by Natives, those rights will be perfected. Existing Federal contracts for logging and other purposes are continued or replaced on mutually satisfactory terms to all affected parties. Presently existing Federal services such as those afforded by the BIA and Public Health Service are continued intact. The State-Federal Land Planning Commission is constructed, as far as possible, to mesh with an already existing Alaska law creating the State part of the commission.

In summary, the act does a great many things. It is comprehensive legislation intended to settle the Alaska native land claims justly and with balanced responsibility. I believe the bill is successful in doing so.

The real challenge now belongs to all the people of Alaska. This "Second Statehood Act" means that many of the promises of the original Statehood Act, more than a decade old, can now be fulfilled. The next decade in Alaska will be an exciting one which will capture, I believe, the imagination of all Americans. I believe that Alaskans will answer the challenges this legislation creates, and do so in a spirit of harmony and cooperation. As a person who has every much of himself in this legislation, I can think of nothing more important to hope for right now.

Mr. BOGGS. Will the gentleman yield?

Mr. BEGICH. I yield to the majority leader.

Mr. BOGGS. I would like to concur in the expressions of thanks to the distinguished chairman and other members of the committee.

Mr. BEGICH. Thank you.

Mr. BOGGS. Mr. Speaker, I want to say a very special tribute to the gentleman from Alaska (Mr. BEGICH). It is the rarest of circumstances when a freshman Congressman, as the only Congressman from his State, is confronted with a challenge of this magnitude, and one which is so crucial to the future of his State. It is all that much rarer for such a man to successfully answer such a challenge, but that is what NICK BEGICH has done.

The people of Alaska, every one of them, are fortunate to have such a man in Congress. On every bill, there is the temptation to represent only one interest, but NICK BEGICH absolutely refused to yield to such a persuasion. He represented one purpose throughout the consideration of the Native land claims bill, and that was the best interests of all Alaskans and all Americans. He has my respect for the job he has done.

Mr. BEGICH. Mr. Speaker, I am honored by the kind remarks of the distinguished Majority Leader, Mr. BOGGS. He knows, as do all of us who have labored so long on this measure, that thanks must go to a great number of people.

Today, however, I must pay my special regards to my colleagues in the House who did so much to make this bill possible. Above all, my thanks to my committee chairman, WAYNE ASPINALL. His leadership and commitment was indispensable. Similarly, my thanks to Chairman JAMES HALEY, who adds another credit to an already lengthy list.

My special thanks and respect also go to the gentleman from Washington (Mr. MEEDS) and the gentleman from Oklahoma (Mr. EDMONDSON). On the other side of the aisle, I owe deep gratitude to the gentlemen from Arizona (Mr. STEIGER) and Iowa (Mr. KYL).

I also want to pay tribute to all those on the conference committee. This was not an easy bill, nor one which centered around political considerations. The conference committee battled day after day with complex matters of technical substance and public policy.

Let me thank our colleagues on the Senate side as well. Under the leadership of Senator HENRY JACKSON, a bill was created which contributed substantially to the final legislation. Senator MIKE GRAVEL and Senator TED STEVENS of Alaska were essential and sensitive throughout the process.

This list could go on and on, Mr. Speaker, and I assure you that I will make each thank you in the coming days. For now, I just want to express my gratitude for the work everyone has done. Thank you.

Mr. ALBERT. Mr. Speaker, I desire to compliment the distinguished chairman of the Committee on Interior and Insular Affairs for bringing to the floor this momentous bill. Especially do I want to commend the gentleman from Alaska and the people who sent him here for the effort he has put into this bill.

I have been a Member of this House for a quarter of a century. In all that time I have never seen a new Member of the House do so much in his first year of service for the people he represents. He has already proved that he is a knowledgeable and skillful legislator, a great asset to this House and to the Nation.

Mr. MEEDS. Mr. Speaker, having participated in the conference and having studied the conference report in depth, there is one important point which I think should be clarified.

Under the bill the Natives are guaran-

teed the right to select a full 40 million acres of land, including both surface and subsurface rights. In most instances these lands will be selected from the 25 townships surrounding Native villages. However, in the case of some villages located in wildlife refuges or Petroleum Reserve No. 4, the bill provides that no subsurface rights shall be available in those areas.

To make sure that this deficiency is made up by "in lieu" selections elsewhere, the committee has provided that the regional corporations may select the subsurface estate in an equal acreage to lands selected within wildlife refuges or Petroleum Reserve No. 4, but such selections must be made from lands outside those restricted areas. This provision appears in section 12(a)(1) of the conference bill.

These "in lieu" subsurface selections must be made from lands withdrawn for Native selection by other provisions of the bill. For example, if a village located in wildlife refuge is entitled to select four townships of surface estate because it has a population of between 100 and 199, then the regional corporation shall be entitled to select the subsurface estate in four townships of land from "the nearest unreserved, vacant and unappropriated public lands," which by definition are lands outside the wildlife refuge. And in order to protect the regional corporation's right to select this "in lieu" acreage, the bill provides in section 11(a)(3) that the Secretary shall withdraw three times the subsurface deficiency within 60 days of enactment.

It should be pointed out that this "in lieu" subsurface withdrawal is carefully designed to fully protect the interests of the Natives, the State of Alaska and the Federal Government. Thus no land that has already been selected by the State of Alaska can be withdrawn or selected as part of this "in lieu" withdrawal and similarly no land in wildlife refuges or Petroleum Reserve No. 4 is available for this purpose. Moreover, if the Secretary enlarges an existing wildlife refuge to replace lands selected for surface estate by Native Villages, the "in lieu" withdrawal must be made from lands outside the addition to the refuge. And since the "in lieu" withdrawals must be made within 60 days after enactment and before expiration of the 90-day general "freeze" provided in the bill, the Native right to "in lieu" selections is protected against other parties.

This is my understanding of the way various withdrawal and selection provisions operate together to insure a full entitlement to 40 million acres of surface and subsurface estate will be granted to the Natives. Is this the correct interpretation of those provisions?

Mr. ASPINALL. That is correct.

Mr. DINGELL. Mr. Speaker, I am pleased to give my support to the conference report on H.R. 10367, the proposed Alaska Native Land Claims Settlement Act.

I want to commend the conferees for recognizing that the vast storehouse of natural resources which is the State of Alaska should not be victimized by unplanned exploitation. In particular, I want to express my appreciation for the efforts of my friend and colleague from Pennsylvania, Congressman JOHN SAYLOR, who once again has demonstrated his full and effective dedication to the cause of conservation and environmental quality.

I support the conference report although I continue to believe that it does not fully cover the wide range of wildlife opportunities contained in my amendment offered in the House in October. It does establish a means by which the Secretary of the Interior is directed to provide the protection of lands and waters so necessary for the continued existence of the tremendous fish and wildlife resources of Alaska. It is vitally important that lands identified as being critical for the needs of fish and wildlife be given the highest order of protection by including them in the national wildlife refuge system.

To illustrate the importance of Alaska wildlife habitats for migratory waterfowl alone it must be recognized that waterfowl from Alaska may be found in every State and many foreign countries during times of migration and wintering. Thus these birds are clearly a national and international resource of major importance. In some of the habitats of Alaska the entire world population of certain waterfowl may be found at certain times of the year and it is such lands that must be protected and managed in such a way that future generations may know the joy of a flight of geese winging across the sky or the call of the curlew.

This legislation we are considering today will have an important impact on the lands of the national wildlife refuge system located in Alaska. Certain refuge lands will be selected for use by the native peoples of Alaska and it is imperative that lands selected as replacement and other lands withdrawn from the public domain for wildlife refuge purposes be selected with care and with an eye on the future needs of our Nation.

There are about 45 million acres of outstanding migratory bird habitat in Alaska—in addition to existing wildlife refuge lands—that are of critical importance to the existence of the fish and wildlife resources. The Copper River Delta area sustains the entire world population of Dusky Canada geese during the nesting season. Trumpeter swan reach their greatest density here, occupying all suitable lakes. And, probably more important, the area is a vast staging site for waterfowl and marsh birds bound to and from the nesting areas immediately to the north. Some of this land is within a national forest and the further designation of these lands for refuge purposes would not count against the 80 million-acre limitation imposed on the Secretary of the Interior by this legislation.

Other areas of importance to fish and wildlife that are not a part of the 80 million acres in reserve include the lands of Pet 4. This grand and magnificent area must be recognized for the contribution it can make to sustaining the wildlife resources of the Nation.

Of the lands to be studied and selected for national wildlife refuge purposes lands located in the Yukon Flats and Yukon Delta, the lands south of the Kenai National Moose Range, the Kvichak area around Lake Iliamna, the Seward Peninsula, the Tetlin area, the basins of the Kuskokwin, Koyukuk, Innoko and Noatak Rivers, the Nelshina area must be reserved for fish and wildlife purposes. Enlargement of the Arctic National Wildlife Range to preserve outstanding wildlife, wilderness, and scenic resources is of high priority.

Seabird colonies have been described in over 135 locations, exclusive of the Aleutian Islands. At least 26 colonies contain more than 100,000 birds, and several contain more than a million. The lands occupied by these birds are usually cliffs, lonely rocks, and small islands, inaccessible and usually very difficult to visit. Additional protection is needed for many of these areas including the Barren, Pribilof, and Shumagin Islands and the Cape Thompson cliffs.

GENERAL LEAVE

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on this legislation and conference report.

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

There was no objection.

Mr. ASPINALL. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

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

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

The SPEAKER. Evidently a quorum is not present.

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

The question was taken; and there were—yeas 307, nays 60, not voting 64, as follows:

[Roll No. 465]

Abbitt	Brademas	Collier
Abourezk	Brasco	Collins, Ill.
Abzug	Brinkley	Colmer
Adams	Brooks	Conable
Addabbo	Brotzman	Corman
Anderson, Calif.	Brown, Mich.	Cotter
	Brown, Ohio	Coughlin
Andrews, N. Dak.	Broyhill, N.C.	Culver
	Broyhill, Va.	Curlin
Annunzio	Burke, Fla.	Daniel, Va.
Archer	Burke, Mass.	Daniels, N.J.
Arends	Burlison, Mo.	Danielson
Ashley	Burton	Davis, Ga.
Aspin	Byrne, Pa.	Davis, S.C.
Aspinall	Byrnes, Wis.	Davis, Wis.
Badillo	Byron	de la Garza
Baring	Cabell	Delaney
Barrett	Camp	Dellenback
Begich	Carey, N.Y.	Dellums
Bell	Carney	Denholm
Bennett	Carter	Dent
Bergland	Celler	Dickinson
Betts	Chamberlain	Diggs
Biaggi	Chappell	Dingell
Bingham	Chisholm	Donohue
Blackburn	Clark	Dorn
Blanton	Clausen, Don H.	Dow
Boggs		Downing
Boland	Clay	Drinan
Bow	Cleveland	Dulski

du Pont	Kyros	Riegle
Eckhardt	Leggett	Rodino
Edmondson	Lennon	Roe
Edwards, Calif.	Lent	Rogers
Eilberg	Link	Roncalio
Erlenborn	Lloyd	Rooney, Pa.
Esch	Long, La.	Rosenthal
Evans, Colo.	McClory	Rostenkowski
Fascell	McCloskey	Roush
Flood	McCollister	Roy
Flowers	McCormack	Roybal
Ford, Gerald R.	McCulloch	Runnels
Ford, William D.	McDade	Ruppe
	McDonald, Mich.	Ruth
Forsythe		Ryan
Fountain	McEwen	St Germain
Fraser	McFall	Sandman
Frelinghuysen	McKay	Sarbanes
Frenzel	Macdonald, Mass.	Satterfield
Galifianakis		Scheuer
Gallagher	Madden	Schneebeli
Garmatz	Mahon	Schwengel
Gettys	Mailliard	Sebelius
Giaimo	Mann	Seiberling
Gibbons	Mathias, Calif.	Shipley
Gonzalez	Matsunaga	Shoup
Gray	Mayne	Shriver
Green, Oreg.	Mazzoli	Sikes
Green, Pa.	Meeds	Sisk
Griffin	Melcher	Skubitz
Grover	Metcalfe	Slack
Gude	Michel	Smith, Iowa
Haley	Mikva	Smith, N.Y.
Halpern	Miller, Calif.	Staggers
Hamilton	Mills, Md.	Stanton, J. William
Hammer-schmidt	Minish	
	Minshall	Stanton, James V.
Hanley	Mitchell	
Hanna	Mizell	Steed
Hansen, Idaho	Monagan	Steele
Harrington	Moorhead	Steiger, Ariz.
Harvey	Morgan	Steiger, Wis.
Hastings	Morse	Stratton
Hathaway	Mosher	Stubblefield
Hawkins	Murphy, Ill.	Stuckey
Hays	Murphy, N.Y.	Talcott
Hechler, W. Va.	Natcher	Taylor
Heckler, Mass.	Nedzi	Teague, Tex.
Heinz	Nelsen	Terry
Helstoski	Nichols	Thomson, Wis.
Henderson	Nix	Thone
Hicks, Mass.	Obey	Tiernan
Hillis	O'Konski	Udall
Hogan	Passman	Ullman
Horton	Patman	Van Deerlin
Howard	Patten	Vander Jagt
Hull	Pepper	Vanik
Hungate	Perkins	Waldie
Hunt	Pettis	Ware
Ichord	Peyser	Whalen
Jacobs	Pickle	White
Jarman	Pike	Whitehurst
Johnson, Calif.	Pirnie	Whitten
Johnson, Pa.	Poage	Williams
Jonas	Podell	Winn
Jones, Ala.	Poff	Wolff
Jones, Tenn.	Powell	Wright
Karth	Preyer, N.C.	Wyatt
Kazen	Price, Ill.	Wylie
Keating	Price, Tex.	Yates
Keith	Pucinski	Yatron
Kemp	Purcell	Young, Tex.
Kluczynski	Quie	Zablocki
Koch	Quillen	Zwach
Kuykendall	Rangel	
Kyl	Reid, N.Y.	

NAYS—60

Abernethy	Fisher	Rarick
Alexander	Foley	Roberts
Ashbrook	Frey	Robinson, Va.
Bevill	Goodling	Saylor
Biester	Grasso	Scherle
Bray	Gross	Schmitz
Broomfield	Harsha	Scott
Buchanan	Hosmer	Snyder
Burleson, Tex.	Hutchinson	Spence
Cederberg	Jones, N.C.	Teague, Calif.
Clancy	King	Thompson, Ga.
Clawson, Del	Landgrebe	Vigorito
Collins, Tex.	Long, Md.	Wampler
Crane	McKinney	Whalley
Dennis	Mathis, Ga.	Wiggins
Devine	Miller, Ohio	Wilson, Bob
Duncan	Montgomery	Wydler
Edwards, Ala.	Myers	Wyman
Eshleman	Railsback	Young, Fla.
Findley	Randall	Zion

NOT VOTING—64

Anderson, Ill.	Baker	Caffery
Anderson, Tenn.	Belcher	Casey, Tex.
	Blatnik	Conte
Andrews, Ala.	Bolling	Conyers
Derwinski	Holifield	Rees
Dowdy	Kastenmeier	Reuss
Dwyer	Kee	Rhodes
Edwards, La.	Landrum	Robison, N.Y.
Evins, Tenn.	Latta	Rooney, N.Y.
Fish	Lujan	Rousselot
Flynt	McClure	Smith, Calif.
Fulton, Tenn.	McKevitt	Springer
Fuqua	McMillan	Stephens
Gaydos	Martin	Stokes
Goldwater	Mills, Ark.	Sullivan
Griffiths	Mink	Symington
Gubser	Mollohan	Thompson, N.J.
Hagan	Moss	Veysey
Hall	O'Hara	Waggonner
Hansen, Wash.	O'Neill	Widnall
Hébert	Pelly	Wilson, Charles H.
Hicks, Wash.	Pryor, Ark.	

So the conference report was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Thompson of New Jersey for, with Mr. Smith of California against.

Mr. Rhodes for, with Mr. Conte against.

Mr. Widnall for, with Mr. Rousselot against.

Until further notice:

Mr. O'Neill with Mr. Anderson of Illinois.

Mr. Moss with Mr. Goldwater.

Mr. Waggonner with Mr. Derwinski.

Mr. Andrews of Alabama with Mr. Belcher.

Mr. Holifield with Mr. Gubser.

Mrs. Sullivan with Mrs. Dwyer.

Mr. Rooney of New York with Mr. Fish.

Mr. Reuss with Mr. Conyers.

Mrs. Mink with Mr. Stokes.

Mr. Evins of Tennessee with Mr. Baker.

Mr. O'Hara with Mr. Pelly.

Mr. McMillan with Mr. Martin.

Mr. Hébert with Mr. Hall.

Mr. Fuqua with Mr. Veysey.

Mrs. Griffiths with Mr. Latta.

Mr. Mills of Arkansas with Mr. Lujan.

Mr. Kee with Mr. Springer.

Mrs. Hansen of Washington with Mr. Robison of New York.

Mr. Caffery with Mr. McClure.

Mr. Blatnik with Mr. McKevitt.

Mr. Anderson of Tennessee with Mr. Landrum.

Mr. Casey of Texas with Mr. Mollohan.

Mr. Flynt with Mr. Pryor of Arkansas.

Mr. Dowdy with Mr. Hagan.

Mr. Gaydos with Mr. Symington.

Mr. Charles H. Wilson with Mr. Fulton of Tennessee.

Mr. Rees with Mr. Hicks of Washington.

Mr. Kastenmeier with Mr. Stephens.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON S. 382, FEDERAL ELECTION CAMPAIGN ACT OF 1971

Mr. HAYS submitted the following conference report and statement on the bill (S. 382) to promote fair practices in the conduct of election campaigns for Federal political offices, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 92-752)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 382) to promote fair practices in the conduct of election campaigns for Federal political offices, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

That this Act may be cited as the "Federal Election Campaign Act of 1971".

TITLE I—CAMPAIGN COMMUNICATIONS

SHORT TITLE

SEC. 101. This title may be cited as the "Campaign Communications Reform Act".

DEFINITIONS

SEC. 102. For purposes of this title:

(1) The term "communications media" means broadcasting stations, newspapers, magazines, outdoor advertising facilities, and telephones; but, with respect to telephones, spending or an expenditure shall be deemed to be spending or an expenditure for the use of communications media only if such spending or expenditure is for the costs of telephones, paid telephonists, and automatic telephone equipment, used by a candidate for Federal elective office to communicate with potential voters (excluding any costs of telephones incurred by a volunteer for use of telephones by him).

(2) The term "broadcasting station" has the same meaning as such term has under section 315(f) of the Communications Act of 1934.

(3) The term "Federal elective office" means the office of President of the United States, or of Senator or Representative in, or Resident Commissioner or Delegate to, the Congress of the United States (and for purposes of section 103(b) such term includes the office of Vice President).

(4) The term "legally qualified candidate" means any person who (A) meets the qualifications prescribed by the applicable laws to hold the Federal elective office for which he is a candidate, and (B) is eligible under applicable State law to be voted for by the electorate directly or by means of delegates or electors.

(5) The term "voting age population" means resident population, eighteen years of age and older.

(6) The term "State" includes the District of Columbia and the Commonwealth of Puerto Rico.

MEDIA RATE AND RELATED REQUIREMENTS

SEC. 103. (a)(1) Section 315(b) of the Communications Act of 1934 is amended to read as follows:

"(b) The charges made for the use of any broadcasting station by any person who is a legally qualified candidate for any public office in connection with his campaign for nomination for election, or election, to such office shall not exceed—

"(1) during the forty-five days preceding the date of a primary or primary runoff election and during the sixty days preceding the date of a general or special election in which such person is a candidate, the lowest unit charge of the station for the same class and amount of time for the same period; and

"(2) at any other time, the charges made for comparable use of such station by other users thereof."

(2)(A) Section 312(a) of such Act is amended by striking "or" at the end of clause (5), striking the period at the end of clause (6) and inserting in lieu thereof a semicolon and "or", and adding at the end of such section 312(a) the following new paragraph:

"(7) for willful or repeated failure to allow reasonable access to or to permit purchase of reasonable amounts of time for the use of a broadcasting station by a legally qualified candidate for Federal elective office on behalf of his candidacy.".

(B) The second sentence of section 315(a) of such Act is amended by inserting "under this subsection" after "No obligation is imposed".

(b) To the extent that any person sells space in any newspaper or magazine to a legally qualified candidate for Federal elective office, or nomination thereto, in connection

with such candidate's campaign for nomination for, or election to, such office, the charges made for the use of such space in connection with his campaign shall not exceed the charges made for comparable use of such space for other purposes.

LIMITATIONS OF EXPENDITURES FOR USE OF COMMUNICATIONS MEDIA

SEC. 104. (a) (1) Subject to paragraph (4), no legally qualified candidate in an election (other than a primary or primary runoff election) for a Federal elective office may—

(A) spend for the use of communications media on behalf of his candidacy in such election a total amount in excess of the greater of—

(i) 10 cents multiplied by the voting age population (as certified under paragraph (5)) of the geographical area in which the election for such office is held, or

(ii) $50,000, or

(B) spend for the use of broadcast stations on behalf of his candidacy in such election a total amount in excess of 60 per centum of the amount determined under subparagraph (A) with respect to such election.

(2) No legally qualified candidate in a primary election for nomination to a Federal elective office, other than President, may spend—

(A) for the use of communications media, or

(B) for the use of broadcast stations,

on behalf of his candidacy in such election a total amount in excess of the amounts determined under paragraph (1) (A) or (B), respectively, with respect to the general election for such office. For purposes of this subsection a primary runoff election shall be treated as a separate primary election.

(3) (A) No person who is a candidate for presidential nomination may spend—

(i) for the use in a State of communications media, or

(ii) for the use in a State of broadcast stations,

on behalf of his candidacy for presidential nomination a total amount in excess of the amounts which would have been determined under paragraph (1) (A) or (B), respectively, had he been a candidate for election for the office of Senator from such State (or for the office of Delegate or Resident Commissioner in the case of the District of Columbia or the Commonwealth of Puerto Rico).

(B) For purposes of this paragraph (3), a person is a candidate for presidential nomination if he makes (or any other person makes on his behalf) an expenditure for the use of any communications medium on behalf of his candidacy for any political party's nomination for election to the office of President. He shall be considered to be such a candidate during the period—

(i) beginning on the date on which he (or such other person) first makes such an expenditure (or, if later, January 1 of the year in which the election for the office of President is held), and

(ii) ending on the date on which such political party nominates a candidate for the office of President.

For purposes of this title and of section 315 of the Communications Act of 1934, a candidate for presidential nomination shall be considered a legally qualified candidate for public office.

(C) The Comptroller General shall prescribe regulations under which any expenditure by a candidate for presidential nomination for the use in two or more States of a communications medium shall be attributed to such candidate's expenditure limitation in each such State, based on the number of persons in such State who can reasonably be expected to be reached by such communications medium.

(4) (A) For purposes of subparagraph (B):

(i) The term "price index" means the average over a calendar year of the Consumer Price Index (all items—United States city average) published monthly by the Bureau of Labor Statistics.

(ii) The term "base period" means the calendar year 1970.

(B) At the beginning of each calendar year (commencing in 1972), as there becomes available necessary data from the Bureau of Labor Statistics of the Department of Labor, the Secretary of Labor shall certify to the Comptroller General and publish in the Federal Register the per centum difference between the price index for the 12 months preceding the beginning of such calendar year and the price index for the base period. Each amount determined under paragraph (1) (A) (i) and (ii) shall be increased by such per centum difference. Each amount so increased shall be the amount in effect for such calendar year.

(5) Within 60 days after the date of enactment of this Act, and during the first week of January in 1973 and every subsequent year, the Secretary of Commerce shall certify to the Comptroller General and publish in the Federal Register an estimate of the voting age population of each State and congressional district for the last calendar year ending before the date of certification.

(6) Amounts spent for the use of communications media on behalf of any legally qualified candidate for Federal elective office (or for nomination to such office) shall, for the purposes of this subsection, be deemed to have been spent by such candidate. Amounts spent for the use of communications media by or on behalf of any legally qualified candidate for the office of Vice President of the United States shall, for the purposes of this section, be deemed to have been spent by the candidate for the office of President of the United States with whom he is running.

(7) For purposes of this section and section 315(c) of the Communications Act of 1934—

(A) spending and charges for the use of communications media include not only the direct charges of the media but also agents' commissions allowed the agent by the media, and

(B) any expenditure for the use of any communications medium by or on behalf of the candidacy of a candidate for Federal elective office (or nomination thereto) shall be charged against the expenditure limitation under this subsection applicable to the election in which such medium is used.

(b) No person may make any charge for the use by or on behalf of any legally qualified candidate for Federal elective office (or for nomination to such office) of any newspaper, magazine, or outdoor advertising facility, unless such candidate (or a person specifically authorized by such candidate in writing to do so) certifies in writing to the person making such charge that the payment of such charge will not violate paragraph (1), (2), or (3) of subsection (a), whichever is applicable.

(c) Section 315 of the Communications Act of 1934 is amended by redesignating subsection (c) as subsection (g) and by inserting after subsection (b) the following new subsections:

"(c) No station licensee may make any charge for the use of such station by or on behalf of any legally qualified candidate for Federal elective office (or for nomination to such office) unless such candidate (or a person specifically authorized by such candidate in writing to do so) certifies to such licensee in writing that the payment of such charge will not violate any limitation specified in paragraph (1), (2), or (3) of section 104(a) of the Campaign Communications Reform Act, whichever paragraph is applicable.

"(d) If a State by law and expressly—

"(1) has provided that a primary or other election for any office of such State or of a political subdivision thereof is subject to this subsection,

"(2) has specified a limitation upon total expenditures for the use of broadcasting stations on behalf of the candidacy of each legally qualified candidate in such election,

"(3) has provided in any such law an unequivocal expression of intent to be bound by the provisions of this subsection, and

"(4) has stipulated that the amount of such limitation shall not exceed the amount which would be determined for such election under section 104(a) (1) (B) or 104(a) (2) (B) (whichever is applicable of the Campaign Communications Reform Act had such election been an election for a Federal elective office or nomination thereto;

then no station licensee may make any charge for the use of such station by or on behalf of any legally qualified candidate in such election unless such candidate (or a person specifically authorized by such candidate in writing to do so) certifies to such licensee in writing that the payment of such charge will not violate such State limitation.

"(e) Whoever willfully and knowingly violates the provisions of subsection (c) or (d) of this section shall be punished by a fine not to exceed $5,000 or imprisonment for a period not to exceed five years, or both. The provisions of sections 501 through 503 of this Act shall not apply to violations of either such subsection.

"(f) (1) For the purposes of this section:

"(A) The term 'broadcasting station' includes a community antenna television system.

"(B) The terms 'licensee' and 'station licensee' when used with respect to a community antenna television system, mean the operator of such system.

"(C) The term 'Federal elective office' means the office of President of the United States, or of Senator or Representative in, or Resident Commissioner or Delegate to, the Congress of the United States.

"(2) For purposes of subsections (c) and (d), the term 'legally qualified candidate' means any person who (A) meets the qualifications prescribed by the applicable laws to hold the office for which he is a candidate and (B) is eligible under applicable State law to be voted for by the electorate directly or by means of delegates or electors."

REGULATIONS

SEC. 105. The Comptroller General shall prescribe such regulations as may be necessary or appropriate to carry out sections 102, 103(b), 104(a), and 104(b) of this Act.

PENALTIES

SEC. 106. Whoever willfully and knowingly violates any provision of section 103(b), 104(a), or 104(b) or any regulation under section 105 shall be punished by a fine of not more than $5,000 or by imprisonment of not more than five years, or both.

TITLE II—CRIMINAL CODE AMENDMENTS

SEC. 201. Section 591 of title 18, United States Code, is amended to read as follows:

§ 591. Definitions

'When used in sections 597, 599, 600, 602, 608, 610, and 611 of this title—

"(a) 'election' means (1) a general, special, primary, or runoff election, (2) a convention or caucus of a political party held to nominate a candidate, (3) a primary election held for the selection of delegates to a national nominating convention of a political party, (4) a primary election held for the expression of a preference for the nomination of persons for election to the office of President, and (5) the election of delegates to a constitutional convention for proposing amendments to the Constitution of the United States;

"(b) 'candidate' means an individual who seeks nomination for election, or election, to Federal office, whether or not such individual is elected, and, for purposes of this paragraph, an individual shall be deemed to seek

nomination for election, or election, to Federal office, if he has (1) taken the action necessary under the law of a State to qualify himself for nomination for election, or election, or (2) received contributions or made expenditures, or has given his consent for any other person to receive contributions or make expenditures, with a view to bringing about his nomination for election, or election, to such office;

"(c) 'Federal office' means the office of President or Vice President of the United States, or Senator or Representative in, or Delegate or Resident Commissioner to, the Congress of the United States;

"(d) 'political committee' means any individual, committee, association, or organization which accepts contributions or makes expenditures during a calendar year in an aggregate amount exceeding $1,000;

"(e) 'contribution' means—

"(1) a gift, subscription, loan, advance, or deposit of money or anything of value (except a loan of money by a national or State bank made in accordance with the applicable banking laws and regulations and in the ordinary course of business), made for the purpose of influencing the nomination for election, or election, of any person to Federal office, for the purpose of influencing the results of a primary held for the selection of delegates to a national nominating convention of a political party or for the expression of a preference for the nomination of persons for election to the office of President, or for the purpose of influencing the election of delegates to a constitutional convention for proposing amendments to the Constitution of the United States;

"(2) a contract, promise, or agreement, express or implied, whether or not legally enforceable, to make a contribution for such purposes;

"(3) a transfer of funds between political committees;

"(4) the payment by any person other than a candidate or political committee, of compensation for the personal services of another person which are rendered to such candidate or political committee without charge for any such purpose; and

"(5) notwithstanding the foregoing meanings of 'contribution', the word shall not be construed to include services provided without compensation by individuals volunteering a portion or all of their time on behalf of a candidate or political committee;

"(f) 'expenditure' means—

"(1) a purchase, payment, distribution, loan, advance, deposit, or gift of money or anything of value (except a loan of money by a national or State bank made in accordance with the applicable banking laws and regulations and in the ordinary course of business), made for the purpose of influencing the nomination for election, or election, of any person to Federal office, for the purpose of influencing the result of a primary held for the selection of delegates to a national nominating convention of a political party or for the expression of a preference for the nomination of persons for election to the office of President, or for the purpose of influencing the election of delegates to a constitutional convention for proposing amendments to the Constitution of the United States;

"(2) a contract, promise, or agreement, express or implied, whether or not legally enforceable, to make any expenditure; and

"(3) a transfer of funds between political committees;

"(g) 'person' and 'whoever' mean an individual, partnership, committee, association, corporation, or any other organization or group of persons; and

"(h) 'State' means each State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.".

SEC. 202. Section 600 of title 18, United States Code, is amended to read as follows:

"§ 600. Promise of employment or other benefit for political activity

"Whoever, directly or indirectly, promises any employment, position, compensation, contract, appointment, or other benefit, provided for or made possible in whole or in part by any Act of Congress, or any special consideration in obtaining any such benefit, to any person as consideration, favor, or reward for any political activity or for the support of or opposition to any candidate or any political party in connection with any general or special election to any political office, or in connection with any primary election or political convention or caucus held to select candidates for any political office, shall be fined not more than $1,000 or imprisoned not more than one year, or both.".

SEC. 203. Section 608 of title 18, United States Code, is amended to read as follows:

"§ 608. Limitations on contributions and expenditures

"(a)(1) No candidate may make expenditures from his personal funds, or the personal funds of his immediate family, in connection with his campaign for nomination for election, or election, to Federal office in excess of—

"(A) $50,000, in the case of a candidate for the office of President or Vice President;

"(B) $35,000, in the case of a candidate for the office of Senator; or

"(C) $25,000, in the case of a candidate for the office of Representative, or Delegate or Resident Commissioner to the Congress.

"(2) For purposes of this subsection, 'immediate family' means a candidate's spouse, and any child, parent, grandparent, brother, or sister of the candidate, and the spouses of such persons.

"(b) No candidate or political committee shall knowingly accept any contribution or authorize any expenditure in violation of the provisions of this section.

"(c) Violation of the provisions of this section is punishable by a fine not to exceed $1,000, imprisonment for not to exceed one year, or both.".

SEC. 204. Section 609 of title 18, United States Code, is repealed.

SEC. 205. Section 610 of title 18, United States Code, relating to contributions or expenditures by national banks, corporations, or labor organizations, is amended by adding at the end thereof the following paragraph:

"As used in this section, the phrase 'contribution or expenditure' shall include any direct or indirect payment, distribution, loan, advance, deposit, or gift of money, or any services, or anything of value (except a loan of money by a national or State bank made in accordance with the applicable banking laws and regulations and in the ordinary course of business) to any candidate, campaign committee, or political party or organization, in connection with any election to any of the offices referred to in this section; but shall not include communications by a corporation to its stockholders and their families or by a labor organization to its members and their families on any subject; nonpartisan registration and get-out-the-vote campaigns by a corporation aimed at its stockholders and their families, or by a labor organization aimed at its members and their families; the establishment, administration, and solicitation of contributions to a separate segregated fund to be utilized for political purposes by a corporation or labor organization: *Provided*, That it shall be unlawful for such a fund to make a contribution or expenditure by utilizing money or anything of value secured by physical force, job discrimination, financial reprisals, or the threat of force, job discrimination, or financial reprisal; or by dues, fees, or other monies required as a condition of membership in a labor organization or as a condition of employment, or by monies obtained in any commercial transaction.".

SEC. 206. Section 611 of title 18, United States Code, is amended to read as follows:

"§ 611. Contributions by Government contractors

"Whoever—

"(a) entering into any contract with the United States or any department or agency thereof either for the rendition of personal services or furnishing any material, supplies, or equipment to the United States or any department or agency thereof or for selling any land or building to the United States or any department or agency thereof, if payment for the performance of such contract or payment for such material, supplies, equipment, land, or building is to be made in whole or in part from funds appropriated by the Congress, at any time between the commencement of negotiations for and the later of (1) the completion of performance under, or (2) the termination of negotiations for, such contract or furnishing of material, supplies, equipment, land or buildings, directly or indirectly makes any contribution of money or other thing of value, or promises expressly or impliedly to make any such contribution, to any political party, committee, or candidate for public office or to any person for any political purpose or use; or

"(b) knowingly solicits any such contribution from any such person for any such purpose during any such period;

shall be fined not more than $5,000 or imprisoned not more than five years, or both.".

SEC. 207. The table of sections for chapter 29 of title 18, United States Code, is amended by—

(1) striking out the item relating to section 608 and inserting in lieu thereof the following:

"608. Limitations on contributions and expenditures.";

(2) striking out the item relating to section 609 and inserting in lieu thereof the following:

"609. Repealed.";

(3) striking out the item relating to section 611 and inserting in lieu thereof the following:

"611. Contributions by Government contractors.".

TITLE III—DISCLOSURE OF FEDERAL CAMPAIGN FUNDS

DEFINITIONS

SEC. 301. When used in this title—

(a) "election" means (1) a general, special, primary, or runoff election, (2) a convention or caucus of a political party held to nominate a candidate, (3) a primary election held for the selection of delegates to a national nominating convention of a political party, (4) a primary election held for the expression of a preference for the nomination of persons for election to the office of President, and (5) the election of delegates to a constitutional convention for proposing amendments to the Constitution of the United States;

(b) "candidate" means an individual who seeks nomination for election, or election, to Federal office, whether or not such individual is elected, and, for purposes of this paragraph, an individual shall be deemed to seek nomination for election, or election, if he has (1) taken the action necessary under the law of a State to qualify himself for nomination for election, or election, to Federal office, or (2) received contributions or made expenditures, or has given his consent for any other person to receive contributions or make expenditures, with a view to bringing about his nomination for reelection, or election, to such office;

(c) "Federal office" means the office of

President or Vice President of the United States; or of Senator or Representative in, or Delegate or Resident Commissioner to, the Congress of the United States;

(d) "political committee" means any committee, association, or organization which accepts contributions or makes expenditures during a calendar year in an aggregate amount exceeding $1,000;

(e) "contribution" means—

(1) a gift, subscription, loan, advance, or deposit of money or anything of value, made for the purpose of influencing the nomination for election, or election, of any person to Federal office or as a presidential or vice-presidential elector, or for the purpose of influencing the result of a primary held for the selection of delegates to a national nominating convention of a political party or for the expression of a preference for the nomination of persons for election to the office of President, or for the purpose of influencing the election of delegates to a constitutional convention for proposing amendments to the Constitution of the United States;

(2) a contract, promise, or agreement, whether or not legally enforceable, to make a contribution for any such purpose;

(3) a transfer of funds between political committees;

(4) the payment, by any person other than a candidate or political committee, of compensation for the personal services of another person which are rendered to such candidate or committee without charge for any such purpose; and

(5) notwithstanding the foregoing meanings of "contribution", the word shall not be construed to include services provided without compensation by individuals volunteering a portion or all of their time on behalf of a candidate or political committee;

(f) "expenditure" means—

(1) a purchase, payment, distribution, loan, advance, deposit, or gift of money or anything of value, made for the purpose of influencing the nomination for election, or election, of any person to Federal office, or as a presidential and vice-presidential elector, or for the purpose of influencing the result of a primary held for the selection of delegates to a national nominating convention of a political party or for the expression of a preference for the nomination of persons for election to the office of President, or for the purpose of influencing the election of delegates to a constitutional convention for proposing amendments to the Constitution of the United States;

(2) a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure, and

(3) a transfer of funds between political committees;

(g) "supervisory officer" means the Secretary of the Senate with respect to candidates for Senator; the Clerk of the House of Representatives with respect to candidates for Representative in, or Delegate or Resident Commissioner to, the Congress of the United States; and the Comptroller General of the United States in any other case;

(h) "person" means an individual, partnership, committee, association, corporation, labor organization, and any other organization or group of persons; and

(i) "State" means each State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

ORGANIZATION OF POLITICAL COMMITTEES

SEC. 302. (a) Every political committee shall have a chairman and a treasurer. No contribution and no expenditure shall be accepted or made by or on behalf of a political committee at a time when there is a vacancy in the office of chairman or treasurer thereof. No expenditure shall be made for or on behalf of a political committee without the authorization of its chairman or treasurer, or their designated agents.

(b) Every person who receives a contribution in excess of $10 for a political committee shall, on demand of the treasurer, and in any event within five days after receipt of such contribution, render to the treasurer a detailed account thereof, including the amount, the name and address (occupation and the principal place of business, if any) of the person making such contribution, and the date on which received. All funds of a political committee shall be segregated from, and may not be commingled with, any personal funds of officers, members, or associates of such committee.

(c) It shall be the duty of the treasurer of a political committee to keep a detailed and exact account of—

(1) all contributions made to or for such committee;

(2) the full name and mailing address (occupation and the principal place of business, if any) of every person making a contribution in excess of $10, and the date and amount thereof;

(3) all expenditures made by or on behalf of such committee; and

(4) the full name and mailing address (occupation and the principal place of business, if any) of every person to whom any expenditure is made, the date and amount thereof and the name and address of, and office sought by, each candidate on whose behalf such expenditure was made.

(d) It shall be the duty of the treasurer to obtain and keep a receipted bill, stating the particulars, for every expenditure made by or on behalf of a political committee in excess of $100 in amount, and for any such expenditure in a lesser amount, if the aggregate amount of such expenditures to the same person during a calendar year exceeds $100. The treasurer shall preserve all receipted bills and accounts required to be kept by this section for periods of time to be determined by the supervisory officer.

(e) Any political committee which solicits or receives contributions or makes expenditures on behalf of any candidate that is not authorized in writing by such candidate to do so shall include a notice on the face or front page of all literature and advertisements published in connection with such candidate's campaign by such committee or on its behalf stating that the committee is not authorized by such candidate and that such candidate is not responsible for the activities of such committee.

(f)(1) Any political committee shall include on the face or front page of all literature and advertisements soliciting funds the following notice:

"A copy of our report filed with the appropriate supervisory officer is (or will be) available for purchase from the Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402.".

(2)(A) The supervisory officer shall compile and furnish to the Public Printer, not later than the last day of March of each year, an annual report for each political committee which has filed a report with him under this title during the period from March 10 of the preceding calendar year through January 31 of the year in which such annual report is made available to the Public Printer. Each such annual report shall contain—

(i) a copy of the statement of organization of the political committee required under section 303, together with any amendments thereto; and

(ii) a copy of each report filed by such committee under section 304 from March 10 of the preceding year through January 31 of the year in which the annual report is so furnished to the Public Printer.

(B) The Public Printer shall make copies of such annual reports available for sale to the public by the Superintendent of Documents as soon as practicable after they are received from the supervisory officer.

REGISTRATION OF POLITICAL COMMITTEES; STATEMENTS

SEC. 303. (a) Each political committee which anticipates receiving contributions or making expenditures during the calendar year in an aggregate amount exceeding $1,000 shall file with the supervisory officer a statement of organization, within ten days after its organization or, if later, ten days after the date on which it has information which causes the committee to anticipate it will receive contributions or make expenditures in excess of $1,000. Each such committee in existence at the date of enactment of this Act shall file a statement of organization with the supervisory officer at such time as he prescribes.

(b) The statement of organization shall include—

(1) the name and address of the committee;

(2) the names, addresses, and relationships of affiliated or connected organizations;

(3) the area, scope, or jurisdiction of the committee;

(4) the name, address, and position of the custodian of books and accounts;

(5) the name, address, and position of other principal officers, including officers and members of the finance committee, if any;

(6) the name, address, office sought, and party affiliation of (A) each candidate whom the committee is supporting, and (B) any other individual, if any, whom the committee is supporting for nomination for election, or election, to any public office whatever; or, if the committee is supporting the entire ticket of any party, the name of the party;

(7) a statement whether the committee is a continuing one;

(8) the disposition of residual funds which will be made in the event of dissolution;

(9) a listing of all banks, safety deposit boxes, or other repositories used;

(10) a statement of the reports required to be filed by the committee with State or local officers, and, if so, the names, addresses, and positions of such persons; and

(11) such other information as shall be required by the supervisory officer.

(c) Any change in information previously submitted in a statement of organization shall be reported to the supervisory officer within a ten-day period following the change.

(d) Any committee which, after having filed one or more statements of organization, disbands or determines it will no longer receive contributions or make expenditures during the calendar year in an aggregate amount exceeding $1,000 shall so notify the supervisory officer.

REPORTS BY POLITICAL COMMITTEES AND CANDIDATES

SEC. 304. (a) Each treasurer of a political committee supporting a candidate or candidates for election to Federal office, and each candidate for election to such office, shall file with the appropriate supervisory officer reports of receipts and expenditures on forms to be prescribed or approved by him. Such reports shall be filed on the tenth day of March, June, and September, in each year, and on the fifteenth and fifth days next preceding the date on which an election is held, and also by the thirty-first day of January. Such reports shall be complete as of such date as the supervisory officer may prescribe, which shall not be less than five days before the date of filing, except that any contribution of $5,000 or more received after the last report is filed prior to the election shall be reported within forty-eight hours after its receipt.

(b) Each report under this section shall disclose—

(1) the amount of cash on hand at the beginning of the reporting period;

(2) the full name and mailing address (occupation and the principal place of business, if any) of each person who has made one or more contributions to or for such committee or candidate (including the purchase of tickets for events such as dinners, luncheons, rallies, and similar fundraising events) within the calendar year in an aggregate amount or value in excess of $100, together with the amount and date of such contributions;

(3) the total sum of individual contributions made to or for such committee or candidate during the reporting period and not reported under paragraph (2);

(4) the name and address of each political committee or candidate from which the reporting committee or the candidate received, or to which that committee or candidate made, any transfer of funds, together with the amounts and dates of all transfers;

(5) each loan to or from any person within the calendar year in an aggregate amount or value in excess of $100, together with the full names and mailing addresses (occupations and the principal places of business, if any) of the lender and endorsers, if any, and the date and amount of such loans;

(6) the total amount of proceeds from (A) the sale of tickets to each dinner, luncheon, rally, and other fundraising event; (B) mass collections made at such events; and (C) sales of items such as political campaign pins, buttons, badges, flags, emblems, hats, banners, literature, and similar materials;

(7) each contribution, rebate, refund, or other receipt in excess of $100 not otherwise listed under paragraphs (2) through (6);

(8) the total sum of all receipts by or for such committee or candidate during the reporting period;

(9) the full name and mailing address (occupation and the principal place of business, if any) of each person to whom expenditures have been made by such committee or on behalf of such committee or candidate within the calendar year in an aggregate amount or value in excess of $100, the amount, date, and purpose of each such expenditure and the name and address of, and office sought by, each candidate on whose behalf such expenditure was made;

(10) the full name and mailing address (occupation and the principal place of business, if any) of each person to whom an expenditure for personal services, salaries, and reimbursed expenses in excess of $100 has been made, and which is not otherwise reported, including the amount, date, and purpose of such expenditure;

(11) the total sum of expenditures made by such committee or candidate during the calendar year;

(12) the amount and nature of debts and obligations owed by or to the committee, in such form as the supervisory officer may prescribe and a continuous reporting of their debts and obligations after the election at such periods as the supervisory officer may require until such debts and obligations are extinguished; and

(13) such other information as shall be required by the supervisory officer.

(c) The reports required to be filed by subsection (a) shall be cumulative during the calendar year to which they relate, but where there has been no change in an item reported in a previous report during such year, only the amount need be carried forward. If no contributions or expenditures have been accepted or expended during a calendar year, the treasurer of the political committee or candidate shall file a statement to that effect.

REPORTS BY OTHERS THAN POLITICAL COMMITTEES

SEC. 305. Every person (other than a political committee or candidate) who makes contributions or expenditures, other than by contribution to a political committee or candidate, in an aggregate amount in excess of $100 within a calendar year shall file with the supervisory officer a statement containing the information required by section 304. Statements required by this section shall be filed on the dates on which reports by political committees are filed, but need not be cumulative.

FORMAL REQUIREMENTS RESPECTING REPORTS AND STATEMENTS

SEC. 306. (a) A report or statement required by this title to be filed by a treasurer of a political committee, a candidate, or by any other person, shall be verified by the oath or affirmation of the person filing such report or statement, taken before any officer authorized to administer oaths.

(b) A copy of a report or statement shall be preserved by the person filing it for a period of time to be designated by the supervisory officer in a published regulation.

(c) The supervisory officer may, by published regulation of general applicability, relieve any category of political committees of the obligation to comply with section 304 if such committee (1) primarily supports persons seeking State or local office, and does not substantially support candidates, and (2) does not operate in more than one State or on a statewide basis.

(d) The supervisory officer shall, by published regulations of general applicability, prescribe the manner in which contributions and expenditures in the nature of debts and other contracts, agreements, and promises to make contributions or expenditures shall be reported. Such regulations shall provide that they be reported in separate schedules. In determining aggregate amounts of contributions and expenditures, amounts reported as provided in such regulations shall not be considered until actual payment is made.

REPORTS ON CONVENTION FINANCING

SEC. 307. Each committee or other organization which—

(1) represents a State, or a political subdivision thereof, or any group of persons, in dealing with officials of a national political party with respect to matters involving a convention held in such State or political subdivision to nominate a candidate for the office of President or Vice President, or

(2) represents a national political party in making arrangements for the convention of such party held to nominate a candidate for the office of President or Vice President,

shall, within sixty days following the end of the convention (but not later than twenty days prior to the date on which presidential and vice-presidential electors are chosen), file with the Comptroller General of the United States a full and complete financial statement, in such form and detail as he may prescribe, of the sources from which it derived its funds, and the purposes for which such funds were expended.

DUTIES OF THE SUPERVISORY OFFICER

SEC. 308. (a) It shall be the duty of the supervisory officer—

(1) to develop and furnish to the person required by the provisions of this Act prescribed forms for the making of the reports and statements required to be filed with him under this title;

(2) to prepare, publish, and furnish to the person required to file such reports and statements a manual setting forth recommended uniform methods of bookkeeping and reporting;

(3) to develop a filing, coding, and cross-indexing system consonant with the purposes of this title;

(4) to make the reports and statements filed with him available for public inspection and copying, commencing as soon as practicable but not later than the end of the second day following the day during which it was received, and to permit copying of any such report or statement by hand or by duplicating machine, as requested by any person, at the expense of such person: *Provided,* That any information copied from such reports and statements shall not be sold or utilized by any person for the purpose of soliciting contributions or for any commercial purpose;

(5) to preserve such reports and statements for a period of ten years from date of receipt, except that reports and statements relating solely to candidates for the House of Representatives shall be preserved for only five years from the date of receipt;

(6) to compile and maintain a current list of all statements or parts of statements pertaining to each candidate;

(7) to prepare and publish an annual report including compilations of (A) total reported contributions and expenditures for all candidates, political committees, and other persons during the year; (B) total amounts expended according to such categories as he shall determine and broken down into candidate, party, and nonparty expenditures on the national, State, and local levels; (C) total amounts expended for influencing nominations and elections stated separately; (D) total amounts contributed according to such categories of amounts as he shall determine and broken down into contributions on the national, State, and local levels for candidates and political committees; and (E) aggregate amounts contributed by any contributor shown to have contributed in excess of $100;

(8) to prepare and publish from time to time special reports comparing the various totals and categories of contributions and expenditures made with respect to preceding elections;

(9) to prepare and publish such other reports as he may deem appropriate;

(10) to assure wide dissemination of statistics, summaries, and reports prepared under this title;

(11) to make from time to time audits and field investigations with respect to reports and statements filed under the provisions of this title, and with respect to alleged failures to file any report or statement required under the provisions of this title;

(12) to report apparent violations of law to the appropriate law enforcement authorities; and

(13) to prescribe suitable rules and regulations to carry out the provisions of this title.

(b) The supervisory officer shall encourage, and cooperate with, the election officials in the several States to develop procedures which will eliminate the necessity of multiple filings by permitting the filing of copies of Federal reports to satisfy the State requirements.

(c) It shall be the duty of the Comptroller General to serve as a national clearinghouse for information in respect to the administration of elections. In carrying out his duties under this subsection, the Comptroller General shall enter into contracts for the purpose of conducting independent studies of the administration of elections. Such studies shall include, but shall not be limited to, studies of—

(1) the method of selection of, and the type of duties assigned to, officials and personnel working on boards of elections;

(2) practices relating to the registration of voters; and

(3) voting and counting methods.

Studies made under this subsection shall be published by the Comptroller General and copies thereof shall be made available to the general public upon the payment of the cost thereof. Nothing in this subsection shall be construed to authorize the Comptroller General to require the inclusion of any comment or recommendation of the Comptroller General in any such study.

(d) (1) Any person who believes a violation of this title has occurred may file a complaint with the supervisory officer. If the supervisory officer determines there is substantial reason

to believe such a violation has occurred, he shall expeditiously make an investigation, which shall also include an investigation of reports and statements filed by the complainant if he is a candidate, of the matter complained of. Whenever in the judgment of the supervisory officer, after affording due notice and an opportunity for a hearing, any person has engaged or is about to engage in any acts or practices which constitute or will constitute a violation of any provision of this title or any regulation or order issued thereunder, the Attorney General on behalf of the United States shall institute a civil action for relief, including a permanent or temporary injunction, restraining order, or any other appropriate order in the district court of the United States for the district in which the person is found, resides, or transacts business. Upon a proper showing that such person has engaged or is about to engage in such acts or practices, a permanent or temporary injunction, restraining order, or other order shall be granted without bond by such court.

(2) In any action brought under paragraph (1) of this subsection, subpenas for witnesses who are required to attend a United States district court may run into any other district.

(3) Any party aggrieved by an order granted under paragraph (1) of this subsection may, at any time within sixty days after the date of entry thereof, file a petition with the United States court of appeals for the circuit in which such person if found, resides, or transacts business, for judicial review of such order.

(4) The judgment of the court of appeals affirming or setting aside, in whole or in part, any such order of the district court shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

(5) Any action brought under this subsection shall be advanced on the docket of the court in which filed, and put ahead of all other actions (other than other actions brought under this subsection).

STATEMENTS FILED WITH STATE OFFICERS

SEC. 309. (a) A copy of each statement required to be filed with a supervisory officer by this title shall be filed with the Secretary of State (or, if there is no office of Secretary of State, the equivalent State officer) of the appropriate State. For purposes of this subsection, the term "appropriate State" means—

(1) for reports relating to expenditures and contributions in connection with the campaign for nomination for election, or election, of a candidate to the office of President or Vice President of the United States, each State in which an expenditure is made by him or on his behalf, and

(2) for reports relating to expenditures and contributions in connection with the campaign for nomination for election, or election, of a candidate to the office of Senator or Representative in, or Delegate or Resident Commissioner to, the Congress of the United States, the State in which he seeks election.

(b) It shall be the duty of the Secretary of State, or the equivalent State officer, under subsection (a)—

(1) to receive and maintain in an orderly manner all reports and statements required by this title to be filed with him;

(2) to preserve such reports and statements for a period of ten years from date of receipt, except that reports and statements relating solely to candidates for the House of Representatives shall be preserved for only five years from the date of receipt;

(3) to make the reports and statements filed with him available for public inspection and copying during regular office hours, commencing as soon as practicable but not later than the end of the day during which it was received, and to permit copying of any such report or statement by hand or by duplicating machine, requested by any person, at the expense of such person; and

(4) to compile and maintain a current list of all statements or parts of statements pertaining to each candidate.

PROHIBITION OF CONTRIBUTIONS IN NAME OF ANOTHER

SEC. 310. No person shall make a contribution in the name of another person, and no person shall knowingly accept a contribution made by one person in the name of another person.

PENALTY FOR VIOLATIONS

SEC. 311. (a) Any person who violates any of the provisions of this title shall be fined not more than $1,000 or imprisoned not more than one year, or both.

(b) In case of any conviction under this title, where the punishment inflicted does not include imprisonment, such conviction shall be deemed a misdemeanor conviction only.

TITLE IV—GENERAL PROVISION

EXTENSION OF CREDIT BY REGULATED INDUSTRIES

SEC. 401. The Civil Aeronautics Board, the Federal Communications Commission, and the Interstate Commerce Commission shall each promulgate, within ninety days after the date of enactment of this Act, its own regulations with respect to the extension of credit, without security, by any person regulated by such Board or Commission to any candidate for Federal office (as such term is defined in section 301(c) of the Federal Election Campaign Act of 1971), or to any person on behalf of such a candidate, for goods furnished or services rendered in connection with the campaign of such candidate for nomination for election, or election, to such office.

PROHIBITION AGAINST USE OF CERTAIN FEDERAL FUNDS FOR ELECTION ACTIVITIES

SEC. 402. No part of any funds appropriated to carry out the Economic Opportunity Act of 1964 shall be used to finance, directly or indirectly, any activity designed to influence the outcome of any election to Federal office, or any voter registration activity, or to pay the salary of any officer or employee of the Office of Economic Opportunity who, in his official capacity as such an officer or employee, engages in any such activity. As used in this section, the term "election" has the same meaning given such term by section 301(a) of the Federal Election Campaign Act of 1971, and the term "Federal office" has the same meaning given such term by section 301(c) of such Act.

EFFECT ON STATE LAW

SEC. 403. (a) Nothing in this Act shall be deemed to invalidate or make inapplicable any provision of any State law except where compliance with such provision of law would result in a violation of a provision of this Act.

(b) Notwithstanding subsection (a), no provision of State law shall be construed to prohibit any person from taking any action authorized by this Act or from making any expenditure (as such term is defined in section 301(f) of this Act) which he could lawfully make under this Act.

PARTIAL INVALIDITY

SEC. 404. If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the validity of the remainder of the Act and the application of such provision to other persons and circumstances shall not be affected thereby.

REPEALING CLAUSE

SEC. 405. The Federal Corrupt Practices Act, 1925 (2 U.S.C. 241–256), is repealed.

EFFECTIVE DATE

SEC. 406. Except as provided for in section 401 of this Act, the provisions of this Act shall become effective on December 31, 1971, or sixty days after the date of enactment of this Act, whichever is later.

And the House agree to the same.

WAYNE L. HAYS,
WATKINS M. ABBITT,
KEN GRAY,
JAMES HARVEY,
WM. L. DICKINSON,
Managers on the Part of the House as to Titles III, IV, and V of the House Amendment.

HARLEY O. STAGGERS,
TORBERT H. MACDONALD,
LIONEL VAN DEERLIN,
SAMUEL L. DEVINE,
ANCHER NELSEN,
Managers on the Part of the House as to Titles I and II of the House Amendment.

JOHN O. PASTORE,
P. A. HART,
VANCE HARTKE,
B. EVERETT JORDAN,
HOWARD W. CANNON,
CLAIBORNE PELL,
HOWARD BAKER,
MARLOW COOK,
TED STEVENS,
HUGH SCOTT,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 382) to promote fair practices in the conduct of election campaigns for Federal political offices, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The House amendment struck out all of the Senate bill after the enacting clause and inserted a substitute text.

The Senate recedes from its disagreement to the amendment of the House, with an amendment which is a substitute for both the Senate bill and the House amendment. The differences between the Senate bill, the House amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by reason of agreements reached by the conferees, and minor drafting and clarifying changes.

CAMPAIGN COMMUNICATIONS

Equal time and related matters

Repeal of Equal Time Requirement for Candidates for Federal Elective Office

Senate bill.—The Senate bill amended subsection (a) of section 315 of the Communications Act of 1934 (which presently provides that if a licensee permits any legally qualified candidate for public office to use his station, he must afford equal opportunities to all other candidates for the same office in the use of his station) to make that subsection inapplicable to candidates for Federal elective office (President, Vice President, Senator, Representative, Delegate, and Resident Commissioner).

House amendment.—The House amendment made no change in section 315(a).

Conference substitute.—The conference substitute does not include this provision of the Senate bill.

Program Format

Senate bill.—The Senate bill also provided that when a licensee permits a legally qualified candidate for Federal elective office to

use his broadcasting station in connection with the candidate's campaign, the licensee must afford the candidate maximum flexibility in choosing his program format.

House amendment.—No comparable provision.

Conference substitute.—The Senate recedes on this provision.

Media rate and access requirements

Charges by Broadcast Stations

Both the Senate Bill and the House amendment revised section 315(b) of the Communications Act of 1934. Under the existing section 315(b), the charges made for the use of any broadcast station for any of the purposes set forth in section 315 may not exceed the charges made for comparable use of the station for other purposes.

House amendment.—The House amendment provided that the charges made for the use of any broadcasting station by any person who is a legally qualified candidate for any public office could not exceed "the *actual* charges made by such station for *any* comparable use of such station for other purposes". (Matter inserted in existing law in italic.)

Senate bill.—The Senate bill revised section 315(b) to require that the charges made for the use of a broadcast station by any person who is a legally qualified candidate for public office could not, during the 45 days preceding a primary election and during the 60 days preceding a general or special election, exceed the lowest unit charge of the station for the same class and amount of time for the same period. The comparable rate requirement under existing law would have continued to apply except during these 45 and 60 day periods.

Conference substitute.—The conference substitute includes this provision of the Senate bill.

Access to Broadcast Stations

Senate bill.—The Senate bill made a broadcast license subject to revocation under section 312(a) of the Communications Act for willful or repeated failure to allow reasonable access to or to permit purchase of reasonable amounts of time for the use of a broadcasting station by any legally qualified candidate on behalf of his candidacy.

House amendment.—No comparable provision.

Conference substitute.—This provision is included in the conference substitute, with a clarifying amendment limiting the provision to use of broadcast stations by candidates for Federal elective office. A conforming amendment is also made to section 315(a).

Nonbroadcast Media Rates

House amendment.—The House section 103(b)(1) provided that, to the extent that any person sold space in any newspaper or magazine to a legally qualified candidate for Federal elective office, or nomination thereto, in connection with that candidate's campaign, the charges made for the use of the space in connection with his campaign could not exceed the charges made for comparable use of such space for other purposes.

Senate bill.—The Senate bill provided that during the 45 days preceding any primary election, and during the 60 days preceding any general or special election, the charges made for the use of any nonbroadcast communications medium (newspapers, magazines, other periodicals, billboards) by an individual who is a legally qualified candidate for Federal elective office may not exceed the lowest unit rate charged others by the person furnishing such medium for the same amount and class of space.

Conference substitute.—The conference substitute the provisions of the House amendment in this respect.

Nonbroadcast Media Access

House amendment.—Section 103(b)(2) of the House version required any person who made space available in any newspaper or magazine to any legally qualified candidate for Federal elective office, or nomination thereto, in connection with the candidate's campaign, to make equivalent space available on the same basis to all candidates for the same office.

Senate bill.—The Senate bill contained no provision comparable to section 103(b)(2) of the House amendment.

Conference substitute.—The House recedes.

Free or Reduced Rate Use of Nonbroadcast Media

Senate bill.—Section 103(e) of the Senate bill provided that any person who furnishes the use of any nonbroadcast communications medium to or for the benefit of any such candidate without charge or at a reduced rate would be deemed to have made a contribution to such candidate in an amount equal to the excess of the rate normally charged over the rate (if any) charged such candidate.

House amendment.—The House amendment contained no comparable provision.

Conference substitute.—The Senate recedes.

Limitations on expenditures for use of communications media

Both the Senate bill and the House-amendment imposed limitations on expenditures for the use of communications media by candidates for Federal elective office.

Amount of Limitation

House amendment.—The House bill contained an overall limit on expenditures for the use of communications media of the greater of (1) 10¢ times voting age population, or (2) $50,000. In addition, the House bill provided that not more than 60% of the overall communications media limitation could be spent for the use of broadcasting stations.

Senate bill.—The Senate bill had two separate limitations: One limitation of 5¢ times voting age population (or, if greater, $30,000), applicable to expenditures for the use of broadcast stations; and a second limitation of 5¢ times voting age population (or, if greater, $30,000), applicable to expenditures for the use of nonbroadcast communications media. Section 104 of the Senate bill permitted not more than 20% of either of the two limitations to be transferred to the other, if the Federal Elections Commission was notified.

Conference substitute.—The conference substitute incorporates the provisions of the House amendment.

Primaries

Both the Senate bill and the House amendment provided that each primary, general, special, or runoff, election would be treated as a separate election and have a separate expenditure limitation applicable to it. The conference substitute contains this provision.

Presidential Primaries

Senate bill.—The Senate bill provided that in computing the limitations for broadcast and nonbroadcast expenditures applicable to Presidential primary elections, the voting age population in the State in which the election is held would be used to compute the expenditure limitations, and that a candidate's expenditures for a Presidential primary in a State could not exceed the limitations applicable to that State.

House amendment.—The House amendment imposed State-by-State limitations on media expenditures by candidates for Presidential nomination. Under the amendment, no candidate for Presidential nomination could spend for the use in a State of communications media, or for the use in a State of broadcast stations, on behalf of his candidacy for Presidential nomination a total amount in excess of either the overall communications media limitation, or the broadcast limitation, which would have been applicable to him had he been a candidate for the office of Senator from that State (or for Delegate or Resident Commissioner in the case of the District of Columbia or Puerto Rico).

Under the House amendment, a person would be considered a candidate for Presidential nomination if he made (or any other person made on his behalf) an expenditure for the use of any communications medium on behalf of his candidacy for any political party's nomination in an election to the office of President. He was considered to be such a candidate during the period—

(i) beginning on the date on which such an expenditure was first made or, if later, on January 1 of the year of the election, and

(ii) ending on the date on which the political party nominated a candidate for the office of President.

The Attorney General was directed to prescribe regulations under which any expenditure for the use in two or more States of a communications medium by a candidate for Presidential nomination would be attributed to the candidate's expenditure limitation in each of the States, based on the number of persons in the State who could reasonably be expected to be reached by such medium.

The House amendment also provided that, for purposes of the bill and section 315 of the Communications Act, a candidate for Presidential nomination would be considered a legally qualified candidate for public office.

Conference substitute.—The conference substitute contains the provisions of the House amendment respecting candidates for presidential nomination, except that the function of prescribing regulations is vested in the Comptroller General rather than the Attorney General.

"Escalator" Provision

Senate bill.—The Senate bill provided that the broadcast and nonbroadcast expenditure limitations computed under the "5 cent" formulas would be increased (beginning in 1972) in proportion to increases in the Consumer Price Index over calendar year 1970.

House amendment.—Under the House amendment, the Secretary of Commerce was directed to set up a communications price index to measure changes in the charges to candidates for the use of communications media. Biennially, beginning in 1974, the Secretary of Commerce would certify a proportionate increase or decrease in the 10 cent multiplier and the $50,000 alternative limit, based on changes in the communications price index.

Conference substitute.—The conference substitute follows the provisions of the Senate bill with technical and conforming changes. Under the conference substitute each communications media expenditure limitation computed under section 104(a)(1)(A) would be increased in proportion to increases in the Consumer Price Index, with base period being calendar year 1970. The first year in which an increase could occur would be 1972.

For example, since the Consumer Price Index for the base period (1970) is 100, if the Consumer Price Index for 1971 was 104.3, each limitation under section 104(a)(1)(A) would be increased by 4.3 percent. Thus, in a State which for 1971 had a voting age population of 400,000, the overall media expenditure limitation for senatorial candidates would be the greater of—

(A) $41,720 (the product of 10¢ × 400,000, increased by 4.3 percent), or

(B) $52,150 ($50,000 increased by 4.3 percent).

The broadcast limitation in this example would be $31,290 (60 percent of the $52,150 overall limit). The primary election limits would be identical to the limits for the general election: $52,150 for all media expenditures, and $31,290 for broadcast expenditures.

Voting Age Population

Senate bill.—Under the Senate bill the "5 cent" formulas were based on "resident population of voting age", determined annually for the year preceding the election.

House amendment.—The House "10 cent" formula was based on "resident civilian population, 18 years of age and older", estimated biennially, beginning in 1972.

Conference substitute.—The conference substitute bases its "10 cent" formula on "resident population, 18 years of age and older" estimated annually, beginning in 1972.

Expenditures by Political Committees, Etc., or by Vice Presidential Candidates

Both the Senate bill and the House amendment provided, and the conference substitute provides, that amounts spent for the use of communications media on behalf of any legally qualified candidate for Federal elective office (or for nomination to such office) will, for purposes of the expenditure limitations of the bill, be deemed to have been spent by the candidate. Under this provision, the expenditure limitations of the bill apply to all communications media expenditures on behalf of the candidate, whether made by the candidate, a political committee, an individual, or otherwise, and whether or not the person making the expenditure is authorized by the candidate to do so. (See the second following paragraph for requirement of certification from candidate.)

In addition, amounts spent for the use of broadcasting stations by or on behalf of any legally qualified candidate for Vice President will, for the purposes of such limitations, be deemed to have been spent by the candidate for the office of President with whom he is running.

Certification Requirements

The Senate bill, House amendment, and conference substitute all provide that no charge may be made for the use of any newspaper, magazine, outdoor advertising facility, or broadcasting station unless the candidate or his authorized representative certifies that payment of the charge will not violate the applicable expenditure limitations.

Special Rules Relating to Agency Commissions; Determination of Election to Which Expenditure Is Allocable

House amendment.—The House amendment provided that in computing the amount of a candidate's expenditures for the use of communications media, there would be included not only the direct charges of communications media, but also agents' commissions allowed the agent by the media. In addition the House amendment provided that for purposes of section 104 of the House amendment and section 315(c) of the Communications Act, any expenditure for the use of any communications medium by or on behalf of the candidacy of a candidate for Federal elective office (or nomination thereto) would be charged against the expenditure limitation applicable to the election in which the medium is used.

Senate bill.—No comparable provisions.

Conference substitute.—The conference substitute contains the provisions of the House amendment.

Reporting to FCC

Senate bill.—The Senate bill contained a provision requiring broadcasting stations and candidates to file such reports as were required under FCC regulations.

House amendment.—No comparable provision.

Conference substitute.—This provision was not included in the conference substitute because the FCC has adequate authority to require reports under existing law.

Optional Coverage of State and Local Elections

Senate bill.—The Senate bill contained a provision permitting States, if certain conditions were met, to impose limitations under State law on expenditures for use of broadcasting stations by or on behalf of candidates for State and local elective offices, and prohibiting any broadcast station from making any charge for the use of such station unless the candidate (or his representative) certifies that the payment of the charge will not violate the applicable State expenditure limitation.

House amendment.—The House amendment contained no comparable provision.

Conference substitute.—The House recedes.

Definitions for title I

Communications Media

Senate bill.—Title I of the Senate bill applied to broadcasting stations (defined, *infra*) and nonbroadcast communications media. Nonbroadcast communications media was defined as newspapers, magazines, and other periodical publications, and billboards.

House amendment.—Communications media was defined, for purposes of title I of the House amendment, as broadcasting stations, newspapers, magazines, and outdoor advertising facilities. Title II of the House amendment expanded the coverage of the expenditure limitation provisions of the House amendment to include the cost of telephone campaigns when banks of five or more instruments are used, and postage for computerized or identical mailings in quantities of 200 or more. (See below for description of this provision in House amendment.)

Conference substitute.—The conference substitute defines communications media as broadcasting stations, newspapers, magazines, outdoor advertising facilities, and telephones; but provides that, with respect to telephones, spending or an expenditure will be deemed to be spending or an expenditure for the use of communications media only if such spending or expenditure is for the costs of telephones, paid telephonists, and automatic telephone equipment, used by a candidate for Federal elective office to communicate with potential voters (excluding any costs of telephones incurred by a volunteer for use of telephones by him).

Broadcasting Stations, License, Station Licensee

The definitions of the terms "broadcasting station", "license", and "station licensee" are identical in the Senate bill, House amendment, and conference substitute. The definition of broadcasting station incorporates the definition of broadcasting station used for purposes of the Communications Act, but adds to that definition community antenna television systems.

Federal Elective Office

Senate bill.—Federal elective office was defined for purposes of title I of the Senate bill to include President, Vice President, Senator, Representative, Delegate, and Resident Commissioner.

House amendment.—The definition of Federal elective office for purposes of title I of the House amendment was identical to the Senate definition except that the office of Vice President was not treated as a Federal elective office for purposes of the expenditure limitation provisions of that title. (Expenditures on behalf of the candidacy of a Vice Presidential candidate are deemed to have been made on behalf of the Presidential candidate with whom he is running.)

Conference substitute.—The Senate recedes.

Legally Qualified Candidate

Senate bill.—Legally qualified candidate was defined under title I of the Senate bill as a person who (A) meets the qualifications prescribed by the applicable laws to hold the Federal elective office for which he is a candidate and (B) is eligible under applicable State law to be voted for by the electorate directly or by means of delegates or electors.

House amendment.—Under title I of the House amendment, the definition of legally qualified candidate incorporated the FCC's definition of legally qualified candidate for purposes of section 315(a) of the Communications Act. The FCC's regulations presently define legally qualified candidate as a person who has publicly announced his candidacy, who holds the qualifications for the office, and who has either qualified for a place on the ballot or is a write-in similar candidate who meets certain requirements.

Conference substitute.—The conference substitute follows the provisions of the Senate bill.

Use of Media by or on Behalf of Candidate

Senate bill.—Under title I of the Senate bill, use of communications media by or on behalf of any candidate includes not only amounts spent for advocating a candidate's election, but also amounts spent for urging the defeat of his opponent or derogating his opponent's stand on campaign issues.

House amendment.—The House amendment contains no comparable provision.

Conference substitute.—The conference substitute does not include this provision of the Senate bill. However, the conferees wish to stress that the deletion of this provision does not evince an intention to exclude from the coverage of the expenditure limitations expenditures urging the defeat of a candidate or derogating his stand on campaign issues. In many cases such an expenditure is clearly on behalf of another candidate, and would be treated so for purposes of the expenditure limitations. The conferees expect that the Comptroller General will prescribe regulations respecting this matter.

Voting Age Population

See explanation on page 25.

State

House amendment.—State was defined under the House amendment to include Puerto Rico and the District of Columbia.

Senate bill.—No comparable provision.

Conference substitute.—The Senate recedes.

Regulations

Senate bill.—Title I of the Senate bill contained no provision generally authorizing any Federal officer or agency to prescribe regulations to carry out title I, although the Federal Elections Commission was authorized to prescribe regulations under section 104 (relating to limited interchange between expenditure limitations) and the Federal Communications Commission's general rulemaking authority under the Communications Act applied to the sections of the bill amending that Act.

House amendment.—The House Amendment authorized the Attorney General to prescribe regulations to carry out section 102 (definitions), section 103(b) (charges by and access to newspapers and magazines), section 104(a) (expenditure limitations), and section 105(b) (certification requirements for use of nonbroadcast media). The Federal Communications Commission had authority to prescribe regulations to carry out the provisions of the bill which amended the Communications Act. Violation of the Attorney General's regulations was subject to the penalties provided in section 106 of the House amendment.

Conference substitute.—The conference substitute contains the provisions of the House amendment except that the functions of the Attorney General are vested in the Comptroller General.

Penalties

Senate bill.—Under the Senate bill, willful and knowing violations of section 103 of the bill or section 315 (c) or (d) of the Communications Act were punishable by a fine not to exceed $5,000 or imprisonment of not more than five years, or both. Title V of the Communications Act would not apply to these violations.

House amendment.—Section 106(a) of the House amendment made any person who violated the provisions of title I (other than those amending the Communications Act) liable for a civil penalty of $1,000 for each violation. The sanctions provided in title V of the Communications Act would apply to persons violating the provisions added to the Communications Act by title I.

Section 106(b) made any candidate who willfully violated the expenditure limitations of title I subject to criminal penalties in addition to the civil penalties to which he was subject under 106(a). The maximum penalty under this subsection was a fine of $10,000, or 1 year's imprisonment, or both.

Conference substitute.—The conference substitute makes violations of the provisions of title I (other than those amending the Communications Act) and of the regulations of the Comptroller General subject to the penalties provided in the Senate bill. The penalties for violations of the provisions of the bill amending the Communications Act follow the provisions of the Senate bill.

Effective date

Senate bill.—The provisions of the Senate bill (other than section 401) would have taken effect on December 31, 1971, or 60 days after the date of enactment of the bill, whichever was later.

House amendment.—Section 107 of the House amendment provided that section 103 (media rate requirements) would take effect on January 1, 1972. The expenditure limitations under section 104 would apply to expenditures for communication media if the use of the media occurs on or after January 1, 1972.

Conference substitute.—The House recedes. The conferees intend however that the expenditure limitations would apply to all expenditures for communications media the use of which occurs after the effective date of the bill.

EXPENDITURE LIMITS FOR CERTAIN TELEPHONES AND POSTAGE

House amendment.—Title II of the House amendment imposed expenditure limitations—

(1) on telephone campaigns, including the cost of telephones, paid telephonists and automated equipment, when telephones are used in banks of five or more instruments to communicate with potential voters, and

(2) on postage for computerized or identical mailings in quantities of 200 or more.

Under this provision, no candidate for Federal elective office could spend for these purposes, in a primary, primary runoff, or general election, an amount in excess of the limitations imposed on expenditures for the use of communications media under title I, and any amounts spent for the use of communications media would be counted against the limitation under this title.

Senate bill.—No comparable provision.

Conference substitute.—The conference substitute deletes title II of the House amendment. However, certain expenditures for costs of telephones, paid telephonists, and automated telephone equipment are included in the overall communications media expenditure limitation under title I.

CRIMINAL CODE AMENDMENTS

Contributions or expenditures by national Banks, corporations, or labor organizations

Amendment to Section 610 of Title 18, United States Code

Senate bill.—No comparable provision.

House amendment.—Section 305 of the House amendment amended section 610 of title 18 of the United States Code, relating to contributions or expenditures by national banks, corporations or labor organizations, to add a new paragraph defining the phrase "contribution or expenditure" to include any direct or indirect payment, distribution, loan, advance, deposit, or gift of money, or any services, or anything of value to any candidate, campaign committee, or political party or organization, in connection with any election to any of the offices referred to in such section. In the case of a contribution or expenditure by a national bank, or by a corporation organized by authority of any law of Congress, section 610 refers to "any political office". In the case of a contribution or expenditure by any corporation whatever, or by any labor organization, section 610 refers to the offices of presidential and vice presidential electors; Senator; and Representative in, or Delegate or Resident Commissioner to, the Congress.

The House amendment specifically providing that the phrase "contribution or expenditure" did not include—

(1) communications by a corporation to its stockholders and their families or by a labor organization to its members and their families;

(2) nonpartisan registration and get-out-the-vote campaigns by a corporation aimed at its stockholders and their families or by a labor organization aimed at its members and their families;

(3) the establishment, administration, and solicitation of contributions to a separate segregated fund to be utilized for political purposes by a corporation or labor organization.

The House amendment further provided that it would be unlawful for any such separate segregated fund to make a contribution or expenditure—

(A) by utilizing money or anything of value secured by physical force, job discrimination, financial reprisals, or the threat thereof; or

(B) by dues, fees, or other monies required as a condition of membership in a labor organization or as a condition of employment; or

(C) by monies obtained in any commercial transaction.

Conference substitute.—The conference substitute is identical with the House amendment except that the phrase "contribution or expenditure" does not include a loan of money by a national or State bank made in accordance with the applicable banking laws and regulations and in the ordinary course of business.

DISCLOSURE OF FEDERAL CAMPAIGN FUNDS

Defined terms

Contributions and Expenditures

Senate bill.—For the purposes of provisions relating to the disclosure of Federal campaign funds, section 301 of the Senate bill contained a comprehensive definition of the term "contribution" and of the term "expenditure". Each such definition included a loan of money made for the purpose of influencing the nomination for election, or election, of any person to Federal office or as a presidential or vice-presidential elector, or for the purpose of influencing the result of a primary held for the selection of delegates to a national nominating convention of a political party or for the expression of a preference for the nomination of persons for election to the office of President, or for the purpose of influencing the election of delegates to a constitutional convention for proposing amendments to the Constitution of the United States.

House amendment.—The House amendment contained identical definitions of the terms "contribution" and "expenditure", except that, in each case, the House amendment specifically excluded a loan of money by a national or State bank made in accordance with the applicable banking laws and regulations and in the ordinary course of business.

Conference substitute.—The conference substitute follows the Senate bill.

Federal Elections Commission and Supervisory Officer

Senate bill.—Section 301 of the Senate bill defined the term "Commission" to mean the Federal Elections Commission. Section 310 of the Senate bill provided for the establishment of the Commission and various provisions of title III of the Senate bill vested in the Commission virtually all of the functions, powers, and duties relating to the reporting and disclosure of campaign funds.

House amendment.—The House amendment omitted the definition of the term "Commission" and substituted a definition of the term "supervisory officer". The House amendment defined the term "supervisory officer" to mean the Secretary of the Senate with respect to candidates for Senator; the Clerk of the House of Representatives with respect to candidates for Representative in, or Delegate or Resident Commissioner to, the Congress of the United States; and the Comptroller General in any other case. The House amendment omitted all references to the Commission and substituted references to the appropriate supervisory officer in each instance. Thus, under the House amendment, the functions, powers, and duties relating to the reporting and disclosure of campaign funds were vested in the supervisory officer having jurisdiction with respect to particular candidates.

Conference substitute.—The conference substitute is the same as the House amendment.

Reporting of contributions by political committees and candidates

Senate bill.—Section 304(b) of the Senate bill required that each report of receipts and expenditures by a political committee or a candidate disclose the full name and mailing address (occupation and the principal place of business, if any) of each person who made one or more contributions to or for such committee or candidate (including the purchase of tickets for fundraising events) within the calendar year in an aggregate amount or value of "$100 or more", together with the amount and date of such contributions.

House amendment.—The House amendment was identical, except that it required reporting of such contributions in an aggregate amount "in excess of $100" within the calendar year.

Conference substitute.—The conference substitute is the same as the House amendment.

Reports on convention financing

Senate bill.—Section 307 of the Senate bill required each committee or other organization which—

(1) represented a State, or political subdivision thereof, or any group of persons, in dealing with officials of a national political party with respect to matters involving a convention held in such State or political subdivision to nominate a candidate for the office of President or Vice President; or

(2) represented a national political party in making arrangements for such a convention,

to file a complete financial statement of the sources from which its funds were derived and the purposes for which such funds were

expended. Such statement was required to be filed with the Federal Elections Commission within 60 days following the end of the convention, but not later than 20 days before the date on which presidential and vice presidential electors were chosen.

House amendment.—The House amendment was identical, except that it required the statement to be filed with the Comptroller General of the United States.

Conference substitute.—The conference substitute is the same as the House amendment.

Information and studies relating to elections

Senate bill.—No comparable provision.

House amendment.—Section 408(b) of the House amendment required the Comptroller General to serve as a national clearing house for information in respect to the administration of elections. It also provided that, in carrying out his duties, the Comptroller General was required to enter into contracts for independent studies of the administration of elections, including, but not limited to, studies of (1) the method of selection of, and the type of duties assigned to, officials and personnel on boards of elections; (2) practices relating to the registration of voters; and (3) voting and counting methods. The Comptroller General was required to publish such studies and make copies available for sale to the general public. The Comptroller General was prohibited from requiring that any such study include any comment or recommendation made by him.

Conference substitute.—The conference substitute is the same as the House amendment.

ADDITIONAL FILING OF STATEMENTS

Statements Filed With State Officers

Senate bill.—Section 309 of the Senate bill provided that a copy of each statement required to be filed with the Federal Elections Commission under title III of the Senate bill must be filed with the clerk of the United States district court in which is located the residence of the candidate or the principal office of the political committee. The Commission was authorized to require the filing of such statements with clerks of other United States district courts where it determined such additional filing would serve the public interest. Under the Senate bill, the clerk of each United States district court was required—

(1) to receive and maintain all statements filed with him;

(2) to preserve all such statements for ten years, except that statements relating solely to candidates for the House of Representatives were required to be preserved for only five years;

(3) to make such statements available for public inspection and copying; and

(4) to compile and maintain a current list of all statements or parts of statements pertaining to each candidate.

House amendment.—No comparable provision.

Conference substitute.—The conference substitute, instead of requiring filing with the clerks of district courts, requires copies of statements filed with a supervisory officer under title II of the Act (relating to disclosure of Federal campaign funds) to be filed with the Secretary of State (or equivalent officer) of the State in which the election is held (in the case of candidates for nomination for election, or election, as Senator, Representative, or Delegate or Resident Commissioner to the Congress) or each State in which an expenditure is made (in the case of a candidate for nomination for election, or election, as President or Vice President). The duties imposed by the Senate bill on district court clerks with respect to the preservation and availability to the public of copies of such statements filed with him are imposed by the conference substitute on the State officer with whom the copies are filed.

Federal Elections Commission

Establishment and Organization of the Commission

Senate bill.—Section 310 of the Senate bill provided for the establishment of a bipartisan Federal Elections Commission composed of six members appointed by the President, by and with the advice and consent of the Senate. Members of the Commission were required to be appointed to serve staggered terms of twelve years, with the term of one of the members expiring every two years. The President was required to designate one member to serve as Chairman and one member to serve as Vice Chairman. This section of the Senate bill also contained several provisions relating to the organization and operation of the Commission, including provisions—

(1) requiring four members of the Commission to constitute a quorum;

(2) requiring an official seal;

(3) requiring an annual report to the President and to the Congress on matters within the jurisdiction of the Commission and recommending further legislation;

(4) requiring the Director of the Office of Management and Budget to fix the compensation of the members of the Commission at a rate not to exceed $100 per day;

(5) requiring the principal office of the Commission to be located in or near the District of Columbia;

(6) requiring that all officers and employees of the Commission be subject to the provisions of section 9 of the Hatch Political Activities Act, restricting political activities by officers and employees of the executive branch of the Government;

(7) requiring the appointment of an Executive Director, without regard to the provisions of the civil service laws governing appointments in the competitive service, to serve at the pleasure of the Commission at level V of the Executive Schedule ($36,000 per annum);

(8) requiring the appointment of additional personnel to carry out the duties of the Commission, subject to the civil service laws; and

(9) permitting the hiring of consultants.

This provision of the Senate bill also required the Commission to avail itself of the assistance (including personnel and facilities) of the General Accounting Office and the Department of Justice. The Comptroller General and the Attorney General were authorized to make such assistance available, with or without reimbursement, in accordance with the request of the Commission.

Other provisions of title III of the Senate bill vested in the Commission virtually all functions, powers, and duties relating to the disclosure of Federal campaign funds. Such functions, powers, and duties included, among other things, prescribing recordkeeping requirements for political committees; registration of political committees with the Commission; the filing of reports with the Commission by political committees, candidates, and others; and the filing of reports on convention financing. The Senate bill also required the Commission to prescribe and furnish forms for the filing of reports; to compile and maintain a current list of all statements or parts thereof pertaining to each candidate; to prepare and publish an annual report of contributions and expenditures for all candidates, political committees, and others; to prescribe rules and regulations to carry out the disclosure requirements; to investigate complaints of violations; and to cooperate with State election officials to develop procedures to eliminate multiple filings by permitting the filing of Federal reports to satisfy State requirements.

House amendment.—The House amendment did not provide for the establishment of a Federal Elections Commission. Under the House amendment, all functions, powers, and duties relating to the disclosure of Federal campaign funds, referred to above in the discussion of the Senate bill, were vested in the appropriate supervisory officer. The House amendment defined the term "supervisory officer" to mean the Secretary of the Senate with respect to candidates for Senator; the Clerk of the House of Representatives with respect to candidates for Representative in, or Delegate or Resident Commissioner to, the Congress; and the Comptroller General of the United States in any other case.

Conference substitute.—The conference substitute is the same as the House amendment.

GENERAL PROVISIONS

Prohibition against use of certain Federal funds for election activities

Senate bill.—No comparable provision.

House amendment.—Section 502 of the House amendment prohibited the use of any funds appropriated to carry out the Economic Opportunity Act of 1964 to finance, directly or indirectly, any voter registration activity, or any activity designed to influence the outcome of any election to Federal office, or to pay the salary of any officer or employee of the Office of Economic Opportunity who, in his official capacity as such an officer or employee, engaged in any such activity. This section of the House amendment also provided that the terms "Federal office" and "election" would have the same meanings given such terms by section 401 of the House amendment, relating to disclosure of Federal campaign funds. The term "Federal office" was defined to mean the office of President or Vice President; or of Senator or Representative in, or Delegate or Resident Commissioner of, the Congress. The term "election" was defined to mean (1) a general, special, primary, or runoff election, (2) a convention or caucus of a political party held to nominate a candidate, (3) a primary election held for the expression of a preference for the nomination of persons for election to the office of President, and (4) a primary election held for the selection of delegates to a national nominating convention of a political party.

Conference substitute.—The conference substitute is the same as the House amendment.

Effect on State law

Senate bill.—Section 313(a) of the Senate bill provided that nothing in title III of the Senate bill (relating to disclosure of Federal campaign funds) would be deemed to invalidate or make inapplicable any provision of State law, except where compliance with State law would result in a violation of such title III.

House amendment.—The House amendment provided that nothing in the House amendment (not just the provisions relating to disclosure of Federal campaign funds) would be deemed to invalidate or make inapplicable any provision of State law, except where compliance with State law would result in a violation of the House amendment.

The House amendment also provided that no provision of State law could be construed to prohibit any person from taking any action authorized by the House amendment or from making any expenditure he could lawfully make thereunder.

Conference substitute.—The conference substitute is the same as the House amendment.

Separability

Senate bill.—Section 314 of the Senate bill provided that if any provision of title III of the Senate bill (relating to disclosure of Federal campaign funds), or the application of such provision to any person or circumstance, was held invalid, the validity of the

remainder of such title III and the application of any such provision to other persons and circumstances would not be affected.

House amendment.—The House amendment was similar, except that it extended the application of the separability provision to any provision of the House amendment and was not limited to the provisions relating to disclosure of Federal campaign funds.

Conference substitute.—The conference substitute is the same as the House amendment.

WAYNE L. HAYS,
W. M. ABBITT,
KEN GRAY,
JAMES HARVEY,
WM. L. DICKINSON,
Managers on the Part of the House as to titles III, IV, and V of the House amendment.

HARLEY O. STAGGERS,
TORBERT H. MACDONALD,
LIONEL VAN DEERLIN,
SAMUEL L. DEVINE,
ANCHER NELSEN,
Managers on the Part of the House as to titles I and II of the House amendment.

JOHN O. PASTORE,
P. A. HART,
VANCE HARTKE,
B. EVERETT JORDAN,
HOWARD W. CANNON,
CLAIBORNE PELL,
HOWARD BAKER,
MARLOW COOK,
TED STEVENS,
HUGH SCOTT,
Managers on the Part of the Senate.

FEDERAL ELECTION CAMPAIGN ACT OF 1971

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

Mr. HAYS. Mr. Speaker, the conference report which I have just sent to the desk for printing under the rule is on the so-called Elections Reform bill which we just got, after the rollcall started, from the staff which has been working most of the night on it with the Senate staff.

Mr. Speaker, I do not plan to call this conference report up for the simple reason that it affects every Member of this body. I think every Member of this body ought to have a chance to read it and understand what it is before they are called upon to vote on it.

I do plan to call it up the first week when we come back, and I would notify every Member that I expect to ask for a rollcall vote on it at that time.

Mr. Speaker, I have received some criticism from certain parts of the press to the effect that my failure to call it up at this time would delay its application for 3 months. I asked them to read the last paragraph of the bill to the effect that it shall take effect on December 31 or 60 days after it is signed by the President, whichever is later. So, there would be no chance for it to take effect before the end of February anyway and to take it up earlier would serve nothing. There is no ulterior motive. I simply think everyone ought to have a chance to read it and know what is in it.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

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

Mr. GERALD R. FORD. Let me say to the gentleman that I think the conferees did a good job and I wish to compliment the House conferees for coming back with what I think are the most important portions of the bill which we sent over to the other body.

I congratulate the gentleman from Ohio and his fellow conferees.

Mr. HAYS. I thank the gentleman.

I would point out, Mr. Speaker, that one reporter from a local newspaper criticized me severely because the bill has in it a section that repeals all State laws. In other words, if a State had a law which says you could not spend more than $20,000, now that limitation is out the window.

I pointed out to him that his paper had editorialized for the Senate bill and that we should swallow it whole, which we did not do, but that that provision was in the Senate bill. Some of the editorialists in this town do not know what is in the bills that they are editorializing about.

PERMISSION FOR COMMITTEE ON INTERIOR AND INSULAR AFFAIRS TO FILE REPORT ON H.R. 6957, SAWTOOTH NATIONAL RECREATION AREA, IDAHO, UNTIL MIDNIGHT SATURDAY

Mr. TAYLOR. Mr. Speaker, I ask unanimous consent that the Committee on Interior and Insular Affairs have until midnight Saturday, December 18, 1971, to file the report on H.R. 6957, a bill to establish the Sawtooth National Recreation Area in the State of Idaho, to temporarily withdraw certain national forest land in the State of Idaho from the operation of the U.S. mining laws, and for other purposes.

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

There was no objection.

AUTHORIZING SPEAKER TO DECLARE RECESSES TODAY

Mr. McFALL. Mr. Speaker, I ask unanimous consent that at any time during the remainder of the day it may be in order for the Speaker to declare recesses subject to the call of the Chair.

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

There was no objection.

PERSONAL ANNOUNCEMENT

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

Mr. MIKVA. Mr. Speaker, I was necessarily absent during several rollcall votes on December 9 and 10. Had I been present, I would have voted as follows:

"No" on roll 450, on the adoption of the conference report to accompany H.R. 10947, the Revenue Act of 1971:

"No" on roll 451, passage of House Resolution 729 waiving the 3-day rule for conference reports for the remainder of the session;

"Aye" on roll 453, adoption of the conference report to accompany H.R. 11955, the second supplemental appropriations bill;

"No" on roll 455, restricting payment of retroactive pay increases negotiated before the wage-price freeze;

"Aye" on roll 456, requiring disclosure to public of information submitted to Price Commission in justification of price increases;

"No" on roll 457, subjecting pension contributions by employers to phase II controls;

"Yes" on roll 458, final passage of H.R. 11309, extending the Economic Stabilization Act and the President's powers to exercise wage and price controls;

"Aye" on roll 459, adoption of the conference report to accompany H.R. 11341, authorizing funds for the District of Columbia.

PERSONAL ANNOUNCEMENT

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

Mr. MIKVA. Mr. Speaker, I was necessarily absent during the week of November 15, pursuant to a leave of absence granted for official business, and was unable to be present during several rollcall and teller votes. Had I been present, I would have voted "aye" on the following seven record votes:

First, passage of H.R. 11302, Cancer Attack Act, roll 386;

Second, passage of Senate Joint Resolution 132, extending copyrights for 1 year, roll 388;

Third, amendment to H.R. 11731, Department of Defense appropriations bill, cutting funds for F–14 jets, roll 395;

Fourth, amendment to H.R. 11731 prohibiting President from calling up troops for more than 60 days without congressional approval, roll 398;

Fifth, amendment to H.R. 11731, prohibiting expenditures after June 1972 to continue Indochina war, roll 399;

Sixth, amendment to H.R. 11731, cutting total Defense Department appropriations by 5 percent, roll 400; and

Seventh, amendment to H.R. 11731, holding defense appropriations at fiscal year 1971 level, roll 401.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair would like to advise the Members that in order to get as much accomplished as we can, and in view of the fact that we have no legislative business ready at this moment, we will call special orders, and after they are completed declare a recess, unless legislative business is in order.

The Chair in making this announcement will state that we are not setting this as a precedent, but that we are calling special orders today, and then going back to the legislative business, if any, after recessing if necessary.

THE LATE RALPH BUNCHE

The SPEAKER. Under a previous order of the House, the gentleman from Michigan (Mr. DIGGS) is recognized for 60 minutes.

GENERAL LEAVE

Mr. DIGGS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative day in which to revise and extend their remarks, and to include therein extraneous material on the subject of my special order today.

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

There was no objection.

RECEPTION FOR TURNER ROBERTSON

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

Mr. DIGGS. I yield to the gentleman from Massachusetts.

Mr. BOLAND. Mr. Speaker, I appreciate the gentleman yielding to me. I have taken this time to advise the Members of the Democratic side of the House that at 4 o'clock the Democratic Members of the House are honoring, with a reception, Turner Robertson, the chief page, who is retiring at the end of this session. He has served the Members of the House, on this side and on the other side of the aisle, with great devotion and dedication. We would appreciate it if a number of the Members from this side of the aisle would be present at the reception, which will be held in the Rayburn room in the Capitol.

Mr. DIGGS. Mr. Speaker, Dr. Ralph J. Bunche was a legend in his own lifetime. His contributions to the world span continents, cross racial lines and link generation to generation. Dr. Bunche was an international symbol of peace long before the peace movement was born.

It has been said that a thin line separates joy from sorrow. In this context, we cannot feel saddened by his death without, at the same time, rekindling the joyful spirit of a man who served as a peacemaker in times of strife.

Dr. Bunche rose from an orphaned childhood in Detroit, Mich., to become the highest ranking American in the United Nations. As one of its founders, he distinguished himself time and time again as an able mediator in settling world disputes.

He reached the apex of his career 20 years ago when he was presented the 1950 Nobel Peace Prize for his role in mediating an end to the 1948 Arab-Israel war. His astuteness in working out the 1949 armistice ending the war elevated him to world fame.

Dr. Bunche has been described as a learned and gentle man, charismatic and modest—a man looked upon as an international civil servant. Perhaps the most accurate words that describe the make-up of Dr. Bunche are those he spoke about himself in a speech at the Waldorf Astoria in New York.

I have a bias against war, a bias for peace. I have a bias which leads me to believe in the essential goodness of my fellow man, which leads me to believe that no problem of human relations is ever insoluable. And I have a strong bias in favor of the United Nations and its ability to maintain a peaceful world.

We cannot think of the United Nations without thinking simultaneously of Dr. Bunche's brilliant career in that body of world leaders. He was a diplomat of the highest caliber who spent more than a quarter of a century working unselfishly for world peace through the United Nations.

He was a sensitive man always in tune to racial issues as they developed in his own country. When it was time to march—he marched. When it was time to negotiate—he negotiated. For this man of wisdom and orderliness, there was a time and place for all things.

Dr. Bunche's death will be mourned by every free-thinking, peace-loving person in the world. There can be no greater loss than an individual of reason who devoted his life to making peace where there was only hate.

I include the following:

PRAYER GIVEN BY REV. ERNEST T. CAMPBELL RALPH JOHNSON BUNCHE, DECEMBER 11, 1971

O Thou who art the hope of all who seek Thee and the joy of all who find,
Grant us a seeking and a finding who wait before Thee now.
Duly sobered by our loss/and awakened again to the brevity of life,
We look to Thee with upturned and expectant hearts. The words that matter are with Thee.
We thank Thee for Thy servant Ralph our eminent fellow-pilgrim who, we have variously known as husband/father/neighbor friend/and indomitable messenger of peace.
We would especially thank Thee for the grace he exhibited under pressure;
His gift for defusing the animosities of men and nations;
His ability to hold in gentle balance loyalty to country and commitment to the world community;
His unwavering identification with the victims of racism and oppression;
His zest for life and his way of getting a full sixty seconds worth per minute;
His humility in the face of the highest honors earth can give;
The satisfaction and fulfillment that he found in the ties of home and family.
O thou who art given to the comfort of Thy people uphold in their sorrow our friends who mourn.
Through the long watches of the coming nights draw their thoughts toward Thee.
Confirm them in the knowledge that their saviour lives—and that because He lives—we too shall live.
We pray for ourselves whose work is not yet done.
We who have promises to keep and miles to go before we sleep.
Through the action of Thy Spirit in our hearts wean us away from all that demeans and disfigures life;
All that keeps us trapped in the little boxes of race and class, and party;
All that would seduce us into an idolatry of self or nation.
Grant us instead the gift of a quiet mind;
The ability to balance next steps and the long view;
The discipline to curb the drive for personal advantage;
And enough love for those who despitefully use us, to rise above retaliation.
Joined as we are this day around a common sorrow, we would pray, as one, for peace among the nations of the earth.
Help us to make low the mountains and hills of entrenched privilege;
That every valley of need may be exalted, the crooked be made straight, and the rough places plain.
So shall the promise of this Advent season and the vision of Thy public servant be fulfilled in a world where men are at peace with themselves, with each other, and with Thee.
We pray in His Name who reigneth with Thee and the Holy Spirit—one God forever and ever, ever Jesus Christ our Lord.
Amen.

TRIBUTE MADE BY SECRETARY GENERAL U THANT IN MEMORY OF RALPH J. BUNCHE

Following are remarks made by the Secretary-General, U Thant, today at the funeral service of Dr. Ralph J. Bunche, former Under-Secretary-General for Special Political Affairs:

"We meet here today, in a time of trouble, to mourn a man whose who life was devoted to the search for peace and harmony and to the welfare of his fellow-men. Ralph Bunche's work, whether in the academic field, in Government or at the United Nations, was all devoted to greater understanding among nations, among men and among different races of men, and to the endless quest for peace.

"Ralph's character and temperament were uniquely suited for this most difficult of all tasks, and he succeeded in a number of cases where almost everyone else had failed. He was modest but tough, brilliant but unassuming, tireless but compassionate, strong but understanding, and he gained a position and a reputation in the world at large which any man might well envy. Even those who disagreed with him held him in the highest respect. Even those who opposed him never lost faith in his absolute fairness and integrity. And no one could doubt that beneath his extraordinary ability and performance was a driving passion for peace, for justice and for human decency and dignity.

"Ralph was both an idealist and a realist. He believed resolutely in the necessity of making the United Nations work, but he never underestimated the difficulties and frustrations of the peacemaker. He was never carried away by false enthusiasm or the desire for public acclaim and believed that work well done would speak for itself, whoever got the credit. He was a practical optimist who believed that whatever might go wrong in matters of peace or justice, it was never too late to try again. His love of humanity and his confidence in mankind's ultimate goodness carried him through many a crisis which would have broken a lesser man.

"No one who knew Ralph can escape a terrible feeling of loss now that he is gone. But because he gave so unstintingly of himself and lived an immensely full and effective life, he leaves with us an indelible memory of a wonderful man and a legacy of achievement such as few can bequeath to history."

TRIBUTE TO RALPH J. BUNCHE BY BRYAN E. URQUHART

To know Ralph Bunche and to work with him was both a great experience and an education. Whether in the field, or at U.N. Headquarters in New York he was, for 25 years, the centre and the animator of an endless effort to unravel the tangled skein of human affairs, to prevent disasters and to make bad and intractable situations a little better. His capacity for work was legendary, and in his work for the United Nations nothing could distract him. He applied his great intellect, his resourcefulness and his extraordinary skill and energy to the complex new art of multilateral diplomacy and peace-keeping with total devotion.

Ralph was courageous morally and physically in a typically unostentatious way. He risked his life on many occasions for the U.N. without ever treating his experiences as anything out of the normal call of duty. He was determined to do what had to be done, and he was not prepared to be put off by criticism or opposition or personal risk or discomfort. On one occasion, when he was arrested at gunpoint by mutinous soldiers, he took his notepad and continued, much to their puzzle-

ment, to write the cable that he had started on. In the great New York blackout, he went right on, with only a pause to light a candle, dictating an urgent message to the field. He tended to be the first into a dangerous situation and the last out, always regarding life with the calm and the compassion of a selfless man devoted to a great task. He could outlast anyone in a negotiation or in a crisis situation, scarcely every varying his deliberate pace, and never losing his humour and his kindness.

Ralph was a very tough man, mentally and physically. His keen analytical mind instantly went to the root of a problem, but he never departed from the principles on which any effective and lasting U.N. action must be based. He was a perfectionist who believed that if something was worth doing it was worth doing well. He could not be budged from what he considered the right course, and was therefore sometimes accused of obstinacy. He was an exacting but exhilarating boss, always considerate of his staff within the demands of duty, and never more loyal to them than when they were in difficulty. His standards of honesty, integrity and behaviour were unshakeable, whatever the consequenecs might be.

To know Ralph as a friend was no less an experience than to work with him. He was the most unpretentious of men, and the grander he got, the nicer and more relaxed he became. I don't think Ralph had any great opinion of himself, but he had a tremendous opinion of the organization he worked for and the job he was trying to do. He was wonderfully irreverent of anything that seemed to him phoney or pompous, and he immensely enjoyed the more ludricrous situation which not infrequently occur in international life. But there was no trace of malice or cruelty in his humour, and the infinite kindness of his eyes expressed better than anything else his true nature. He was interested in everything and everyone, especially young people and children. He never had half enough time to do all the things and see all the people and read all the books he wanted to.

In the deep sadness we all feel, there returns, when one thinks of Ralph, the heartwarming memory of the very best of men, who believed that fate is what we make it, and in living up to this belief he gave us all the lasting gift of his friendship and example.

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

Mr. DIGGS. I yield to the gentleman from Minnesota.

Mr. FRASER. Mr. Speaker, I rise to commend the gentleman from Michigan (Mr. DIGGS) for taking his special order so that all of the Members might express their sentiments about the work of a great American. I would ask unanimous consent Mr. Speaker, that the special order which I have requested to follow this special order be considered as a part of Mr. DIGGS' special order, so that Members of the House who had hoped to speak on my special order may submit their speeches in connection with the special order that you have just voided.

The SPEAKER pro tempore (Mr. FASCELL). Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. FRASER. Mr. Speaker, I would also ask unanimous consent that my statement may appear immediately following the statement of the gentleman from Michigan (Mr. DIGGS).

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

There was no objection.

Mr. FRASER. Mr. Speaker, Ralph Bunche was a model citizen of both the United States and the world. His example is one which all of us would do well to follow, and in looking upon the record of his life as we pause today to pay tribute to him, several of his qualities come to mind which are worthy of emulation.

One of these is his sense of balance, which enabled him to view situations in proper perspective. Certainly his success as a diplomatic negotiator was due in large measure to this unique ability to weigh contending claims and strike a balance between them. After his work in 1948 led to an armistice between Arabs and Israelis, both sides of the conflict applauded him. An Egyptian negotiator called him "one of the greatest men in the world," and the Israeli counterpart called Dr. Bunche's work for peace "superhuman."

Another great quality of Dr. Bunche was his compassion for his fellowman. Throughout his life, he worked untiringly for racial equality, but never with bitterness, even though he was subjected to the humiliation of racial discrimination time and time again. Although his work in later life was concentrated on his United Nations peacekeeping duties, his pioneer work in civil rights during the 1930's should not be forgotten.

His dedication to hard work should also be noted. It was sheer perserverance and application of his whole self to the task before him that brought him up out of the ghetto and into the forefront of educated elites. His profound native intelligence could not have seen fruition had it not been for his determination to apply himself through hard work.

If Ralph Bunche had any biases, they were all positive—biases which we should all be proud to share. In an often quoted statement, he said of himself—

I have a deep-seated bias against hate and intolerance. I have a bias against racial and religious bigotry. I have a bias against war, a bias for peace. I have a bias which leads me to believe that no problem in human relations is ever insoluble. And I have a strong bias in favor of the United Nations and its ability to maintain a peaceful world.

A model citizen of the United States and the world, Ralph Bunche was also the model international civil servant, working unselfishly for peace through the United Nations for a quarter of a century—admired by friend and foe alike in the U.N. Those who discredit the United Nations as an ineffective debating society cannot place the blame on the Ralph Bunches of the U.N. On the contrary, they should call upon their own government leaders to give the world community the kind of dedicated visionary leadership Ralph Bunche was always so willing to give.

Mr. REID of New York. Mr. Speaker, would the gentleman yield ?

Mr. DIGGS. I yield to the gentleman from New York.

Mr. REID of New York. Mr. Speaker, I would like to commend the gentleman from Michigan for taking this special order.

Mr. Speaker, I would just say very briefly that Ralph Bunche personified the best in the United Nations. If we ever had anyone who could qualify as a world citizen, then that was in the person of Ralph Bunche.

Truly, it has been said that blessed are the peacemakers. Few down through the ages have deserved that accolade. Ralph Bunche personified it.

I had the privilege of working with him both as an editor of the Herald Tribune and as U.S. Ambassador to Israel. His grasp of the subtleties of diplomacy were matched by his quiet firmness and the vision and the patience to always see the road ahead, even when it appeared to be barred.

Ralph Bunche more than any man brought an uneasy peace to the Near East with the several armistice agreements worked out on the island of Rhodes. He was the author of the Rhodes Formula which may yet be the process by which an interim or final peace agreement may be worked out in today's troubled Near East. His peacekeeping missions in other parts of the world, including the Congo and Kashmir, are a part of today's historical record.

His vision of a United Nations was always clear but never fully realized. No greater tribute could be paid to Ralph Bunche than for the statesmen of the world to fulfill his dream of the U.N. as the peacekeeper of the world, with a moral position that would be unassailable, "standing steadfastly always for the right."

Ralph Bunche had great capacities for friendship, and the successes of the successive Secretaries General, particularly Dag Hammarsjkold and U Thant, were not infrequently the efforts of his unassuming and highly effective diplomacy. It fell his lot to serve the last years of his life in the U.N. at a time when the United States often turned away from it, and at times even failed to see how the U.N. could serve a cause of peace. While this troubled Ralph Bunche, it never caused him to lessen his belief in what the U.N. could stand for and what his country might become.

He was in the forefront of the fight for civil rights and freedom for all men, not alone throughout the world, but equally and sometimes pointedly in the United States as well. I remember his sense of humor, his deep loyalty to his friends and particularly the nobility of spirit of a truly humble, compassionate and great man.

Above all, he had a feeling in his faith in God that peace could come to our troubled planet, and that the role of the United Nations could be permanent, effective, and compassionate, and that further in these United States progress could be made that would be meaningful in terms of freedom and human dignity for all Americans. We are not likely, Mr. Speaker, to see his likes again.

In my humble opinion, Ralph Bunche was one of the great diplomatists and one of the great Americans and one of the ablest men who ever served the community of man.

Mrs. Reid joins me in extending our deepest sympathy to Mrs. Bunche, to his son Ralph Jr., his daughter Joan and

his three grandchildren, which I am sure all Members of this House share.

I am taking the liberty of enclosing several editorials from the New York Times and the Washington Post on the life of Ralph Bunche:

[From the New York Times, Dec. 10, 1971]

DR. BUNCHE OF U.N., NOBEL WINNER, DIES

(By Robert D. McFadden)

Dr. Ralph J. Bunche, former United Nations Under Secretary General for Special Political Affairs and winner of the 1950 Nobel Peace Prize, died early yesterday in New York Hospital. He was 67 years old.

Dr. Bunche, who suffered from a kidney malfunction, diabetes, heart disease and near blindness, was frequently hospitalized in recent months. He entered the hospital for the final time last Tuesday and died at 12:40 A.M. yesterday.

Dr. Bunche, who had been with the United Nations since its founding, lived in a world of diplomacy that was racked with belligerence yet capable of great harmony. It ultimate poles were war and peace, and between these he sought the balance of justice.

Like his world, Dr. Bunche was a man of many faces and talents, full of paradox and struggle. By training and temperament, he was an ideal international civil servant, a black man of learning and experience open to men and ideas of all shades.

At the United Nations, he had been a key diplomat for more than two decades since his triumphal success in negotiating the difficult 1949 armistice between the new state of Israel and the Arab states.

As the architect of the Palestine accord, he won the Nobel Peace Prize of 1950. And many of his associates at the Secrearíat and in governments around the world could cite his accomplishments and accolades, mentioning their contacts with him proudly.

But in spite of his stature and reputation, Dr. Bunche was essentially a private man, eschewing personal publicity and disclaiming political ambition.

Few people, save those closest to him, knew the details of his middle-class adolescence in Detroit, his youth as an orphan in the care of a grandmother, his adventures as a young stowaway and seaman, his toil in menial jobs in working his way through college and his real ambition as a young man—to be a teacher.

Nor could many recount his confrontations with racism, including his close escape from a lynch mob in Alabama, where he and Gunnar Myrdal, the Swedish sociologist, were gathering material in 1938 for "An American Dilemma," the book that forecast many developments in race relations in this country.

It was indeed difficult to say how the color barriers he encountered at hotels and restaurants—even as a high official in the nation's capital—laced themselves into the fabric of his personality and skills as a mediator.

At a negotiating conference table, he usually gave the outward appearance of being calm, soft-spoken, unflappable. But there were signs, for those who would note them, of the deeper turmoil in the man: the chain-smoked cigarettes, the darkening circles under his grave eyes, the hoarseness in his baritone voice.

ENERGY AND TIMING

He could haggle, bicker, hairsplit and browbeat, if necessary, and occasionally it was. But the art of his compromise lay in his seemingly boundless energy and the order and timing of his moves.

His diplomatic skills—a masterwork in the practical application of psychology—became legendary at the United Nations, for which he directed peace-keeping efforts in the Suez area in 1956, the Congo in 1960 and Cyprus in 1964.

At his unannounced retirement last June, he was Under-Secretary General for Special Political Affairs—Secretary General U Thants most influential political adviser.

As such, he was the highest American figure in the world organization and, incidentally, the most prominent black man of his era whose stature did not derive chiefly from racial militance or endeavors specifically in behalf of his race.

He was deeply sensitive to racial problems, and often spoke bluntly about them. But his perspective was above the day-to-day trials of discrimination; indeed, he recognized that emphasizing his light-skinned blackness could have damaged his roles as a mediator and neutral peace-keeper—roles in which he found more often than not an advantage in his blackness.

THRUST INTO ROLE

The apex of his diplomatic career—and, perhaps, the best example of his negotiating psychology—came during the Palestinian talks on the island of Rhodes in 1948 and 1949. He had been thrust into the role of chief mediator after the assassination of the original appointee, Count Folke Bernadotte of Sweden, who was cut down by a terrorist fusillade in Jerusalem.

The negotiating problems were vastly complex, centuries old, rife with racial and religious prejudices and overlaid with combustible economic and political frictions.

A truce demanded by the Security Council had broken down. Large-scale fighting was under way. Thousands of lives in the Middle East lay in the balance, and so did the very life of the fledgling United Nations, whose peace-keeping capacities were on the line.

The Israeli and Arab delegations from the start were cautious, aloof and occasionally hostile. Dr. Bunche met with both sides separately to determine what kind of agenda to draw up, then called the delegations together to approve the agenda. These preliminary moves seemed simple and straightforward, but there was more to them than met the eye.

"There was a double purpose," Dr. Bunche later explained. "Primarily, it was to get both sides to meet—but also, I wanted them both to get accustomed to taking formal action, and to signing something." It didn't matter what—just anything that looked official, he explained.

"Whenever they got together," Dr. Bunche recalled, "you'd always find that there was a gap between them. It was always a matter of timing, always a matter of finding out when it would be appropriate to reduce a discussion to a formal, written draft of one point. We never would throw a whole draft at them at the beginning—that would have scared them to death."

At one exasperating point in the 81-day negotiating marathon, an impatient Israeli delegate hurled a pencil on the table, and it bounced up and hit an Arab delegate. The talks almost blew up. But Dr. Bunche privately reprimanded the Israeli and got him to apologize.

It was always touch-and-go. On another occasion, an Arab delegate refused to shake hands with an Israeli leader. This nearly wrecked the negotiations too. But Dr. Bunche, after much talk that smacked of foreign intrigue, arranged what amounted to a secret rendezvous between the two men who, it turned out, were grateful for the opportunity.

"This time they acted like long-lost brothers," Dr. Bunche recalled. "Pretty soon they started to speak Arabic—and then they apologized to me because they know I didn't speak the language. I said, 'Hell, speak your Arabic—don't bother—about me.' "

Eventually, the force of Dr. Bunche's personality melted the frigid atmosphere of the talks. There were thousands of pages of documents, drafts and counterdrafts, hundreds of compromises and ultimatums. But ultimately, an armistice was signed.

"He drove himself and his staff night and day," an aide said afterward. "He plunged into every problem as though his life depended on getting it solved. He had an uncanny ability for grasping a situation and sizing it up completely."

When it was all over, Col. Mohammed Ibrahim Seif elDine, of Egypt, called Dr. Bunche "one of the greatest men in the world." Dr. Walter Eytan, of Israel, said the mediator's efforts had been "superhuman."

PEACEKEEPING SATISFYING

Dr. Bunche gave full credit to the two delegations and to his staff. The Nobel Prize Committee thought otherwise, in making its first peace award to a black man.

In a 1969 interview, Dr. Bunche said: "The Peace Prize attracted all the attention, but I've had more satisfaction in the work I've done since. I have been in charge of the U.N. peace-keeping operations in various parts of the world—the Congo, the Middle East, Kashmir." The Suez operation he called "the single most satisfying work I've ever done," primarily because "for the first time we have found a way to use military men for peace instead of war."

BIAS AGAINST BIGOTRY

Dr. Bunche made friends easily and was a good conversationalist of an evening, mixing stories with a few whiskies. But his most serious words were not reserved for friends. In a speech at the Waldorf-Astoria, he once said a great deal about himself and his convictions:

"I have a number of very strong biases. I have a deep-seated bias against hate and intolerance. I have a bias against racial and religious bigotry.

"I have a bias against war, a bias for peace. I have a bias which leads me to believe in the essential goodness of my fellow man, which leads me to believe that no problem of human relations is ever insoluble. And I have a strong bias in favor of the United Nations and its ability to maintain a peaceful world."

For the author of these convictions, the road to greatness had been steep and rutted with obstacles. Ralph Johnson Bunche was born in Detroit on Aug. 7, 1904, the son of Fred Bunche, a barber, and Olive Agnes Johnson Bunche, a musically inclined woman who contributed much to what her son called a household "bubbling over with ideas and opinions."

In 1915, after the birth of Ralph's sister, Grace, his mother developed rheumatic fever and the family moved to Albuquerque, N.M., for the hot, dry air and sunshine. But Mrs. Bunche died in a short time, and three months later her husband died. At the age of 13, Ralph was an orphan.

He and his sister were left in the care of their maternal grandmother, Mrs. Lucy Taylor Johnson, a tiny woman with a towering will and what Ralph considered the wisdom of a sage. She took the children to Los Angeles, where they lived in a bungalow in a mostly white neighborhood, and enrolled them in local public schools.

At the 30th Street intermediary school, the principal advised that Ralph be enrolled in a commercial training course. But Mrs. Johnson wouldn't have it. "My grandson is going to college," she told the principal.

The youth was a brilliant student. He was valedictorian of the class of '22 at Jefferson High School, whose academic honor society denied him admission at the time and tried to correct the matter, to Dr. Bunche's amusement, 30 years later.

COLLEGE ON SCHOLARSHIP

After high school, he continued working as a janitor and carpet-layer, jobs he had obtained to help support the family. But at the insistence of his grandmother, he ac-

cepted an academic scholarship and enrolled at the University of Califorinia at Los Angeles.

As in high school, he was a star in football and basketball at U.C.L.A., but sustained a knee injury that bothered him for the rest of his life. Nevertheless, he always carried three little gold basketballs, reminders of three championship years on the varsity, and a United Nations associate said he thought they were Dr. Bunche's proudest possessions.

His passion for baseball and football also remained with him. Some United Nations officials never guessed that a few of the scribbled messages handed to him by security guards during meetings contained the scores of ball games.

To support himself in college, the young man spent his summers working on ships. The job began in 1923 when he stowed away on a ship to save the cost of railroad fare to a Reserve Officers Training Corps summer camp.

He was caught and put to work to earn his passage, but he liked the job so much that he worked ships for the next three summers.

He received his Bachelor of Arts degree with Phi Beta Kappa honors in 1927, and went on to Harvard to take a Master of Arts in 1928 and his doctorate in government and international relations in 1934. He later did advanced work in anthropology at Northwestern University, the London School of Economics and the University of Capetown.

MARRIED HIS STUDENT

Dr. Bunche joined the faculty of Howard University in Washington in 1928, and there, a year later, he met Ruth Harris of Montgomery, Ala., one of his students, who also was teaching in an elementary school. They were married on June 23, 1930, and moved to Harvard, where he was beginning his doctoral studies.

From 1938 to 1940, Dr. Bunche collaborated with Gunnar Myrdal in his researches on "An American Dilemma." Their questions about interracial sex relations aroused a mob of angry whites who chased them across Alabama one night.

When the United States entered World War II, Dr. Bunche was rejected for military service because of his damaged knee and hearing impaired by a mastoid operation. But he joined the War Department as an analyst of African and Far Eastern affairs and quickly rose through the ranks of Strategic Services. In 1944, he moved to the State Department and became head of the Division of Dependent Area Affairs, dealing with colonial problems. By the war's end, he was in the mainstream of planning for the organization that was to become the United Nations.

In 1944, he was at Dumbarton Oaks, laying the groundwork. In 1945, he was at San Francisco, drawing up the trusteeship sections of the United Nations Charter. In 1946, he was in the United Nations delegation to the first General Assembly in London.

AT LIE'S REQUEST

Later that year, he went on loan to the United Nations at the request of Secretary General Trygve Lie, and in 1947 he quit the State Department to join the permanent Secretariat of the new world body.

In the Secretariat, he directed the operations of the Trusteeship Division and set out the guiding principles under which numerous territories achieved statehood. His expertise on African affairs and the problems of the emerging African nations was broad and acquired first-hand.

The year after his stunning success in the negotiations at Rhodes, he was offered—but rejected—the post of Assistant Secretary of State. "Frankly," he said at the time, "there's too much Jim Crow in Washington for me—I wouldn't take my kids back there."

By 1955, Dr. Bunche held the title of Under Secretary and two years later Under Secretary for Special Political Affairs. During those years, he was the principal troubleshooter for Dag Hammarskjold.

Among his tasks were the United Nations program on the peaceful uses of atomic energy and research on the effects of radiation.

When the United Nations managed to halt the British-French-Israel invasion of the Suez area in November, 1956, Dr. Bunche organized and directed the deployment of a 6,000-man neutral force that acted as a buffer between the belligerents. This force was his special responsibility until 1967, when President Gamal Abdel Nasser of the United Arab Republic demanded its withdrawal.

In 1960, he directed another peacekeeping force in the Congo, preventing the new republic's total collapse after the secession of Katanga province.

When the United Nations force in Cyprus was set up in March, 1964, Secretary General Thant put Dr. Bunche in charge of the 6,000 troops that stood between Cypriotes of Greek and of Turkish origin.

In all these efforts, Dr. Bunche viewed the use of troops as part of the larger work of bringing warring peoples to the conference table and hatreds under control.

For his work, there were awards—scores of them, a torrent of medals, prizes and more than 50 honorary doctorates. He became a trustee of Oberlin College in 1950, a member of the Harvard board of overseers from 1959 to 1965, president of the American Political Science Association in 1953–54 and a trustee of the Rockefeller Foundation in 1955. In 1963, President John F. Kennedy gave him the Medal of Freedom, the nation's highest civilian award.

The Bunches have lived since 1953 in a Tudor-style home in Kew Gardens, Queens. Until his eyesight began failing, Dr. Bunche drove his own car to work daily.

He loved the theater and the opera, and on occasion the stars he admired visited his 38th-floor office in the Secretariat building.

TENNIS CLUB REBUFF

In 1959, he was involved in a much-publicized incident in which he and his son, Ralph Jr., were refused membership in the West Side Tennis Club at Forest Hills. Dr. Bunche took up the cudgels and received an apology, and the club official responsible for the rebuff resigned. Dr. Bunche then declined an offer of membership.

He was angered because the change appeared to be based on his personal prestige, and not on any principle of racial equality. "No Negro American can be free from the disabilities of race in this country until the lowliest Negro in Mississippi is no longer disadvantaged because of his race," he said.

There were other occasions on which he was moved to protest racial discrimination. He first walked a picket line for the National Association for the Advancement of Colored People in Washington in 1937. In 1965, though not in the best of health, he participated in marches on Selma and Montgomery, Ala. He served as an active member of the N.A.A.C.P. board of directors for 22 years until his death.

In the last year Dr. Bunche became seriously ill. In June, a month after being hospitalized, he retired from his United Nations post. The retirement was not announced until later because Mr. Thant had hoped Dr. Bunche would recover and be able to return to his duties. But this was not to be.

Dr. Bunche is survived by his widow; son, Ralph Jr.; daughter, Joan, and three grandchildren. Another daughter, Mrs. Burton Piece, died in 1966.

Dr. Bunche's body may be viewed by the public at Frank E. Campbells, Madison Avenue, and 81st Street starting at 7 tonight. The Rev. Ernest T. Campbell will conduct the funeral services at the Riverside Church at noon Saturday. Private burial services will follow at the Woodlawn Cemetery.

TRIBUTES ARE LED BY THANT AND NIXON

(By Thomas A. Johnson)

UNITED NATIONS, N.Y., December 9.—Shaken by the loss of "an incomparable friend and colleague," United Nations Secretary General U Thant, described Dr. Ralph J. Bunche today as "an international institution in his own right, transcending both nationality and race in a way that is achieved by very few."

Opening the General Assembly session this afternoon, Mr. Thant gave the first of scores of tributes at the session to his former Under Secretary, Dr. Bunche, who died early today.

Seated, and looking up only now and then, Mr. Thant said:

"He was the most effective and best known of international civil servants, and his record of achievement as an individual member of the Secretariat's was unsurpassed."

Praising Dr. Bunche for his "integrity," "insight," "kindness, humor and deep compassion," Mr. Thant said that "he was an outstanding example of that new 20th-century breed of international officials who devote all of their gifts and their very lives to the service of the community of mankind."

The news of Dr. Bunche's death brought tributes and expressions of sorrow from around the world.

PRESIDENT'S TRIBUTE

President Nixon said: "Dr. Bunche never relented in his persistence to advance the cause of brotherhood and cooperation among men and nations. America is deeply proud of this distinguished son and profoundly saddened by his death."

Secretary of State William P. Rogers said: "No American has worked more faithfully, more persistently, or more effectively in the cause of peace in our generation."

The United States Ambassador to the United Nations, George Bush, said: "Though we Americans take pride in the fact that he was an American, he was truly a citizen of the world."

Premier Golda Meir of Israel, currently in New York, said: "There is hardly anybody outside of Israel who was so intimately connected with the state of Israel from its very emergence . . . His wisdom, objectivity and ability are sadly needed in the troubled world of today."

Several civil rights groups also paid tribute to Dr. Bunche.

Roy Wilkins, executive director of the National Association for the Advancement of Colored People, noted that Dr. Bunche had served for 22 years as a board member of the N.A.A.C.P., "never failing us as a source of wise and understanding counsel and support. It will remain for the historians and biographers to set forth the Ralph Bunche record in the full richness of its dedication, wisdom and service to humanity."

The executive director of the National Urban League, Vernon E. Jordan Jr., said: "His name has been an inspirational beacon to young black people for decades. As an educator, scholar and activist, he was in the forefront of those building a great, new black consciousness in the thirties and forties."

[From the New York Times, Dec. 10, 1971]

THE FAITH OF RALPH BUNCHE

For Americans and many others, Ralph J. Bunche, was a personification of the United Nations, which he served capably and selflessly for nearly a quarter-century. The decisive role he played in some of the U.N.'s more spectacular political successes had made of him almost a symbol of the United Nations at its best.

His life was a striking fulfilment of the American dream: the poor Negro boy, orphaned early, who overcame both poverty and racial prejudice, reaching the highest academic level through brilliance and hard work, spending his talents prodigally for a generation in the service not just of his own country but of all countries and the cause of world peace.

Dr. Bunche undoubtedly will be remembered longest for stepping into the breach left by the assassination of Count Bernadotte and painfully, relentlessly hammering out the armistice between Israel and the Arab states in 1949. This was the achievement that won him the Nobel Peace Prize and a host of other honors; but it revealed something of his practical side as a diplomat and his vision as a statesman that he took even greater satisfaction from organizing the United Nations peace force that acted successfully as a buffer in the Middle East for more than a decade.

"For the first time," he said in explanation, "we have found a way to use military men for peace instead of war." For many who came in contact with him the most impressive thing about Dr. Bunche was not his skill as a mediator and conciliator, great as that was, but a faith in the United Nations that never flagged despite its failures and disappointments.

It was this faith that Lord Caradon underscored in a memorable tribute to Dr. Bunche as "one of the greatest Americans." For more than two decades, said Lord Caradon, "In spite of all kinds of difficulties and discouragements he has set an example to us all, an example of courage and indefatigable effort."

Through his long and debilitating recent illness, which forced his retirement from the U.N. a few weeks ago, Dr. Bunche maintained that courage and kept that faith. His memory should be an inspiration to the peacemakers, but it is sadly ironic that his death should occur just as the U.N. stands helplessly by at the outbreak of a new and savage war in Asia.

[From the Washington Post, Dec. 10, 1971]

RALPH J. BUNCHE

There can hardly be a land in which the death of Ralph Bunche will not be mourned as though he were one of their own. He rose beyond nationality until in a true sense he was a citizen of the world, with all mankind his constituency. His was the noblest service to which a man could be committed—the service of peace. All his life, it seemed, was a preparation for that service, an education in the arts of conciliation and rapprochement and the promotion of understanding, the essential staff of diplomacy.

He learned as an American how to moderate the implacable mistrusts of racial antagonism. And he learned as an international civil servant, rising to the summit of the United Nations hierarchy how to assuage inveterate rivalries and hostilities between nations. It seems quite fair to say that the U.N. achieved its highest usefulness and effectiveness in the time when Ralph Bunche painstakingly worked out an Arab-Israeli agreement on the island of Rhodes that preserved an uneasy peace in the Middle East for the better part of two decades, and when he headed the U.N.'s successful effort to prevent the spread of civil war in the liberated Belgian Congo. Like another great leader of his race, he had a dream—of a United Nations capable of keeping the peace—and he spoke eloquently of it accepting his Nobel Peace prize in 1950. An excerpt from that address, reprinted for the record elsewhere on this page today is a sad reminder—made all the sadder by the warfare now raging unabashed in the Asian subcontinent—of how little the world has learned from his wise counsel.

Though he was a man of peace and a man of reason, Ralph Bunche was also a man capable of boiling indignation at the injustices and discriminations inflicted upon Negroes in America. He was, in the best meaning of the term, a militant champion of human equality. He served that cause most conspicuously and perhaps most effectively when he declined an offer by President Truman to make him an assistant secretary of state. He declined the offer, he said quietly and articulately, because he did not wish to subject his wife and children to the indignities of segregation that then prevailed in Washington. His statement stung the conscience of the country and roused it as no amount of ranting or violence could have done.

Ralph Bunche was a gentle, learned man of action. He achieved much in the long years of his service to peace. And he left a legacy of hope in the depth of his belief in the perfectability of man.

[From the Washington Post, Dec. 10, 1971]

RALPH BUNCHE'S DREAM OF U.N. AS PEACEKEEPER

(What follows is an excerpt from Ralph Bunche's Nobel lecture delivered at Oslo on Dec. 11, 1950.)

To make peace in the world secure, the United Nations must have readily at its disposal, as a result of firm commitments undertaken by all of its members, military strength of sufficient dimensions to make it certain that it can meet aggressive military force with international military force, speedily and conclusively.

If that kind of strength is made available to the United Nations—and under action taken by the General Assembly this fall it can be made available—in my view that strength will never again be challenged in war, and therefore need never be employed.

But military strength will not be enough. The moral position of the United Nations must ever be strong and unassailable; it must stand steadfastly, always, for the right.

The international problems with which the United Nations is concerned are the problems of the inter-relations of the peoples of the world. They are human problems. The United Nations is entitled to believe, and it does believe, that there are no insoluble problems of human relations, and that there is none which cannot be solved by peaceful means. The United Nations—in Indonesia, Palestine and Kashmir—has demonstrated convincingly that parties to the most severe conflict may be induced to abandon war as the method of settlement in favor of mediation and conciliation, at a merciful saving of untold lives and acute suffering.

Unfortunately, there may yet be some in the world who have not learned that today war can settle nothing, that aggressive force can never be enough, nor should it be tolerated. If this should be so, the pitiless wrath of the organized world must fall upon those who would endanger the peace for selfish ends. For in this advanced day, there is no excuse, no justification for nations resorting to force except to repel armed attack.

Mr. DIGGS. I thank the gentleman.

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

Mr. DIGGS. I yield to the gentleman.

Mr. FINDLEY. Mr. Speaker, I congratulate the gentleman from Michigan for making this special order possible and presenting this richly deserved tribute to a man who I consider as one of the outstanding statesmen of this century.

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

Mr. DIGGS. I yield to the gentleman.

Mr. BINGHAM. Mr. Speaker, I too would like to commend the gentleman from Michigan for arranging this special order.

I had the pleasure of working 3 years at the United Nations during the time when Adlai Stevenson was the United States representative there. While I was working in fields other than those with which Ralph Bunche was directly concerned, nevertheless I had the opportunity to see him in action many times and to work with him. I would simply like to underscore everything that has been said here about him.

He was a very wise man, a very humane man and self-effacing to a remarkable degree. He never like publicity.

There were many times when Ralph Bunche was sought out and was urged to run for office in the State of New York, and specifically for the U.S. Senate. I think he would have made a very, very powerful candidate for the Senate. I think he would have made a very, very powerful candidate indeed. But that was not his desire. He preferred to serve in the international organization. He believed deeply in the United Nations and he was at the right hand of every Secretary General of the United Nations until now. I know how much U Thant, the present Secretary General has relied on him on many occasions for advice and counsel.

At many a meeting that I sat in on with U Thant, he would turn to Ralph Bunche and ask him what he thought and Ralph would give him a reasoned and a measured reply.

Also I would like to mention an aspect of Ralph Bunche's character which not too many people know about. He was a tremendous sports fan. He probably knew more about professional football and professional baseball than anyone in this Chamber—and that is saying a great deal. He could tell you the batting averages of any number of players back over the years. He loved to go to the games. He was a friend of the former borough president of the Bronx, Jimmy Lyons. Not too many people know that. He used to go to Yankee Stadium and watch the great Yankees. He used to love to go to the Polo Grounds to watch the Giants play. He loved nothing better than to go to those games.

Of course, there were not too many occasions, particularly in later years, when he could do that. This was one side of his character that, as I say, has not been too much brought out, but it shows what a well rounded human being he was.

Mr. Speaker, I consider it a great privilege that I was able to get to know him and to work with him. He will be sorely missed at the United Nations. His counsel and his leadership will be missed, and I do not know how we are going to replace him. It is certainly true, as others have said here in this Chamber today—Ralph Bunche is one of the great Americans of this century.

Mr. DIGGS. Mr. Speaker, I thank the gentleman.

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

Mr. DIGGS. I yield to the gentleman from West Virginia.

Mr. HECHLER of West Virginia. Mr. Speaker, I am pleased that the gentleman from Michigan has taken this time to pay tribute to the late Ralph J. Bunche. He was a tower of strength in behalf of world peace and world order.

There are many aspects of Ralph J. Bunche's long and successful career which other Members on the floor have called attention to, but I would just like to relate several additional aspects that perhaps not many Members know about.

Ralph J. Bunche had a distinguished career as a teacher of political science. He served as president of the American Political Science Association during the period when I served as associate director of that association.

The presidential address which Dr. Bunche delivered in Chicago, Ill. on September 9, 1954, was given at the 50th annual meeting of the American Political Science Association, and is worth repeating in full:

PRESIDENTIAL ADDRESS

(By Ralph J. Bunche)

This, the fiftieth annual meeting of our Association, has more than ordinary significance. Certainly it can be said that the Association has attained middle-age and the intellectual as well as the physical maturity to do proper credit to our years. We may, on this special occasion at least, regard with pardonable pride our record of growth, the recognition and development of our discipline in both teaching and research, the public service it has rendered, and its contribution to the forward progress of American political democracy. American political scientists, practitioners of what Aristotle rightly or wrongly described as the "master science," have recognized, as did Plato and Aristotle, the surpassing importance of political problems in society and have experienced the difficulties which they foresaw in the effort to employ scientific methods and procedures in the solution of such problems. Beyond doubt, however, we move steadily forward. Our scientific and professional standards show constant improvement. Our store of knowledge is immense. Our almost feverish search for new data is incessant. We know almost all there is to know about the political infirmities of our patients except how to cure them. The state of domestic and world affairs keeps us humble.

All of the fifty annual meetings of this Association have been held in the twentieth century, which may claim as its most tragic distinction its almost constant addiction to warfare. Even a superficial glimpse at the past half-century leads to the conclusion that but few of these meetings have been held at a time when people somewhere in the world were not at war. Indeed, it is an unflattering commentary on the condition of our times merely to point out that this fiftieth meeting of the Association is the first in well-nigh a quarter of a century which can look upon a world free, even if most insecurely, of organized warfare anywhere on the globe.

This, I make bold to say, can be counted as a blessing even if one must hasten to add that while there is at this moment no war, neither is their peace, for the cold war waxes hot, tensions continue severe, provocative incidents constantly test our nerves and our forbearance, armaments pyramid, and the dark threat of atomic war ever lurks on the horizon.

Still, with the cessation of fighting in Indo-China, there is no instant war and, therefore, an opportunity is presented, slight thought it may be, for governments and statesmen and peoples the world over to pursue with renewed vigor the ends of peace and bring thereby some measure of relief and hope to harassed and war-weary mankind. But, in truth, the precariousness of the times is such, the aggressive forces loose in the world are so unpredictable, and uncertainty so dominates one's thought and psychology, that even as I write these words on September 7th I grimly realize that they may not hold true at all on September 9th.

In this regard, it may be recalled that our Association came into being during an earlier lull in warfare throughout the world. The Sino-Japanese, Spanish-American, and South African wars were over and the Russo-Japanese war had not begun when the first meeting of this Assocation convened in New Orleans a half-century ago. There has not been much let-up in warfare since. No cause and effect relationship is implied, of course.

Only twenty-five were present at that initial meeting. At the end of the Association's first year there were two hundred and fourteen members, and of these most found their primary interest not directly in political problems but in history, economics, and other social studies having political implications. As former President John A. Fairlie pointed out in his presidential address at the 1929 meeting, "When this Association was organized, the systematic study and teaching of political problems was but slightly developed. Only a few courses in public law and government were given in some of the larger universities."

Since those early, lean days, the lustiness of the growth and the proliferation of our discipline is amply attested by the bulging program of this fiftieth annual meeting.

In many directions our Association and our discipline have made striking progress. Our membership today stands as well over 6,000 of which less than half consists of those actively engaged in the teaching of political science. This has been a development realized largely in the last quarter-century of our existence, for in 1929 President Fairlie noted that of some 1900 members at that time only a "small portion" were outside the teaching profession.

Political science is now firmly anchored in the curricula of American colleges and universities. There are today more than 300 departments of political science in American colleges and universities with many thousands teaching the subject, exclusive of the large number of those who teach civics and social studies in the secondary schools. The students of political science number in the tens of thousands and each year over three hundred colleges and universities grant degrees in the field. No doubt our most distinguished past president, Woodrow Wilson, were he with us, would be highly gratified by the increasing extent to which members of the profession, particularly in the past two decades, have emerged from the academic realm to render invaluable assistance to governments local, state, and national—and to international organizations and agencies.

In all directions—political parties; national, state, and local government; political theory; constitutional law; public administration; public opinion; political behavior; legislation; international law and relations; comparative government—there has been significant advance in the definition and development of subject-matter, in both teaching and research.

In quite recent years the Association has afforded organized public services through the assistance of the profession in response to requests from the White House and various departments of the government. Organized research efforts involving collaboration of substantial numbers of political scientists, have been undertaken as a new and recent development; of these the study of delegations to the party conventions in 1952 is an outstandingly successful example.

It may be mentioned, in passing, that political science gains increasing stature as an international discipline. The International Political Science Association, under the initiative of UNESCO, is now well established, with active participation by American political scientists led by Professor James K. Pollock as Senior Vice President. But it remains a fact that political science, as we conceive of it, is unknown in most of the world beyond our borders—in much of Europe, the Orient, and elsewhere. At the time of the organization of the International Political Science Association in 1950, there were political science organizations in but eight countries. However, there is undoubtedly in this development an excellent opportunity to promote the interests of the profession, to widen greatly its horizon of service, and, more important, to reinforce the international bonds of democracy. Since it is estimated that more than eighty per cent of the world's political scientists are in this country, both our opportunity and our responsibility in this international venture are great.

Our collaboration in this international effort is motivated neither by intellectual imperialism nor by a missionary impulse to bring political wisdom to the "heathen." Rather, the International Association affords the opportunity for an exchange of thinking and a cross-fertilization of ideas among intellectual equals of all nationalities, colors, and creeds who have discovered, quite as we discovered, the need for a distinct discipline in the field of political phenomena.

Despite the rapid development of American political science as an independent discipline—and it could be said not altogether facetiously that in some respects there might appear to be more of independence than of discipline—and while we have made substantial contributions to the intellectual and public life of the nation, disagreement, frustration, and failure are not unknown to us.

Passing mention only need be made of such matters as the tendencies toward excessive intellectual diffusion, over-specialization, "splintering" of the discipline, and the lack of what might be called unifying roots. Nor shall I dwell upon the absence of agreement among us on methodology, techniques, and classification, or on the comparability of political science and the natural sciences. These undoubtedly are matters of vital concern to the profession and on any one of them there could be—and there has often been—discussion without end.

Partly because this is our fiftieth meeting, partly because of the extreme discretion in public expression incumbent upon an international civil servant, and in no small measure because of an acute awareness of my own limitations in the preparation of this paper, I have burrowed in the addresses of previous presidents of the Association.

It seems to me that this meeting at the half-century mark is a particularly appropriate occasion on which to reflect upon the wisdom, the hopes, and the cautions of those who may rightly be called the founding fathers of American political science, especially where they may offer wise counsel for our future course and for the challenges with which the present and the future confront us.

A review of the presidential addresses delivered before this Association in the course of the fifty years since that small band of pioneers came together in New Orleans, provides a graphic picture of the development of political science in America, its function and method, its achievements and shortcomings, as seen by some of its most distinguished disciples. In these addresses there may also be found no slight reflection of much of the nation's political history and thought of the past half-century.

Bearing in mind the virtue of brevity, note is taken here of only some of the salient points in a selected few of the addresses of the first half of the Association's existence. Rather arbitrarily, I have decided that the ex-Presidents since 1930 are still too young to be classified as "elder statesmen."

At the third annual meeting, Albert Shaw emphasized that the Association "is not partisan, or sectional or propagandist in its nature;" it "is not a body of reformers," and therefore, it "can help to bring to a hundred questions now under discussion in the affairs of the nation, of the States, or of the municipalities the spirit of calmness, of in-

quiry, of reasonable discussion—in short, the scientific spirit.

Without straining any point, it may be urged that it would be difficult to think of a greater service that could be rendered to our nation today as regards both national and international affairs.

Two years later, at the fifth annual meeting, Lord Bryce, after offering political scientists what he described as a "maxim of univeral validity, i.e., "keep close to the facts," raised the questions: "What is the use of Political Science? Can it be made to serve the practical needs of the time? In partial answer to his questions, which are just as pertinent and timely today as when be posed them early in the century, he expressed the view that since in free countries "the chief problem of democracy is to make the citizens intellectually and morally fit to conduct their government—this being especially so in the United States, where "the ultimate control of public affairs belongs to the mass of the people—political scientists ought to try, through their influence on citizens in the universities and their publications, to improve civic intelligence.

There has been improvement certainly, but there are few, I imagine, who would not agree that the need in this direction continues to be great and urgent.

The next year, at the sixth annual meeting, A. Lawrence Lowell, pointing out that "politics is an observational, not an experimental science; and hence the greater need of careful observation of those phenomena which we can use," queried: "But how much do statesmen turn to professors of political science for guidance? Surely students of politics do not lead public thought as much as they ought to do . . ."

Would it not be true to say that we still do not; that in the main the impact of the political scientist on thought and leadership is by no means comparable to his knowledge and potentiality?

At the seventh annual meeting, Woodrow Wilson expressed his dislike of the term "political science," since in his view, "human relationships, whether in the family or in the state, in the counting house or in the factory, are not in any proper sense the subject-matter of science. They are stuff of insight and sympathy and spiritual comprehension." He preferred the term "politics," which in his view included both the "statesmanship of thinking" and the "statesmanship of action."

President Wilson adjured that "the statesmanship of thought" as against "the statesmanship of action" must be furnished by the political scientist:

"Out of his full store of truth, discovered by patient inquiry, dispassionate exposition, fearless analysis and frank interference, he must spread a dragnet for all the facts, and must then look upon them steadily and look upon them whole. It is only thus that he can enrich the thinking and clarify the vision of the statesman of action, who has no time for patient inquiry, who must be found in his facts before he can apply them in law and policy, who must have stuff of truth for his conscience and his resolution to rely on."

Wilson went on to say:

"The statesman and the student of political science have not hitherto often been partners. The statesman has looked askance upon the student,—at any rate in America, and has too often been justified because the student did not perceive the real scope and importance of what he was set to do and overlooked much of the great field from which he should have drawn his facts,—was not a student of thought and of affairs but merely a reader of books and documents."

The weaknesses and deficiencies which Wilson saw in the equipment of the student of politics of his time have been, I would think, largely corrected by now. But despite the considerable and encouraging traffic between campus and bureaucracy, especially during war years, the gap between the realms of study and action continues more than wide enough. In my experience off the campus during almost fifteen years now, I have discovered that when I am referred to as an "academician," this is not always meant as flattery, that the habit of trying to marshall all the facts, weigh them, and think things through thoroughly as the basis for action is sometimes regarded as droll and at other times incites no little impatience.

In 1925, at the twenty-first annual meeting, Charles E. Merriam prophesied:

"We are likely to see a closer integration of the social sciences themselves, which in the necessary process of differentiation have in many cases become much too isolated. In dealing with the basic problems . . . it becomes evident that neither the facts and the technique of economics alone, nor of politics alone, nor of history alone, are adequate to their analysis and interpretation."

Merriam, no doubt, would be pleased with the extent to which, in quite recent years, inter-disciplinary seminars, composite courses, and inter-disciplinary research programs have developed. There is, certainly, much less exclusiveness among the social scientists than in earlier years.

Merriam concluded.

"At any rate, it becomes increasingly evident that the basic problems of political organization and conduct must be resurveyed in the light of new discoveries and tendencies; that the nature of mass rule must be reexamined; that the character and range of popular interest in government and the methods of utilizing it must be reexplored; that we must call in science to help end war as well as to make war; that the mechanisms and processes of politics must be subjected to much more minute analysis than they have hitherto received at the hands of students of government, from a much broader view, and from different angles."

Merriam's suggestion that science be employed to help end as well as to help make war has not materialized, but science has certainly made the prospect of another war a tremendous frightening thought. But to view the hydrogen bomb as signalling the end of the world, as some are inclined to do, serves only to induce panic and to nourish the ambitions of reckless ones who would seek power through exploitation of fear. In the calm view, the new weapons in all their fearful destructive potential are merely the logical end of the concept of total war in this scientific age. If a minimum of reason can be brought to prevail, the atomic-hydrogen-cobalt bombs may yet prove to be the decisive deterrent to war as governments and peoples the world over increasingly realize that another world war and the survival of civilization are altogether incompatible.

Now and then, over the years, stern warnings and criticisms have been directed to the political scentists, as for example, by Charles A. Beard and my highly respected former teacher, William B. Munro.

Beard inveighed against a good many things, including our "academic sterilities" and "the peril of narrowing the vision while accumulating information."

Munro, with an eye on the change which had occurred in the exact sciences in response to new knowledge, urged:

"It is time for political science to step up into line with the new physics by turning some of its attention to the sub-atomic possibilities. We should seek to discover the true reasons for the vast differentiation between good, bad, and indifferent citizenship which is perhaps the most obvious of all the phenomena of politics. We should enquire diligently into the nature and scope of the forces which make each civic atom what he is. And we should discard our allegiance to the absolute, for nothing would seem to be more truly self-evident than the proposition that all civic rights and duties, all forms and methods of government, are relative to one another, as well as to time and place circumstance. They cannot be translated into unvarying formulas."

You will pardon me, I trust, if I say that to my untheoretical mind, the real measure of our success or failure as political scientists is to be found in the manner in which opportunity is served and responsibility discharged, in other words, in our total impact for good or ill upon the society. In this regard one may well question whether the Association and its members have met as well as we might the test of that leadership which could and should be afforded, in both research and teaching, toward the betterment of American life, the strengthening of democracy, and the achievement of more stable international relations.

I do not know to what extent it may be true that the discipline of political science is at once a function and an expression of democratic ideology and practice, but there can be no doubt of the rich contribution which political science can make to the strength and growth of democracy, where, as among us, it is directed to the systematic teaching, analysis, and practice of democracy in government and administration.

The severest challenge to the political scientist and to to the social scientist generally, it seems to me, is in the notable failure of political and social institutions and policies to keep pace with material and technical change. If in the past fifty years there has been progress in the development of institutions, in the art of governing people, in the understanding of political processes and events, domestic and international—and some are quick to deny it—there has been no progress in any way comparable to that which has accompanied the application of science and technology to industry, communication, and transportation. In this age of the weapons of fission and fusion which science has made available to war, may not the very future of civilization depend to a considerable extent upon the ability of the political scientists, who are indeed the true experts in political relationships, to find remedies for these potentially fatal defects in political conduct? If they do not, who is to do so? Are political scientists still too much attached to abstract formalism, to metaphysical and juristic concepts, to established patterns and a traditionally narrow scope, and too exclusive to be fully realistic about the political needs, motivations, and forces which stimulate and control the thoughts and actions of citizens and governments, and therefore to be of maximum usefulness to a world in dire distress?

There will nowhere be such a promised land of politics as Plato, the practical reformer, sought. But there can be societies better governed and international affairs better ordered than is now the case. There can be, certainly, a better world, and I have confidence that political scientists can help to make it so. To do so, it is not essential, to paraphrase Plato, that either philosophers or political scientists be kings, or vice versa. But it is essential that the acts of men which are, in the words of Lord Bryce, the "data of politics," in the broadest sense, be studied, analyzed, and well understood by political scientists. There is, it seems to me, very much truth in the observation recorded by Boswell in his journal for July 28, 1763, to the effect that "human experience, which was constantly contradicting theory, was the great test of truth . . ." And, as Woodrow Wilson put it, "nothing that forms or affects human life seems to me to be properly foreign to the student of politics." The fields in which the political scientist must plow, if the yield is to be worthy of the effort, are indeed vast.

With considerable diffidence, in view of my lack of adequate knowledge of work under-

way in our field, I venture to suggest that there are certain problem areas which would seem to merit greater attention that is now accorded them by our profession.

There is, for example, the problem of colonialism, and more particularly of colonial Africa. This, certainly, is at once one of the most critical and the most difficult of international problems. In one form or another, colonialism commands a highly prominent position on the agenda of the forthcoming ninth session of the General Assembly of the United Nations. Postwar experience alone has painfully demonstrated how much the trouble and conflict in the contemporary world flows directly or indirectly from this faucet. Our colleges and universities, however, and political scientists with few exceptions, have been regrettably slow in grasping fully the world significance of this problem. American political science, I fear, has not yet come to grips with it.

In scanning the presidential addresses of the past, for example, I noted that in only one or two of them was there any reference at all to the problem of colonialism. This subject, surely, is quite within the scope and the horizon of interest of the political scientist. If I stress this lacuna in our knowledge and effort, it is not alone because colonialism has been my major pre-occupation. It is also because the field provides such great challenge; there is in it for the diligent student so much of rich opportunity for constructive contribution; and as a present and potential source of vast trouble and danger it is today one of the world's leading problems.

Secondly, in view of the new position and responsibilities assumed by our nation in world affairs, which in our democratic system necessarily involves a new responsibility of judgment and decision for the American citizen, it may well be questioned whether our educational system has adjusted to the changed situation and demands in such manner as properly to equip the citizen for the political discharge of this still unfamiliar role and responsibility.

With respect to international affairs, for instance, there would appear to be much to be learned about the historical and entirely respectable role of negotiation, conciliation, and honorable compromise in the settlement of disputes. Expectations from policies and actions are often unrealistic to the point of being fanciful, while patience is correspondingly short. There is much to be learned about how to bear up under sustained uncertainty and danger. There is surely to be found in knowledge and understanding some measure of safeguard against frustration and cynicism.

Thirdly, the striking evidence of fear, suspicion, intolerance, and confusion in the society, providing fertile soil for demagoguery, imperil our traditional freedom, and pose a stern challenge to the political scientist. These are phenomena which surely demand our most urgent concern, on behalf of the nation at large as well as our own professional and personal interest.

In the ultimate sense, it is clear, our future professional effectiveness must depend upon the preservation of that traditional freedom of inquiry which is fundamental to the American way of life and to the very concept of self-government.

If you will permit me to make one further reference to my personal experience, I would say that in our analyses, calculations, and conclusions concerning political phenomena we should never lose sight of the human, the personal factor. I am constantly impressed with the extent to which purely individual characteristics, such as personality, temperament, disposition, integrity, humility, candor, and patience, often exert substantial influence on important matters. This I have found to be the case in administrative affairs, in negotiations, and in mediation. I suspect that it must be taken into account in other areas as well.

These are simple things but they often cause political situations and efforts to be far more complex than they would otherwise be. They may not lend themselves readily to scientific approach but they have to be reckoned with most seriously.

With no apology, I should like to conclude on the quite unscientific note of faith.

Civilization is in the grip of a moral crisis. While this, in itself, in no new experience in human history, the clear and present danger derives from the fact that our scientific knowledge far exceeds our knowledge of man; to such an extent, indeed, that man now has at his disposition a power of self-destruction never before approached. That same scientific knowledge also affords to man a greater possibility for improvement than he has ever known.

It is my conviction that it is toward the fundamental unity of man that we must look for the only means whereby civilization and mankind may survive on this earth. Our knowledge of man must begin to catch up with our mastery of science. It is only in this direction that we may usefully seek to disperse the poisonous fears and suspicions which actuate that irrational behavior of man which in turn keeps him in mortal danger, each to the other. This is a matter fundamentally and decisively of simple faith in man and in his future. Despite all manifestations of evil—and these are in abundant supply—I find in that faith all that is needed to sustain me and my hopefulness in these times of grave peril.

Mr. HECHLER of West Virginia. Mr. Speaker, I include the text of addresses which Dr. Bunche delivered at the commencement at Morgan State College, June 4, 1951:

ADDRESS DELIVERED BY RALPH J. BUNCHE AT THE COMMENCEMENT EXERCISES OF MORGAN STATE COLLEGE, BALTIMORE, MD., JUNE 4, 1951

This day belongs, or should belong, exclusively to those who are graduating. It is their day. What manner of commencement program could there be without them? This afternoon, at least, all roads lead to them.

For this reason, I am inclined to be rather diffident about commencement speeches unless they are made by the graduates themselves. I have a strong suspicion that the best commencement speeches are those that are never spoken.

The main business of the day here is the awarding of the degrees which these graduates have earned, and earned, I take it, the hard way. Indeed, this occasion is really a celebration—signaling the liberation of the graduates from the drudgery and discipline of the classroom. Because their joy at this liberation might understandably be excessive and overflowing, by tradition they must be enshrouded in these somber black robes and mortar boards. This might well serve to remind them that all is not joyful and carefree in the world beyond the academic cloister, and that the road ahead of them will be anything but easy—if, indeed, they need to be reminded.

Throughout the Nation during this month of June, thousands of young men and women, graduates all and Americans all, will be attending commencement exercises similar to these. All of these thousands of graduates will be looking to the future with no little anxiety. They will have very much on their minds what may lie ahead for them—whether there will be peace or war; what their chances may be for a promising career in their chosen fields of endeavor; how they may profitably and usefully employ the knowledge and training they have acquired.

But the Negro graduates at such exercises, good and loyal Americans though they are, will have on their minds not only these thoughts, but some quite special ones, too, as they contemplate their future. This is inevitably so, because it is the great irony of our Nation, a Nation firmly dedicated to a democratic way of life, that a substantial proportion of its citizens must still overcome unjust and undemocratic racial handicaps, must surmount arbitrary obstacles of racial bigotry, in running the race of life. And this is so not because of any misdeeds, of any shortcomings, of any lack of industry, ability, or loyalty on the part of these citizens so handicapped. It is so only because they are Negroes, because of their color and race.

The conscience of every white American who believes in our Constitution, in our traditional way of life, in the sacred principles to equality and liberty handed down to us by our founding fathers, must experience acute pain when he thinks of this utterly indefensible situation in our supposedly enlightened age.

These graduates whom we honor today are to be doubly congratulated, for in coming this far they have had to meet not only the challenge of learning, they have had to learn over the handicaps of race—handicaps both economic and social.

And what has this meant and what will this mean for them? It means that all of them are fully acquainted with the Negro ghetto and the severe disadvantages it entails. They have had to endure the political and economic underprivilege which is synonymous with a segregated, separate, ghetto existence. Much of their life has unfolded thus far behind a cruel curtain of segregation and discrimination.

They know that their country was founded upon the sacred principles of the inalienable rights of man and the equality of all men before God. But they have been told that for Negroes this means only a qualified equality—separate equality, a separate existence from the rest of the community. They know too well the humiliation, the degradation, the psychological stresses and strains, the personality warping, which are the inevitable end-products of that separation. No one knows better than they that the doctrine of "separate but equal" is a monstrous fiction, an unabashed lie. Every Negro knows this is so from his harsh experiences with separate schools for Negroes, separate residential areas for Negroes, separate railroad accommodations for Negroes, separate facilities of every kind.

Indeed, the very concept of segregation, the fundamental motivation of it, involves discrimination and inequality. Involuntary segregation means a status of inferiority for those segregated.

To what utterly ridiculous lengths the doctrine and practice of segregation may be carried has been graphically demonstrated recently in this very city of Baltimore. I understand that the local park board police only a few days ago refused to permit a tennis match to be played between two tennis clubs, one white and one Negro, because it was contrary to the board's policy to permit interracial matches. The members of the two clubs were prevented from playing the match under threat of arrest. Danger in a tennis match! What utter nonsense! Can there be anyone in this community ingenious enough to explain what harm could possibly be done to the community if tennis players of the two races, voluntarily wishing to do so, should play tennis together? What a strange doctrine it is that requires Negro taxpayers of Baltimore to play tennis on public courts only with Negroes, even though others may wish to play with them.

The practices and incidents of racial bigotry can only be intolerably offensive to every fair-minded and right-thinking American. They are costly to the Nation in these dangerous times. They are costly because they raise serious doubts—internally and externally—about the true nature of the American democratic way of life. Because they seriously question our sincerity in our democratic professions. Because they cannot fail to induce our friends abroad to doubt the

genuineness of our democracy and to question our ability to treat non-white peoples anywhere as equals. They are, therefore, tremendously damaging to our international prestige and to our leadership in the free world. And they hand to our enemies a most effective propaganda weapon in the world-wide ideological struggle—the struggle for the confidence of the peoples of the world, the preponderance of whom are nonwhite.

The heavy costs of racial prejudice in the American society are today being paid by every American citizen—white and black alike. These costs in their totality are incalculable, but who can doubt the tremendous burden they impose? The security of our great Nation, the way of life which is the source of our unparalleled national strength, are confronted with the most ominous challenge in our history. Never before have we so desperately needed our full strength and unity. But this is denied the Nation only because some of our allegedly patriotic citizens insist upon continuing to indulge themselves in the social vice of racial prejudice. They are quite willing to do so even at the cost of impairing the unity of our people in our hour of gravest crisis; even though it means that one-tenth of the population remains underprivileged and properly resentful; even though the inevitable result must be a shameful wasting of one-tenth of our human resources, of our manpower, though we can ill afford to be wasteful in this crucial hour.

This, surely, is not patriotism, nor is it good sense. It is sickness, or madness, or both.

Who, in his good senses, could doubt for an instant what it would mean to the strength, the unity, and the prestige of our Nation if the cancerous growth of racial bigotry in the society were to be expelled?

This is all the Negro asks—that he be freed from the bondage of racial prejudice. Nothing more. I lay no claim to leadership and I have no right whatsoever to act as a spokesman for some 15,000,000 Negro citizens. I have always been a strong individualist, and since there are already literally millions of self-anointed Negro leaders and spokesmen, far be it from me to join the crowd. But from long observation, I am sure I am right when I say the Negro American asks no special treatment from this society. He asks that nothing be given to him. He asks, or rather demands, only that he be permitted to enjoy what is rightfully his—his God-given, Constitution-guaranteed right to live and work and play in this society on the same basis as every other citizen. He seeks escape from the handicaps of race, for he has proved to the world that he is inferior to no people. He seeks escape, rather, from the handicaps, the indignities, the humiliations and slurs of arbitrary, undemocratic racial prejudice.

The Negro asks no right to go into anyone's home, to force himself on anyone in any way. He asks only that he, as an individual, be permitted freely to make his way in a free society on the same basis as every other individual citizens; to rise or fall as his merit dictates. If the society grants him that, and nothing short of that could ever be acceptable, the Negro problem is solved. This would in no way affect the right of any person in the society to have as little or as much to do with any Negro, many Negroes, or all Negroes as he pleases.

In short, the needs of the Negro citizen would be satisfied if old prejudices, like old soldiers, would just fade away.

Indeed, in my thinking the urgency of rapid progress toward solution of this grave national problem is less in terms of the interest of the Negro than the interest of the Nation. The challenge already confronts us as a Nation and the time in which we can prepare adequately to meet it is already alarmingly short.

I am not at all unmindful that the Negro citizen in the American society has made great progress, particularly in recent years. The barriers of segregation and discrimination are being beaten down, and in this effort the Negro has had much help from white Americans who believe in as well as profess democracy. I think it no exaggeration at all to say that no group of people in history has made as much progress in a comparable time as the Negro has made since his release from slavery. Moreover, I realize that this magnificent progress has been possible only because the Negro has been able to take increasing advantage of the opportunities for work, development, and struggle afforded by a society whose framework is free and democratic.

But the fact remains, nevertheless, that these graduates before us today, despite the fine training they have received here, will go out into the world and encounter unique obstacles in shaping their careers only because they are Negroes. They, unquestionably, are better off than similar graduates of 10, 20, or 50 years ago, and today there are many more Negro graduates than ever before. That is good. Still, they will not enjoy their full rights as American citizens, and until Negro graduates and all other Negroes can do so the American society will be guilty of a terrible injustice.

These graduates, as you and I, must think of rights and privileges and opportunities as something to be enjoyed in one's life span or not at all. These benefits cannot be taken with one to the great beyond nor can they be enjoyed in the hereafter. I will be happy, of course, to be assured that my children or my grandchildren or my great-grandchildren will enjoy their full rights of American citizenship at some distant date. But I wish to enjoy them, too, for the simple reason that as an American citizen I am fully entitled to do so, and because I need the benefit of them to make my way in our highly competitive society.

It is important that these Negro graduates bear in mind that though the Negro has made and is making great progress, very much remains to be done. The road immediately ahead will never be easy. The rate of progress will depend in large degree upon the preparation and ability, the determination, and the courage of these young Negroes. They must never relax in the struggle for full citizenship for the Negro, for the complete integration of American Negroes in the life of the Nation. They must be ever alert.

In this regard there are certain truths which the Negro citizen must learn well and bear constantly in mind.

In a democratic society, and we are greatly privileged to live in one—the world being as it is these days—the Negro citizen like all other citizens must willingly and self-sacrificingly assume heavy responsibilities and obligations in return for the rights and freedoms which he may enjoy. Democracy gives no free rides. The Negro cannot be a good citizen if he concentrates exclusively on the problems of his group. All of the problems of his community and Nation are his problems and the Negro must devote his intelligent interest and effort to them. Integration in the society is a two-way proposition. The more integrated the Negro becomes the heavier will his civic responsibilities become. Freedom is a blessing to be highly treasured; it is not license and should not be abused.

Because of discrimination, the Negro has much to complain of, but let us not fall into the fatal error of ascribing all of our failures to racial prejudice. The cry of discrimination must never be used as an alibi for lack of effort, preparation, and ability. We can never end discrimination by hiding behind it, or as I fear some Negroes do, by acquiring a vested interest in it.

It is well also to bear always in mind in this hard world that fate helps only those who help themselves. We are much stronger now than we were and we can utilize our own resources of ability and wealth to much better advantage than in earlier years. I wonder if we really do as much for ourselves as we might, if we are as united and resolved as we should be. I doubt very much, for example, that we give to our two leading organizations, the NAACP and the Urban League, which have accomplished so much for us, the support, monetary and otherwise, which they deserve. There are Negroes of considerable affluence in very many American communities—professional and businessmen—many of whom are not, by any means, giving the assistance which should be given. If they do not realize that despite the success they may have had they can never rise very far above their group, and that their own future is tied to the future of the Negro, they are fatally short-sighted. In my view, no Negro, however high he may have risen, is worth very much if he forgets his people and remains aloof from the unrelenting struggle for full Negro emancipation.

Let us also be aware of the unfortunate inclination of the Negro himself to tighten the bonds of the ghetto by ghetto thinking. Life in the ghetto tempts the Negro to make the Negro problem the pivotal point of his thinking, as though everything in the world revolves about this problem. This is racial provincialism of the worst kind, and can only retard the progress of the group. It develops a narrowness of mind and a racial egocentrism, which is bad for both the Negro and the society in which he lives.

The world does not revolve around the Negro and will not stand still for him. But the Negro may be sure that a large part of the world sympathizes with his aspirations for full equality.

I am reasonably optimistic about the future of race relations in America. The conscience of the Nation quickens. An ever-increasing number of citizens, South as well as North, realize that our bad race relations are immensely damaging to the Nation, and they are determined to do something about it. The forces of true democracy are strongly at work in our society and the force of democracy on the march is irresistible.

Indeed, I feel that the time has never been more propitious for effective results from a planned and concerted attack upon racial bigotry here. The time is ripe. What is greatly needed is a coordination of the efforts of the greatest possible number of Negro, interracial, and other organizations to the end that their resources and good will may achieve maximum impact. At present there is clearly too little planning and too much duplication of effort.

You graduates have no reason to be discouraged or pessimistic about the future before you. You can surmount the obstacles in your path if you are determined, courageous, and hard-working. Never be faint-hearted. Be resolute, but never bitter. Bitterness will serve only to warp your personalities. Permit no one to dissuade you from pursuing the goals you set for yourselves. In this country, difficult as it may be for you compared with others of fairer skin, no achievement is beyond you. Do not fear to pioneer, to venture down new paths of endeavor. Demand and make good use of your rights, but never fail to discharge faithfully the obligations and responsibilities of good citizenship. Be good Americans.

You are to be congratulated on having journeyed this far. You will, I am sure, be valuable assets to your group, your community, and your Nation. You will have much to do with the shaping of the Nation's future.

I salute you and I wish you well.

Mr. HECHLER of West Virginia. Dr. Ralph J. Bunche was a person who stood for what he believed in. He was a very effective individual in his work in the United Nations. He is a person who not only Americans, but the entire world will miss.

Mr. DIGGS. I thank the gentleman from West Virginia.

Mr. SMITH of New York. Mr. Speaker, will the gentleman yield?

Mr. DIGGS. I yield to the gentleman from New York.

Mr. SMITH of New York. I thank the gentleman. I want to commend the gentleman from Michigan for taking this special order. In the loss of Dr. Ralph Bunche, the United States has lost a great and outstanding son and the world has lost a great and outstanding citizen. The award of the Nobel Peace Prize to Dr. Bunche was an award which was most highly deserved. The world will miss him. We have too few like him. I thank the gentleman.

Mr. DIGGS. I thank the gentleman from New York.

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

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

Mr. BURTON. I, too, would like to join in commending our distinguished colleague from Michigan (Mr. DIGGS) for having arranged for this special order honoring Dr. Ralph Bunche. As has been said by our colleagues previously, Dr. Bunche was truly a citizen of the world. History will record without doubt that he will rank among not only the great Americans in our entire history, but also one of the great and effective voices and personalities that have given world humanity leadership and direction in the never-ending pursuit for a just and peaceful life for all who inhabit the planet earth.

Mr. DIGGS. I thank the gentleman for his contribution.

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

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

Mr. COLLINS of Illinois. Mr. Speaker, Chief Justice Roger Brooke Taney, in the infamous Dred-Scott case of 1857, ruled that slaves and the sons of slaves were not citizens of these United States within the contemplation of the Constitution.

But, 110 years later, Dr. Ralph J. Bunche, the son of a freed slave, moved the world to compassion with his negotiation of the peace treaty—albeit unlasting—between the infant nation of Israel and the Arab nations.

The world in its entirety accepted this black and humble soul as its chief citizen. He was later rewarded the Nobel Prize for Peace, the first such honor for the black race, for this deed in international relations, and rose to this Nation's highest post in the United Nations.

Even as wars and rumors of wars still mar the face of the earth; even as men shape their plowshares into the weapons of future wars, let us hope that somewhere, the memory of this great, black, and humble man of peace will once more bring compassion of class for class, of nation for nation, of race for race, so that we can get about the business of building a better world for posterity.

Mr. DIGGS. I thank the gentleman from Illinois for his contribution.

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

Mr. DIGGS. I yield to the gentleman from New York (Mr. ROSENTHAL).

Mr. ROSENTHAL. I thank the gentleman for yielding, and want to commend him for taking this time to pay tribute to a great and distinguished American. Dr. Bunche lived in my district. He lived in Kew Gardens Hills in Queens, N.Y. He and his wife were extremely active in community endeavors. Dr. Bunche accomplished a great deal in the world's forums.

I remember one of the things that Dr. Bunche received a great deal of notoriety for, which the gentleman may be unaware of. Dr. Bunche wrote a letter to the New York Times 2 or 3 years ago about the inability of the city of New York to clear the snow from the streets in front of his residence in Kew Gardens. It took the prestige of an international civil servant to achieve that rather menial task. I mention this to point out the fact that Dr. Bunche was never far removed from the lives of the average citizen. He was very much concerned, as was Mrs. Bunche with whom I worked a great deal in community activities, with the problems of average citizens and the responsibilities of all of us.

He was an inspiration, I think, because he was the class of international servant who recognized that if we ever were going to achieve in this day and age a rule of law, it would have to be done under the auspices of an organization such as the United Nations.

He dedicated his energies and his initiative to that kind of experience. He should be an inspiration, not only to Americans, but also to citizens throughout the world, because he had the unique capacity, not necessarily to divorce himself from America's national interest, but to understand the aspirations of citizens all over the globe, and to understand that there will be occasions when nations will have to bend their own national interests ever so slightly for the good of mankind throughout the world.

To me Dr. Bunche, whom I knew, symbolized the classic man of the future in that he was willing to serve people throughout the world regardless of their national origin and regardless of where they were born or other of the things that occasionally become important to many of us. Dr. Bunche was in my judgment a very great American and a distinguished American, but more than that he was an inspiration for the future of mankind. He was a world citizen in my judgment in the history of this civilization.

Mr. DIGGS. Mr. Speaker, I thank the gentleman from New York for his contribution.

Mr. Speaker, I yield to the gentleman from Indiana (Mr. MADDEN).

Mr. MADDEN. Mr. Speaker, I commend the gentleman from Michigan for taking this time to call to the attention not only of this Congress, the Nation and the world of the great character, accomplishments and ability of Dr. Ralph Bunche. I have heard Dr. Bunche speak on several ocasions, and I often thought what a wonderful thing it would have been if 50-odd years ago we had a number of men who believed in the things Dr. Bunche believed in, and who had the ability and brilliance and knowledge of international affairs that Dr. Bunche possessed.

Although some of the younger Members may not recall it, I remember after World War I, at the time of the founding of the League of Nations, if we had a number of great international statesmen of the caliber of Dr. Bunche taking part in that fight over the League of Nations, the United States, the No. 1 nation of the world, might have joined the 52 other nations as a member of the League of Nations, in 1920. If we only had more statesmen such as Dr. Bunche in those days, we would have joined the League of Nations, and had we joined it would have been a success. The League of Nations was bound to fail when the world's No. 1 nation failed to join after World War I and unite in the provisions of that covenant which Woodrow Wilson and all other nations sponsored. Had we done that, we would have curbed the war machines built up by Mussolini and Hitler and Japan. The League of Nations covenant provided for complete curbs and prohibition against an armament and war-machine competition.

The presidential election of 1920 was decided by the No. 1 issue, "Woodrow Wilson's league of nations." Warren Harding won on the issue of isolationism. Curbing of nations building war machines was doomed. The so-called military-industrial complex won—hence World War II was inevitable.

Dr. Bunche performed great service in the United Nations. Had the majority of the representatives in the United Nations been men such as Dr. Bunche, the world would be very different today, instead of being embroiled in international conflicts and wars.

In honoring Dr. Bunche today Congressman DIGGS has performed a great service. I hope there will be more tributes over the Nation and the world to Dr. Bunche and men like him preaching peace and humanity. It will probably help to eliminate considerably the feeling so prominent throughout the globe that in order to settle difficulties we must kill or disable millions of people.

Mr. Speaker, Dr. Ralph Bunche was an outstanding example of that 20th century breed of international officials who devote all their gifts and their very lives to the service of the community of mankind. To many persons around the world he epitomized the United Nations. He knew more about the United Nations potential and accomplishments than any other man, and he embodied the diplomatic skills that enabled him to run a virtual command post for the United Nations.

His most important contribution to the United Nations was his capacity for objective analysis and his very great integrity.

Dr. Bunche had a tough, analytical,

highly disciplined mind, and a firm idea of how things ought to be done.

One of his little-known past activities was to write an unpublished first draft of "An American Dilemma," the monumental study of race relations in the United States.

His character, ability, and teachings will long be remembered by the people of the United States and the world.

Mr. DIGGS. I thank the gentleman for his contribution.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman from Michigan yield?

Mr. DIGGS. I yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, I am grateful that the gentleman from Michigan has yielded. I certainly join with the gentleman and with the many others who have spoken in the House of Representatives, today, extolling the record and the accomplishments of Dr. Ralph Bunche.

Unfortunately, I had only a very casual acquaintanceship with him. I met him in Washington and New York on several occasions in his capacity as a leading member of the staff of the United Nations. However, I read of his career, and I watched his work over the years. His record is one which looms large in the history of the United States.

Ralph Bunche came from a humble background. Yet his achievements in behalf of peace will be etched indelibly on the history of the world. He made some of the greatest breakthroughs for peace in his many worldwide responsibilities. Those accomplishments will be even more fully appreciated as time passes.

Today, we can only say that we are proud Dr. Bunche represented us in the United Nations and represented the United Nations throughout the world. His loss is a loss to all Americans and to the world.

I join with the gentleman from Michigan in extending to his family my deepest condolences.

Mr. DIGGS. I thank the distinguished minority leader for his contribution.

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

Mr. DIGGS. I yield to the gentleman from Iowa.

Mr. KYL. Mr. Speaker, Dr. Ralph Bunche of course was recognized throughout his adult life as a learned man, a man of judgment, a man of wisdom. It will be a long time before we really appreciate the public contribution of this great man in so many different fields.

But I am moved today to say another thing about Ralph Bunche, and, in the final analysis, perhaps his life, his success, his recognition in this regard may be his greatest contribution. Today most of us are moved to say, "He was a great black American," but I believe in his life and in his service he has helped move us to a day when we shall say not that a man is black American or red American or white American but that he is a great American and is a great citizen of the world, and that description alone is sufficient for our discussion.

I thank the gentleman for yielding.

Mr. DIGGS. I thank the gentleman for his contribution.

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

Mr. DIGGS. I yield to the Delegate from the District of Columbia.

Mr. FAUNTROY. Mr. Speaker, first of all I want to add my commendations to the gentleman from Michigan for his great service in calling the attention of this Congress and this Nation to what we have lost in the passing of Ralph Bunche.

When the history of the 20th century is written, one name will be etched deeply in its fabric as having moved like a giant across the backdrop of our times. That is the name of Dr. Ralph Bunche.

In these difficult times of world tension and violent strife, we open wistfully the floodgates of memory and travel back through the years to those difficulties in the Middle East in 1947 when this Nation and our world were blessed with the wisdom, the patience, the understanding, and the passion for peace that was represented in the life and work of Ralph Bunche.

Someone has said that history is nourished by instructive example. The instructive example of the life and work of Ralph Bunche has indeed enriched the public service and exalted the public life.

I knew this Nobel Peace Prize laureate in association with another Nobel Peace Prize laureate who likewise has gone to his reward, Dr. Martin Luther King, Jr. I was with them when they marched side by side from Selma to Montgomery in the pursuit of the constitutionally guaranteed rights of black citizens in this country to participate fully in the political process. The instructive example of his action there as in the Middle East crisis served to help lift this Nation in the eyes of the world to the high ground of principles enunciated but often not lived.

His victory there as in the Middle East, was not a victory of black over white or poor over the affluent; it was a victory of right over wrong, of justice over injustice, of nonviolence over violence; in that victory we all share, black and white, rich and poor, young and old, Protestant, Catholic, Jew, and gentile, Americans, all.

With the passing of Dr. Ralph Bunche, this Nation and our world have lost one of the 20th century's most valiant and effective nonviolent warriors for peace. In these times of violent strife, our minds go back wistfully to those critical hours of our world history in 1947 when the patience, wisdom, and compassion of Dr. Ralph Bunche snatched us from the jaws of world conflict in the settlement of the Middle East crisis.

Ralph Bunche shall be missed because his place is now empty. I pray that God will bless to us his memory and raise up for us another Ralph Bunche for these critical times.

Mr. DIGGS. Mr. Speaker, I thank the gentleman for his contribution.

Mr. SYMINGTON. Mr. Speaker, with the death of Dr. Ralph Bunche on December 9, all of us who were his contemporaries lost an individual of unique stature. Dr. Bunche was truly a citizen of the world, a cosmopolitan man, in a sense few statesmen or political officials ever achieve.

Dr. Bunche's youthful ambition was to be a teacher—and he indeed followed that vocation—with the whole world as his classroom. For the lessons to be learned from the 1950 Nobel Peace Prize winner concerned patient diplomacy and efforts at understanding that transcend national, ethnic, or racial lines. And he used the most proven of all teaching methods—personal example.

Since the Dumbarton Oaks Conference, Dr. Ralph Bunche was identified with the best United States efforts to achieve international communication and cooperation through the United Nations Organization. Continued support of that organization is the most fitting tribute we can offer.

Mr. SCHWENGEL. Mr. Speaker, the passing away of Dr. Ralph Bunche is a tragic loss to the Nation and to the world. Few men have contributed more to the cause of peace in our time.

Born into a poor black family and orphaned at an early age, Ralph Bunche overcame the handicaps of race and poverty through a combination of brilliance and hard work. Before he was ten he was already helping to support his family by selling newspapers in Detroit. During his high school years in Los Angeles he worked as a messenger for the Los Angeles Times and served in the composing room, carrying type. Later he was a houseboy for Charles Ray, the silent-film star. In the summers he worked full time in a carpet-dyeing plant. Much of his energy as an adult must have characterized his younger years. He was an honor student at Jefferson High School and a debater, and he played on the football, basketball, and baseball teams. On his graduation in 1922, he won a scholarship to the University of California at Los Angeles.

At UCLA, Ralph covered himself with his customary distinction, graduating with highest scholastic honors and a fellowship from Harvard for graduate school. On receiving his master's degree there in 1928, he accepted a post as political science instructor at Howard University, where he met Ruth Harris, the young teacher who was to become his beloved wife. There he rose rapidly on the academic ladder, becoming an assistant professor in 1933, and a full professor in 1938. Meanwhile, he earned his Ph. D. from Harvard University with a thesis based on research gained in extensive travels in Europe and Africa, research that pointed the way his future career would take.

As a staff member of the Carnegie Corp. from 1938–40, Dr. Bunche was the chief aid to Gunnar Myrdal in the preparation of what is considered the classic study of the American Negro, "An American Dilemma." During World War II, he went to work for the Office of Strategic Services, making information available to the Joint Chiefs of Staff on Asian and African colonial areas where American forces were serving. He had volunteered for military service, but was rejected because of an old leg injury from the days when he played football at UCLA.

Dr. Bunche was asked to join the State Department in 1944, and there he

quickly rose from area specialist on Africa and Dependent Areas to Associate Chief of Dependent Area Affairs. He was a member of the U.S. delegations to the conferences at Dumbarton Oaks in 1944 and San Francisco in 1945, and the first U.N. General Assembly in London in 1946. He helped draw up the non-self-governing territories and trusteeship sections of the U.N. Charter and was recognized as an authority on colonial problems.

In 1946, the U.N. received a loan of Dr. Bunche from the State Department to help organize and head the U.N. Department of Trusteeship. He remained in this post until 1954, but in the meantime, it was his role as a U.N. troubleshooter in Palestine that brought him world acclaim and initiated the series of special assignments that was to send him to many of the world's most dangerous trouble spots. As the U.N. mediator picked by Secretary General Trygve Lie to succeed the murdered Count Folke Bernadotte at the time of the partition of Palestine, Dr. Bunche worked out the formula for indirect negotiations that finally led to Arab-Israeli agreement on the island of Rhodes, an incredibly difficult and complex task for which he was awarded the Nobel Peace Prize in 1950. During the 1956 Middle East crisis, under a different Secretary General, Dag Hammarskjold, Dr. Bunche did the detailed work in organizing the United Nations Emergency Force which helped prevent a new conflict for 10½ years. In yet another peace-keeping assignment, he organized the U.N. effort to prevent the spread of civil war in the former Belgian Congo after its precipitate independence in the summer of 1960. Ultimately a U.N. force of nearly 20,000 men was involved.

Dr. Bunche's greatest contribution to the United Nations was perhaps the enormous integrity and capacity for objective analysis which won for him the respect, trust, and admiration of diplomats and heads of state of all sides of the various crises he succeeded in mediating. He had a tough, analytical, highly disciplined mind, and a firm idea of how things ought to be done. He also had an intuitive empathy for the parties involved in a dispute, arising from deeply felt humanitarian concern. Once, while he was directing the negotiations leading to the Arab-Israeli armistice agreements he was asked if he did not get discouraged, and his answer was typical of what made him a great man:

> Neither discouragement nor encouragement of any one of us is important. The important thing is that the work go on regardless of what happens. The more I see of the world, the more I am convinced the United Nations is the only hope of the world. Somehow, some way, it has got to be made to work.

That the United Nations has worked as well as it has was due in a very large measure to the effort and dedication of Dr. Ralph Bunche. He believed in the possibility of peace, and he believed in the United Nations as an instrument of peace and the equality of man. All Americans can take great pride in this brilliant diplomat, statesman, and world citizen who did so much to keep the United Nations from collapsing in its first, uncertain, years; who was able to overcome the crippling disabilities of racial prejudice and bitter poverty; and who earned the admiration and respect of the whole world.

Mrs. ABZUG. Mr. Speaker, a black man who was accorded the highest honors this Nation and the international community can bestow, Ralph Bunche was in every respect a superstar. At home in every community in the world, he was able to relate to young people, to the members of the power establishment, and to the exploited everywhere.

His was a true Horatio Alger story, remarkable for any American. Born in 1904 in Detroit, Mich., he was orphaned at the age of 14. Living with relatives in Los Angeles, he distinguished himself in high school sports, excelling in track, football, and basketball. His athletic prowess attracted the attention of the colleges, and he was given a partial scholarship to the University of California at Los Angeles. This he supplemented with jobs as a janitor and in other ways.

Once in college, his intellectual strengths had a chance to make themselves known. He graduated as a Phi Beta Kappa scholar and went on to Harvard and the London School of Economics. His interest in the problems of the black man took him to Capetown, South Africa, and eventually in 1928 to Howard University, in Washington, D.C. At Howard he was assistant to the president of the university, Mordecai Johnson; later he was made chairman of the department of political science, which he organized at that institution. During the 1930's he tried to set up a program of African studies, but it never really got off the ground. While he was at Howard, his own home on campus was a center for students and young faculty, who gathered there regularly on Saturday nights. He maintained these warm contacts over the years.

Former colleagues tell the story of Ralph Bunche as a young professor in the 1930's in Washington, D.C. The Daughters of the American Revolution were staging an international conference on justice, Ralph thought that the subject of lynching, of men taking the law into their own hands, should be on the agenda. It was not, so Ralph and some of his friends mounted a protest. They were told that if they picketed in front of Constitution Hall they would be arrested. So Ralph and one or two others waited out the conference across the street, standing silently with hangmen's nooses around their necks.

Ralph Bunche could have "passed" for a white man. He could have obliterated his heritage and his brotherhood as many blacks did in his day. That he did not is a tribute to his personal courage and integrity and to his deep understanding of the nature of this Nation and its destiny.

Ralph Bunche collaborated on "The American Dilemma," that classic study of the black man in America, by the Swede, Gunnar Myrdel in which the following sentences appear:

> Negroes are discriminated against in practically all spheres of life, but in their fight for equal opportunity they have on their side the law of the land and the religion of the nation. And they know it, all the way to the poorest stratum. They know that this is their strategic hold. No social Utopia can compete with the promises of the American Constitution and with the American Creed which it embodies. Democracy and lawful government mean so much more to the Negro, just because he enjoys comparatively little of it in this country. Merely by giving him the solemn promise of equality and liberty, American society has tied the Negroes' faith to itself.

Ralph Bunche could have written, and probably did write those words. For he believed in and embodied the American dream.

In his years at the United Nations, Dr. Bunche displayed the highest qualities of statesmanship—intelligence, firmness, patience, and faith in the ability of men to resolve their differences through peaceful means. He was placed in charge of peace-keeping operations in Palestine in 1948, an assignment which he fulfilled with such outstanding success that he was awarded the Nobel Peace Prize the year after. Unfortunately, the peace he was able to achieve then did not endure, and he was called upon again following the Suez crisis of 1956 to serve as a mediator. He thought in the following decade that a way had at last been found to use military force for peace rather than for war.

It must have been a great source of chagrin for him to see the U.N. gradually undermined in the Middle East and elsewhere in favor of big-power confrontations. Of course he opposed the tragic American military adventure in Vietnam, although he could not state his views publicly.

But those who knew him state that he never became discouraged or embittered. His sense of the "possible" was always with him, and with it went his belief in the viability of the United Nations organization which he had helped to form. I hope that my colleagues will use the occasion of this remarkable man's death to resolve to support that organization in every way possible, for it continues to be man's best hope for a rational world order.

Mr. NEDZI. Mr. Speaker, I met Ralph Bunche only once, and briefly. It was at the United Nations and Mr. Bunche was in failing health, toward the end of his career.

I did not know the man personally, but I knew and admired his career. It is a career which deserves that rarest of accolades: Statesman.

Indeed, to use the late Dean Acheson's phrase, Ralph Bunche's death closed a life and career, it did not interrupt it. Ralph Bunche had lived a full life, a life packed with quality and with dedication to betterment of a troubled humanity.

Ralph Bunche was born in my hometown, Detroit, but he moved away while still very young. So his Detroit ties were remote. His strongest ties and his most remarkable years were with the United Nations. He was, as we know, the U.N. mediator who arranged the Arab-Israeli armistice in 1949 and he was a principal figure in U.N. operations in the Congo and the Middle East.

Ralph Bunche was the top American in the United Nations. He had been an

athlete, a respected teacher, and a friend of world leaders and potential leaders long before that. It may be many years before we see his like again.

Mr. PEPPER. Mr. Speaker, the angel of death has taken in Dr. Ralph J. Bunche a noble evangel of the cause of peace on this earth. This great man, this incomparable human being, is mourned throughout the world, in memory of his lifelong devotion to peace, in gratitude for the service he gave to this fondest hope of all mankind.

I remember him in gratitude for his service as the able Under Secretary General of the United Nations, in deep respect for his personal contribution to greater understanding in our own country of the insignificance of the color of a man's skin, and in memory of the personal friendship which he extended to me.

My sense of personal loss is tempered by my knowledge that his life was a testament to the noble aspirations he had for all men. He believed that men could live together in peace and confidence because he had that peace and confidence within himself. He knew his own tremendous resources and he sought to bring about for all men the conditions necessary for the full flowering of their lives.

Dr. Bunche was concerned with the peace of the world and he served the United Nations with deep devotion in some of the most difficult diplomatic situations in the world. But, while his soul enveloped the cause of all mankind, he never lost for a moment that keen sense of identity with the individual which caused him to say:

> No Negro American can be free from the disabilities of race in this country until the lowliest Negro in Mississippi is no longer disadvantaged because of his race.

Dr. Bunche was a man sure of the ultimate worth and goodness of the individual, a practical man who could live his idealistic dream of bringing to all men the opportunity to realize his individual worth in dignity and peace. Our loss is great, but his dream goes on and it cannot fail while it continues to motivate such men.

Mr. METCALFE. Mr. Speaker, many great individuals have lived to become institutions in their own right in our country and so often they are the ones who had to struggle against extreme odds to make their contributions and achievements.

Dr. Ralph Johnson Bunche was one of those American institutions. His death last week has made all of us stop and reflect on his brilliant record as an international public servant.

He won the Nobel Peace Prize in 1950 for his successful negotiations to obtain an armistice between the new state of Israel and its Arab neighbors in 1948. That was indeed a great honor. But perhaps it is impossible to give Ralph Bunche the praise that is due him, either in life or after death.

He was an orphan. And he was a black man who rose to become the highest ranking American in the United Nations. It was a long, hard climb. I am sure. He was born close to poverty—the son of a Detroit barber—and was orphaned at age 13. He won an athletic scholarship to UCLA, where he worked as a janitor in the women's gym and spent his summers as a mess boy on a coastal steamer. Yet, he graduated Phi Beta Kappa from UCLA in 1927; earned a master's degree and a Ph. D. in government and international relations from Harvard; then joined Howard University's faculty, where he later became chairman of its political science department. Even at that level of achievement, it had to have been a struggle from his humble beginnings.

By the time he died in New York last week at age 67, he had already become a legend—an ideal international civil servant, who had been with the United Nations since its formation in San Francisco in 1945.

Most of Dr. Bunche's near quarter century of U.N. service was spent on the firing line of the Middle East. He was an expert on colonial affairs and served as an U.N. observer during the Yemen civil war and the Greek-Turkish crisis on Cyrpus. In addition, he organized and for a short time actually led the U.N.'s 1960 peace-keeping expedition to the Congo.

His greatest triumph, however, was an 81-day negotiating marathon on the isle of Rhodes that led to the original Palestinian settlement in 1949.

Though Dr. Bunche achieved his international prominence in world affairs, he was no stranger to the problems that affect every black man in America.

In 1938, working with Swedish sociologist, Gunnar Mydral on research for his classic study on the U.S. Negro, "An American Dilemma," Dr. Bunche was run out of one southern town and narrowly escaped lynching in another. Yet, that same Ralph Bunche, who struggled against the tides as a black man and as an orphan, rose to become Under Secretary General for Special Political Affairs in the United States and at the time of his retirement last June, was Secretary General U Thant's most influential political adviser.

He has indelibly made his mark on the pages of history in the areas of race relations and human relations and has broadened America's moral position in that respect as a leader among leaders of the free world. His life was a legacy of inspiration for generations to come.

Ralph Bunche, a man of great love, peace and human understanding, did indeed come pass this way and the whole world is surely better off because he did.

Mr. BROOMFIELD. Mr. Speaker, the world still mourns the death of Ralph Bunche. During his lifetime this gentleman of international peace worked ceaselessly toward a better world for all people.

Mr. Bunche left behind him a record of achievements which would be the envy of any man. A scholar, he received his doctorate in 1934 from Harvard University. Later he was to leave his professorship at Howard University to devote his talents toward a much larger task.

As an early adviser at negotiations for the United Nations, he presided over the birth of the organization that was to become his life's work. He rose to the height of world acclaim and respect. This recognition was followed by the Nobel Peace Prize after he negotiated a settlement to the 1949 Arab-Israel war.

However, to be more precise, he won that award every day of his tenure at the U.N. In each of his endeavors, those which reached the headlines as well as those which did not, he exemplified the spirit of international cooperation which marked the U.N.

Mr. Speaker, the late Under Secretary General has left a legacy for all men to follow and profit from. As with all great men, however, he leaves behind a great deal of work—work which must be continued despite his loss. Having blazed the path toward international understanding, it is left now to others to complete his unfinished work.

I can imagine no greater compliment to the memory of this distinguished American than a rededication of our efforts toward the spirit of world peace.

Mr. Speaker, Ralph Bunche was truly a unique individual. His untimely loss will be felt by the U.N. and the people of the world.

To his widow and children, I join my colleagues in expressing my deepest sympathies.

Mr. STOKES. Mr. Speaker, today we pay tribute to Dr. Ralph J Bunche, whose life of accomplishment was unique. He rose to the pinnacle of academic excellence at a time when few black Americans could, and became one of the world's most respected diplomats. His recognition of the uniqueness of his opportunities led him to seek and to attain excellence in all that he did.

His experience with racism inspired his lifelong struggle for the civil rights of black Americans, and his dedication to the human rights of all peoples of the world.

He was, above all else, a peacemaker. A respected diplomat, he mediated the dispute between the Arabs and the Israelis at the time of the creation of Israel. His efforts in that dispute were recognized by the award of the Nobel Peace Prize. The Nobel Prize was his greatest honor, but his later accomplishments, while in charge of the United Nations peacekeeping operations in the Congo, the Middle East, and Kashmir, were more satisfying to him.

He served in the United Nations with distinction from its inception, and his wisdom and his diplomatic skill will be sorely missed there.

We honor his memory today with speeches. We can honor his memory in a more meaningful way with deeds which lead toward world peace and the brotherhood of all peoples. His dedication to that goal was total, and he worked tirelessly. We can try to do the same.

Mr. BADILLO. Mr. Speaker, I am honored to join in paying tribute to one of this century's great statesmen—Dr. Ralph Johnson Bunche—a man who dedicated his life to the causes of peace and human dignity.

Teacher, civil rights activist, peace mediator, Nobel laureate, and international civil servant, Dr. Bunche's career more than paralleled that of the United Nations, the organization with which he was associated for more than 25 years.

Although Dr. Bunche's U.N. career is well known, I believe it is important to recall that he was at the forefront of the early struggle of blacks to achieve equality and justice—at a time when it was not only not "fashionable" to press for equal rights but, on occasion, physically dangerous. An active member of the NAACP for almost a quarter century he manned more than one picket line protesting discrimination and it is reported that he was almost the victim of an Alabama lynch mob while he and Dr. Gunnar Myrdal were researching their monumental study of U.S. race relations. While he eschewed the militancy of some he nevertheless was deeply committed to the struggle against racial and religious bigotry. In countless ways he strove to end the hate, intolerance, and lack of understanding which separated men, both in the United States and overseas.

The unique and masterful diplomatic skills which Dr. Bunche demonstrated in his world famous negotiations in Palestine in 1948 were legendary and were repeated on countless occasions over the past several decades—in the Suez area in 1956, in the Congo in 1960, and on Cyprus in 1964.

Recipient of the Presidential Medal of Freedom, the Nation's highest civilian award, Ralph Bunche was truly a man for all seasons. We shall deeply miss his wisdom and counsel and we extend our deepest sympathies to his family. At the same time we should express our gratitude for the good fortune to have had such a man among us, a man from whom we gained inspiration, from whom we learned, from whose guidance the world prospered and grew, and by whose hand the cause of peace was actively promoted.

Mr. WHALEN. Mr. Speaker, Dr. Ralph J. Bunche was described last week by United Nations Secretary General U Thant as "an outstanding example of that new 20th-century breed of international officials who devote all of their gifts and their very lives to the service of the community of mankind." Surely, historians in years hence will concur in that assessment of Dr. Bunche.

Perhaps they also will conclude that he had few equals in this century as a working advocate of peace. Dr. Bunche received the 1950 Nobel Peace Prize for his successful mediation of the 1949 armistice agreement between Israel and the Arab States. In addition, he directed the United Nations peacekeeping efforts in the Suez area in 1956, in Congo in 1960, and Cyprus in 1964.

The roots of Dr. Bunche's dedication to peace are best expressed in his own words:

> I have a bias against war, a bias for peace. I have a bias which leads me to believe in the essential goodness of my fellow man, which leads me to believe that no problem of human relations is ever insoluble. And I have a strong bias in favor of the United Nations and its ability to maintain a peaceful world.

Mr. Speaker, certainly all of us in the House share Dr. Bunche's biases. Thus, the most appropriate remembrance of him today would be to rededicate ourselves to achieving that peaceful world which he pursued.

Mrs. Whalen joins me in extending our sympathy to Mrs. Bunche and her family.

May Dr. Bunche rest in peace.

Mr. COLLIER. Mr. Speaker, the career of Ralph Johnson Bunche, who died a few days ago, was an eloquent refutation of the charge that Negroes cannot achieve success by working within the system. Admittedly, obstacles have strewn their paths, but to Bunche these were but challenges to be met.

Born in Detroit in 1907, he worked his way through the University of California at Los Angeles and graduated in 1927. Harvard University granted him a master's degree in government in 1928 and a doctorate of philosophy in political science in 1934. He also received a postdoctoral fellowship from the Social Science Research Council. He later studied at Northwestern University, the London School of Economics, and the University of Capetown, South Africa.

During this period of academic preparation, Bunche traveled through French West Africa on a Rosenwald field fellowship and studied and compared the administrations of mandated French Togoland and colonial Dahomey.

He taught political science at Howard University, becoming a full professor in 1938. Harvard appointed Bunche a professor of government in 1950.

During World War II he was with the Joint Chiefs of Staff and the Office of Strategic Services and entered the Department of State in 1944. He declined an appointment of Assistant Secretary of State in 1949.

Mr. Speaker, surely if Ralph Bunche could receive an education and obtain positions in the higher echelons of government under conditions prevailing during the first half of this century there is ample opportunity for other Negroes to emulate his efforts and equal or surpass his achievements under the more promising conditions existing today. Like him, they must prepare themselves adequately; like him, they must take advantage of the opportunities that come their way.

May he rest in peace and may God comfort those who survive him.

Mr. KUYKENDALL. Mr. Speaker, it is an honor to join my colleages today in paying respect to a man whose greatness we all recognize.

It is not necessary to recount his tremendous struggle to rise to the top of his profession in international geopolitics, nor the brilliance that guaranteed his success, nor the Nobel Peace Prize that crowned his career.

What we may well remember today is the legacy he left us . . . the picture of a man working the better part of his active life, to the point quite literally, of driving himself to ill health and death, for a goal. That goal, which Ralph Bunche died for, is a relatively simple thing: the community of nations and the brotherhood of man.

Centuries from now, when his name is a mere footnote in history, the citizens of this world may wonder why he had to sacrifice himself to show peoples how to sit down and talk over their problems instead of fighting about them. And they probably will never know how hard it was, and how desperately we needed the Ralph Bunches and the Dag Hammarskjolds, and how we mourned when they left us.

But we know. We list them as casualties in the struggle for peace, and we go on struggling. The greatest thing we could say today in Dr. Bunche's memory is that it will come, and when it does, it will be because he helped, and because he inspired others to help.

For Ralph Bunche, the world's requiem should be simply, "Thank you, Mr. Secretary."

Mr. HAMILTON. Mr. Speaker, it is appropriate in this time of search for peace and accommodation in the Middle East to remember the significant contributions of Ralph Bunche toward promoting a settlement of the Arab-Israeli conflict.

In the late 1940's, Dr. Bunche, as the Director of the U.N. Secretariat's Trusteeship Division, worked tirelessly for peace and armistices between Israel and its Arab neighbors following the Arab-Israeli war of 1948. His successful efforts in the Rhodes negotiations won him the deepest respect of both sides. The Egyptian commander spoke of Bunche as "one of the greatest men in the world" and a top Israeli official at Rhodes called Bunche "superhuman."

For his contribution, Bunche received the 1950 Nobel Peace Prize.

In subsequent years, Bunche, as U.N. Undersecretary for Special Political Affairs, was in charge of several U.N. peacekeeping ventures in the Congo, Kashmir, the Middle East and elsewhere. Bunche's own words were:

> Keeping peace in the Middle East after 1956 was the single most satisfying work I've ever done . . . for the first time we found a way to use military men for peace instead of war.

Dr. Bunche's life holds many lessons for all of us, but none is more important than his optimism about mankind's progress despite his many and frequent encounters with racism, hatred, war, and the inhumanity of man to man. Ralph Bunche declared:

> For more than a quarter of a century, I have been engaged in work in which hopefulness is an imperative qualification. One must believe that man can be saved—or salvaged—from his inevitable follies, that all problems of human relations are soluble . . . that conflict situations, however deep-seated, bitter and prolonged, can be resolved, that a world at peace is in fact obtainable. Otherwise one's work, all diplomacy, the United Nations itself, become a fateful travesty and all mankind would be doomed.

Mr. Speaker, it is time both to remember Ralph Bunche, the idealist and realist, for his faith in man's ability to save himself, and to realize how sorely needed men of his faith and talents are.

Mr. HATHAWAY. Mr. Speaker, on December 9, 1971, this Nation and the world suffered a great loss, the loss of a man who has contributed so much to the goal of world peace, Dr. Ralph J. Bunche.

Dr. Bunche was an outstanding symbol of what a man from a humble beginning can achieve in this country. The grandson of a slave and orphaned at the age of 14, Dr. Bunche worked hard to put himself through high school and college.

His efforts in settling the Palestinian war in 1949 brought him world prominence, and won him the Nobel Peace Prize in 1950.

The world is grateful to Dr. Bunche for his dedication to the cause of world peace. His contributions will not be forgotten, and his death leaves a void in this country which will be hard to fill.

To his wife and children I extend my deepest sympathy.

Mr. CLARK. Mr. Speaker, the death of Dr. Ralph J. Bunche has taken from the world one of its foremost peacemakers and statesmen. His passing is a tremendous loss, not only to those who want and seek peace among all men, but to his Nation and the race he so well represented in the ranks of diplomacy.

It was my privilege to have known Dr. Bunche personally since 1958. He was dedicated to peace. He was a bulwark of the United Nations in some of its most trying periods. He was a fighting champion of human rights and equality, a gentle but firm man.

The world is a better place today because Dr. Bunche lived in it. He left lasting footprints on the sands of time. He qualified well for inclusion in the Sermon on the Mount as "Blessed are the peacemakers, for they shall be called the children of God."

Mr. MANN. Mr. Speaker, it is my privilege to stand in this House of Representatives and pay final tribute to a great American, Dr. Ralph Johnson Bunche. Ralph Bunche was an outstanding example of what a man of true ability can accomplish in this country. Born a poor boy, orphaned at 13, he was brought up by a grandmother who harbored great hopes for him, and she was not disappointed. He was self-supporting from the time that he entered high school until he graduated from college as a Phi Beta Kappa and one of UCLA's great all-time football players.

He earned both his M.A. and Ph. D. degrees at Harvard University. He joined the faculty and established the Department of Political Science at Howard University. After about 10 years at Howard he began a 2-year collaboration with the famous Swedish sociologist, Gunnar Myrdal, in an important effort, surveying the Negro's condition in America. This work emerged as the classic study, An American Dilemma, in 1944.

During World War II, Dr. Bunche served his Government in important capacities. He then became vitally interested in efforts being made to establish international organizations to keep the peace. When the United Nations became a reality, Dr. Bunche became a permanent part of its staff. He was so successful in his work with the United Nations that in 1950 he was awarded the Nobel Peace Prize. For many years he was the highest ranking American in the Secretariat of the United Nations.

Dr. Bunche was a man of peace because he was a man of faith. In World War II, when many Negro leaders urged divisiveness upon their people in order to pursue their own aims first, Ralph Bunche clearly saw that there was no choice—that the only choice which all Americans had was to defend their country against the aggressors abroad, and he worked to do just that. Before then, when he joined Gunnar Myrdal in the first major critical study of the Negro's place in America, Dr. Ralph Bunche never gave up his belief in his country's ability to right wrongs, nor his realistic view that if such wrongs could not be righted here, they would not be righted anywhere. Then, in the wake of the atomic bomb, he saw that if all mankind was to survive, there must be understanding, there must be communication, there must be faith in the rule of reason, and it was these beliefs that caused him to conclude that the United Nations held man's greatest hope for peace.

Mr. Speaker, in an age of divisiveness, when many people are convinced that their own special interests should precede in importance those of the whole society of man, Ralph Bunche's life and faith shine as beacons for us all. His life was a living embodiment of Benjamin Franklin's warning that either we hang together or we hang separately. Ralph Bunche believed in the brotherhood of man, and he promoted the brotherhood of nations. Our disappointment with the accomplishments of the United Nations should not and will not cause us to lose our appreciation for the dream and vision that Ralph Bunche had for all of mankind. Let us continue to strive toward the fulfillment of his dream and to develop those techniques and methods that will truly cause the ancient prophecy of Isaiah to come to pass. There have been many swords beaten into plowshares because of the work of Ralph Bunche. Let us take up his torch.

Mr. FASCELL. Mr. Speaker, on December 9, one of America's most accomplished and distinguished sons, Ralph J. Bunche, the former Under Secretary General of the United Nations, died.

Not only the people of the United States but all mankind have lost a friend, a man whose passionate devotion to human justice and the cause of peace made our's a better Nation and this a better world.

How does one measure the accomplishments of a man whose whole life was dedicated to the pursuit of peace and social justice? Wars, poverty, oppression, and discrimination continue, yet Ralph Bunche left behind, in a very tangible way, a legacy of peace. There were wars he, more than anyone else, brought to an end and wars he helped prevent. In the United States too, through his ceaseless appeal to reason and understanding on behalf of civil rights, Ralph Bunche helped lay the groundwork for social justice and racial peace.

But Ralph Bunche has left us much more than a series of accomplishments whose splendor will one day fade into the distant past. He has left us with instruments with which to continue his work. More than any other one man he, as the strong right arm of all three of the United Nation's Secretary Generals, molded and shaped the United Nations system into an effective, though still fragile, force for peace in the world.

No measure of Ralph Bunche's accomplishments would be complete without mentioning perhaps the greatest thing of all which he has left us: the example of a fully human life, nobly led in the service of all mankind.

Ralph Bunche was proud that he had made it the "hard way" and well he should have been. Orphaned at 13, fully supporting himself at 15, he overcame both poverty and racial prejudice to become the second highest official in the world community.

Born in Detroit, Mich., on August 7, 1904, Ralph Bunche early realized that education was the key to both success and what he hoped to accomplish in the world. After obtaining both his Phi Beta Kappa key and an A.B. degree at UCLA he went on to get an M.A. and Ph. D. at Harvard. He followed this up with post doctoral studies at Northwestern, the London School of Economics and the University of Capetown.

In 1928 Dr. Bunche, at the age of 24, was here in Washington heading the political science department at Howard University where he stayed until 1950 except for time—a great deal of time—spent serving his country.

With the coming of World War II Dr. Bunche joined the Office of the Coordinator of Information as a senior social science analyst. In 1942 he moved over to the Office of Strategic Services where he headed up the Africa research and analysis section. In 1944 he joined the State Department where he served in various capacities until 1946. Meanwhile in his spare time Dr. Bunche was helping a relatively obscure professor, Gunnar Myrdal, conduct a survey of the Negro in the United States which in 1944 was published as the now monumental work An American Dilemma.

It was while he was at the State Department that Dr. Bunche came into contact with the emerging new international organizations which were to play such a role in the post war world. He was a delegate to both the Dumbarton Oaks Conference and the United Nations San Francisco Conference. He then became a delegate to numerous United Nations preparatory meetings and eventually a U.S. Representative to the United Nations First General Assembly.

In 1947 Ralph Bunche joined the United Nations Secretariat where he remained until ill health forced his retirement last October. Dr. Bunche's accomplishments at the United Nations are too numerous to detail, but he was proudest and the American people were the proudest of his winning of the Nobel Peace Prize in 1950 for his role in restoring peace to the Middle East through the Rhodes Agreements.

Dr. Bunche's negotiating skills proved invaluable again; in 1956 when he set up the U.N. Peacekeeping Force that kept the Middle East peace for 10 years and in 1960 when he organized U.N. operations which kept the beleaguered Congo together.

While important emergency missions like these occupied much of Ralph Bunche's time at the United Nations he also carried out his more routine but equally vital functions at U.N. headquarters. From 1947 to 1954 he headed up the United Nations Trustee Department. In 1954 he was elevated to the post of

Undersecretary and finally in 1968 he assumed the position of the Under Secretary General of the United Nations.

Mr. Speaker, how does one measure Ralph Bunche's accomplishments? Suffice it to say that thousands are alive today who, except for his skills and dedication, would not be; that thousands of his fellow citizens love one another a little more because of his example and his words; that many, many others are inspired by his life to continue his work.

Mr. BEGICH. Mr. Speaker, when Ralph Bunche died last week, the cause of peace and world order suffered a great loss. Throughout his adult life, Dr. Bunche dedicated himself to the cause of peace so that men everywhere could enjoy life free from the ravages of war.

He knew more about the forces of peace than any other man. His personal diplomatic skill combined with his clear understanding of the United Nations role in world order helped him achieve the results that few men have been able to do. At no time was his skill more evident than when he worked out the formula for indirect negotiations that led to the Arab-Israeli agreement in the late 1940's. For his efforts Dr. Bunche received the Nobel Peace Prize in 1950.

As a youth, working his way through college, he soon recognized the virtue of hard work, perseverance, and dedication to excellence despite the ugly prejudices that surrounded his efforts. In 1950, Dr. Bunche reflected upon his accomplishments in light of some of the hardships he suffered because he was black. He said:

> Because of its basically democratic structure, the American society affords the opportunity, even for disadvantaged groups such as the Negro, to aspire for and make progress towards the good life. Every individual and group is entitled to put forth maximum effort to right wrongs, to obtain redress for grievances, to protest and struggle incessantly against disabilities such as discrimination, segregation, disenfranchisement and denial of opportunity.

His own rise from being the grandson of a slave to a world renowned statesman lends truth to his observations.

Dr. Bunche has had many firsts to his credit. He was a brilliant scholar at ULCA and the first black to receive a Ph. D. in political science. He was the first black to be selected to a top State Department position and the first to achieve an international reputation as a diplomat, resulting from his success as U.N. mediator in the Middle East in 1949. When President Truman offered Dr. Bunche an appointment as Assistant Secretary of State, then the highest governmental post ever offered a black, he chose to remain with the United Nations.

One associate who worked with Dr. Bunche for many years tried to explain his success.

> He had a tough, analytical, highly disciplined mind, and a firm idea of how things ought to be done. Dr. Bunche had an intuitive sense of empathy for the parties to a conflict that frequently won him the trust of both sides.

These traits, along with his sense of dedication, earned him a reputation as being one of the most skilled diplomats in the world. The product of Dr. Bunche's efforts truly indicate that he was a credit to peace and humanity.

Mr. MAZZOLI. Mr. Speaker, there can be only one fitting memorial to Dr. Ralph J. Bunche. And that, quite clearly, is the rededication of each of us here in this Chamber—and of men of good will the world over—to the attainment of the international harmony for which Dr. Bunche devoted his life.

Rather than stand here today and measure the greatness of our loss—which, indeed, has been great—I feel it is far more appropriate that we pledge ourselves to the goal of assuring that Dr. Bunche's work will be continued without diminution.

Let us see to it that the role of the peacemaker, as symbolized by the life work of Ralph Bunche, becomes a guiding force in the future conduct of our country's international relations.

Mr. MILLER of Ohio. Mr. Speaker, we mourn the loss of one of history's noblest servants of peace—Dr. Ralph J. Bunche.

I think the opening line of the Washington Post's editorial in tribute to Dr. Bunche says it best:

> There can hardly be a land in which the death of Ralph Bunche will not be mourned as though he were one of their own.

He was a citizen of the world—a gentle, compassionate man who understood that peace was a right of all people. He devoted his work through the United Nations to seek out peace in a troubled world, and for his efforts in mediating an end to the 1949 Arab-Israel war he earned the Nobel Peace Prize. When the Congo erupted in 1960, Dr. Bunche was the United Nation's first representative sent into the strife-torn African nation to oversee U.N. civilian and military operations.

At this point, Mr. Speaker, I inserted the editorial from the December 11 Washington Post in memory of the man President Nixon eulogized as "one of the greatest architects of peace in our time."

RALPH J. BUNCHE

> There can hardly be a land in which the death of Ralph Bunche will not be mourned as though he were one of their own. He rose beyond nationality until in a true sense he was a citizen of the world, with all mankind his constituency. His was the noblest service to which a man could be committed—the service of peace. All his life, it seemed, was a preparation for that service, an education in the arts of conciliation and rapprochement and the promotion of understanding, the essential stuff of diplomacy.
>
> He learned as an American how to moderate the implacable mistrusts of racial antagonism. And he learned as an international civil servant, rising to the summit of the United Nations hierarchy, how to assuage inveterate rivalries and hostilities between nations. It seems quite fair to say that the U.N. achieved its highest usefulness and effectiveness in the time when Ralph Bunche painstakingly worked out an Arab-Israeli agreement on the island of Rhodes that preserved an uneasy peace in the Middle East for the better part of two decades and when he headed the U.N.'s successful effort to prevent the spread of civil war in the liberated Belgian Congo. Like another great leader of his race, he had a dream—of a United Nations capable of keeping the peace—and he spoke eloquently of it accepting his Nobel Peace prize in 1950. An excerpt from that address, reprinted for the Record elsewhere on this page today is a sad reminder—made all the sadder by the warfare now raging unabashed in the Asia subcontinent, of how little the world has learned from his wise counsel.
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> Though he was a man of peace and a man of reason, Ralph Bunche was also a man capable of boiling indignation at the injustices and discriminations inflicted upon Negroes in America. He was, in the best meaning of the term, a militant champion of human equality. He served that cause most conspicuously and perhaps most effectively when he declined an offer by President Truman to make him an assistant secretary of state. He declined the offer, he said quietly and articulately, because he did not wish to subject his wife and children to the indignities of segregation that then prevailed in Washington. His statement stung the conscience of the country and aroused it as no amount of ranting or violence could have done.
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> Ralph Bunche was a gentle, learned man of action. He achieved much in the long years of his service to peace. And he left a legacy of hope in the depth of his belief in the perfectability of man.

Mr. MORGAN. Mr. Speaker, I welcome the opportunity to join with my colleagues in paying tribute to the memory of Dr. Ralph J. Bunche.

Americans have a special place in their hearts for those of humble origin who rise through merit from humble beginnings to positions of eminence.

The career of Ralph Bunche exemplifies such a man who rose in a manner that probably has no precedent in our history.

It is important for us not to dwell too much on the obstacles which Ralph Bunche had to overcome.

By any standards of measurement, he qualifies as a great man, a world leader, and a great American. He ranks with the best.

His service as a peacemaker, first attracting the notice of the entire world as the mediator of the conflict between Israel and the Arabs in 1949, followed by his work in dealing with armed conflict in the Congo and on the Island of Cyprus, typifies to many of us what the United Nations ought to do and points the direction to which it should go.

I share the sorrow of all of my colleagues at the passing of Ralph Bunche. The world has suffered a great loss.

I hope there is someone living in the world today who can carry on the work which he can no longer perform.

Mr. PATTEN. Mr. Speaker, I appreciate having the opportunity today to join my colleagues in paying tribute to the late Dr. Ralph Bunche.

With the passing of this fine man not only America, but the whole world, has lost a friend. In our time where each day the world gets a little smaller, too few men realize that humanity is not served by war. Dr. Bunche knew that humanity was served better by peace, and he dedicated his life to helping nations find ways to work together. He was a great mediator. Nations found that they would be treated fairly and equally when they sat down with him to discuss their differences.

Dr. Ralph Bunche believed in the equality of all men, and with quiet dignity he expressed his beliefs. He saw injustices here in his own country, and he

worked to stop it with the same philosophy he took later to his work between nations. He knew man must work with man and each must respect the other. When men cannot work together, nations cannot work together.

Dr. Bunche's death is America's loss; it is the U.N.'s loss. It is a loss to all nations who believe in the ideals of peace and freedom.

I hope that his work will not soon be forgotten. Rather may his efforts for peace be an example to the world of what justice and respect can do for the dignity of man.

Mr. BURKE of Massachusetts. Mr. Speaker, I rise today to participate in this special order in honor of one of America's great men who passed away on Thursday last, Dr. Ralph J. Bunche, former Under Secretary General of the United Nations, who will forever be linked with that organization in the minds of men the world over.

So indelible an imprint has he left on that organization that his passing will confirm for many the end of an era for that organization. He was America's greatest single contribution to that organization and personified this Nation's commitment to international peace and order for over 25 years of service with that organization, during times of crises and stalemate, cold war and hot wars, whatever administration was in power, however fierce the debate over foreign affairs raged at home.

It is often said this country lacks the tradition of dedicated, selfless career civil servants of the highest caliber as is common in some of the European countries. Business and the professions too often lure away Government's best talent. Well, if such is the rule then Ralph Bunche is certainly a notable exception.

Of course, regrettably it is not possible even in this day and age to pay tribute to a man of such singular accomplishment and background without being aware that one of the distinctive elements in the Ralph Bunche story is the fact that he was a central figure in this country's sometimes tortuous race relations story. Being black in this country has never been easy and Ralph Bunche was no exception to this rule. In fact, one of the reasons that Dr. Bunche is alleged to have abandoned any hopes of a career in this city in high level Government positions is because of the subtle forms of discrimination he would have had to live with on a daily basis.

Apparently, New York or the international capitals of the world were easier for him to take. While it is true that America's loss was the United Nations' gain—and this country's gain in the end—his life and all the many petty injustices this great committed, tireless, patriotic, public official had to endure as the price for his color and heritage is something none of us can be proud of. And yet, even in this respect, his life made a significant contribution to his Nation. By his own personal example and high standards of integrity, in spite of all the petty insults and smallness he encountered, he scored great victories. His career made him a one-man apostle to other races and gave the lie to some of the more ridiculous prejudices nurtured in the innermost thoughts of the Nation. Today, there are doubtless many who feel this man was too patient, too long-suffering, and too willing to turn the other cheek but none can deny that in his time and in his way, he probably was responsible for more progress between the races than any other man prior to 1960.

Therefore, it is altogether fitting and proper that this body should pause in its business today to bow its head in prayer for the soul of a truly great statesman, at home and abroad. May he know at last the true peace and understanding that he spent his whole life in search of here on earth.

Mr. WILLIAMS. Mr. Speaker, I join with all Americans in mourning the death of Dr. Ralph J. Bunche, Under Secretary General of the United Nations, who died December 9, 1971. He was truly one of the peacemakers of our time and his passing is deeply regreted in our troubled world.

As we all know, he was a member of the U.S. delegation to the Dumbarton Oaks meetings in 1944. From that time until his death he served the ideal of world peace within the U.N. organization. Dr. Bunche received the Nobel Peace Prize for his outstanding work in resolving the first Arab-Israeli war and his abilities will be missed by the entire international community.

I join with my colleagues in extending my sympathy to his wife and children at this sorrowful time.

Mr. LONG of Maryland. Mr. Speaker, I join others in Congress and across the world who grieve the loss of Dr. Ralph J. Bunche, Under Secretary General of the United Nations.

Ernest B. Furgurson has written an article describing the difficulties which a black man in the past has had to surmount in order to advance to high position.

Mr. Furgurson's article gives us some perspective on the tremendous progress in opportunity and acceptance for black people which has taken place since Ralph Bunche was a boy. The story of what Dr. Bunche went through arouses our admiration for this great man and serves to inspire all of us to work harder to achieve a better world for every man regardless of his religion or color.

The article follows:

[From the Baltimore Sun, Dec. 14, 1971]

RALPH BUNCHE: THE BARBER'S SON IN HISTORY

(By Ernest B. Furgurson)

WASHINGTON.—The death of any man who has been prominent for long is likely to spin our memory back to the first time we ever heard of him. So with Ralph Bunche, who was classified prominent when he reached a level that was very middling indeed by standards of Washington protocol, because then so few men of this race were publicly noticed at all.

We knew about Louis Armstrong, Duke Ellington, Bill Robinson and maybe Paul Robeson in the middle Forties, but that was even before Jackie Robinson broke in with the Dodgers. As for a black diplomat, most of us could not imagine such a character unless he was wearing a swallowtail coat and rolling his eyes in a skit in the Silas Green from New Orleans minstrel show.

That was when most newspapers still ran the word "Negro" between commas after the name of any black man in the news—especially crime news, which was virtually the only route by which blacks were allowed into print. The measure of a paper's enlightenment in most cities was not yet whether it omitted that designation, but whether it dared begin it with a capital N.

That was when many papers, not just in the South, never referred to a black wife as Mrs. Smith—it was "the Smith woman" instead. That was when one small-town weekly, the first paper I ever worked on, ran a regular page headed "colored news" with accounts of graduations and weddings and promotions from Pfc. to Corporal, and nobody thought of it as an insult, instead it proved how liberal we were, because the opposition papers confined their "colored news" to copyings off the Saturday night police blotter.

Under such circumstances, a black barber's orphan son like Bunche had to sneak, or be sneaked, into public office. On his record, he was a token Negro in the State Department long before law and custom made token Negroes a common fixture in government and business. And despite the strength and brilliance he demonstrated over the following years, I still have the impression that his brains and character alone would never have given him that chance except for two things: the fact that he was *Doctor* Ralph Bunche, and the fact that his skin was lighter than that of many whites.

It was only after he was valedictorian of his high school class, a Phi Beta Kappa graduate of UCLA, a master of arts and doctor of philosophy at Harvard, and advanced student at Northwestern, the London School of Economics and Capetown University, and a professor at Howard that he joined the War Department—and then as a highly specialized analyst of African and Far Eastern affairs. When he moved to the State Department in 1944, it was as head of the Division of Dependent Area Affairs, which also meant dealing with dark people.

Still, all his degrees and the pigments in his skin did not insulate him from the same realities faced by other less special blacks—not even in the midst of the well educated and presumably open-minded class of men known as diplomats.

My colleague Paul W. Ward, on the diplomatic beat for many years, recalls that when the American delegation prepared to travel to the first United Nations conference in London in January 1946, none of Bunche's fellow diplomats was eager to share a stateroom with him. When one compatriot found this out and volunteered to room with Bunche, it was not an Ivy League professional but a Boston Irishman—the late Michael J. McDermott, who had no Ph.D. but got his first job with the government in World War I on the basis of his typing speed, and went on to serve as State Department press officer through World War II.

Bunche survived that snub. He already had been through other incidents that sound so familiar now, such as the time he helped obtain special permission for blacks to attend the original "Porgy and Bess" during the week it played Washington's National Theater. He and Gunnar Myrdal had been chased out of Alabama while researching Myrdal's book, "The American Dilemma," which was cited in the Supreme Court's 1954 decision against school segregation. Even after he was famous, he was barred from New York's West Side Tennis Club until the club changed its mind—at which point he declined its invitation to join.

He survived all those insults, and a man of his intelligence could not help but know he was being patronized when he first entered government service in the days when black pride was still a private thing. He had his own. With it, he persevered until his name became synonymous with the United Nations, and almost by main force he brought

peace to Palestine, to Suez, Cyprus, the Congo. He will be remembered a long time. And he never raised a fist.

Mr. MORSE. Mr. Speaker, it is with the deepest sense of loss and sorrow that I join my colleagues today in paying tribute to one of this Nation's and the world's greatest internationalist and statesmen, Dr. Ralph J. Bunche.

Throughout his life, from the early days at UCLA, Harvard, and Howard University, to his work in the State Department and finally as Under Secretary General for Special Political Affairs, Ralph Bunche worked tirelessly against hate and intolerance. His dream was for peace and understanding among all people of all races, all religions, and all countries, and to this goal he devoted his life.

All of us know of the skill and patience with which Dr. Bunche painstakingly mediated the 1949 armistice argeement between Israel and the Arab States, a role into which he was suddenly thrust after the assassination of the original chief mediator, Count Folke Bernadotte, and which he carried out with drive and dedication. A master in the practical application of psychology, he successfully negotiated vastly complex problems, centuries old and rife with racial and religious prejudicies, and as he himself expressed so well, "for the first time found a way to use military men for peace instead of war."

In due recognition of Dr. Bunche's role as architect of the Palestine accord, he received the Nobel Peace Prize of 1950, an honor which he continued to earn for the next two decades, as, among other things, he directed peacekeeping efforts in the Suez area in 1956, the Congo in 1960, and Cyprus in 1964, always with the view of using troops as part of broader efforts to stimulate negotiations and obtain a peaceful settlement of conflict. His diplomatic skills, his ability to grasp a situation and to time his movements accordingly shall long be remembered and admired, and there is no country which does not mourn the loss of this honorable and honored man, who contributed so significantly to the pursuit of world peace.

Ralph Bunche was truly a great man, serving capably and selflessly for justice, equality, and international peace, and it is sadly ironic that his death should occur at a time when the world faces a new outbreak of war in Asia and continued uncertainty in the Middle East. We must, however, redouble our efforts for the world peace and understanding toward which Dr. Bunche strove, and his quiet firmness, his wisdom and objectivity, his fervent desire for human equality, and unfailing faith in the ultimate role of the United Nations should serve as an example for us all. For now, the greatest tribute which we can pay to this truly noble man is the successful conclusion of his crusade, the fulfillment of his dream.

Mr. COUGHLIN. Mr. Speaker, I wish to pay tribute to the late Dr. Ralph J. Bunche, a towering figure in both American and world diplomacy.

Dr. Bunche was a man of extraordinary talent and achievement. In his youth he earned a doctorate at a time when most American blacks did not even have a chance to go to college. Later, he worked with the distinguished Swedish sociologist, Gunnar Myrdal, in his research on "An American Dilemma," a landmark study of blacks in America. He won the Nobel Peace Prize in 1950 for his work in negotiating an end to the Palestine war. And in his later years he served with distinction America's and mankind's interest as a high official in the United Nations, an organization which he helped found. Throughout his life he was a leader in the American civil rights movement.

Mr. Speaker, Dr. Bunche will be missed in the years ahead because his dedication to public duty, his adherence to high principles of fairness, his tact in diplomacy, and his skill in negotiations are qualities of which we need more in this troubled world, but which are found in increasingly short supply.

In death, as in his life, Dr. Bunche will continue to remind us, as he himself believed, of the essential goodness of mankind, and that there is no problem of human relations that is ever insoluble.

He has bequeathed to all of us an extraordinary legacy of service. Surely a proper memorial to him would be for us to carry on in the same spirit which guided him throughout his long and distinguished life.

Mr. BIAGGI. Mr. Speaker, I am sure the sadness this Nation feels at the passing of Dr. Ralph Bunche is shared by many nations the world over. He was a man of peace and diplomacy, typifying more than anyone else, the ideals of the United Nations for which he worked.

A Nobel Prize winner for his peacekeeping operations, Dr. Bunche devoted the greater portion of his life to the United Nations and its mission in the world. He sought to bring about peace through negotiation and mediation rather than war. He was instrumental in establishing temporary peace on several occasions in the Middle East and elsewhere in the world.

For years his knowledge and mastery of the mechanisms of the United Nations made his counsel most valuable to three secretaries general. He was committed to the ideal of a world body dedicated to peace and the attainment of lasting accord in the world.

His life and work is an outstanding example of a dedicated American and world citizen. He should serve as a model for all children of the world. However, as a black, he is first-rate evidence that America—despite its problems—has a place for all peoples of the world. He overcame the color barrier to become known as Ralph Bunche, U.N. diplomat; not Ralph Bunche, Negro American.

While he grew up in very difficult times for black Americans, he still had faith in the American system and its ability to correct wrongs. He had an abiding faith in democracy and diplomacy.

Dr. Ralph Bunche will be remembered. He will be remembered for his personal triumph in a world prejudiced against nonwhites. He will be remembered for his dedication and devotion to the United Nations and its goals. He will be remembered for his constant efforts to bring a lasting peace to all nations. But most of all, he will be remembered for his work, not as an American, or as a U.N. employee, but as Ralph Bunche, world citizen. May his work continue and his life be emulated by many.

Mr. CONTE. Mr. Speaker, public figures around the world are raising their voices in tribute to the late Ralph J. Bunche. I rise in sadness that these eulogies are necessary. A very special human being can no longer help his fellow man.

I am sure that my colleagues are familiar with the career of this man, whom the New York Times called:

> The most prominent black man of his era whose stature did not derive chiefly from racial militance or endeavors specifically on behalf of his own race.

Obituaries in newspapers across the Nation recall his many accomplishments and the honors he so richly deserved.

Yet as we detail his unstinting efforts for world peace, we must rededicate ourselves to those goals he so fervently pursued. As we recount his superhuman efforts to reach a settlement in Palestine in 1949, we can hear those same sabres rattling again. We must somehow still those sabres, as he once did.

As we mourn the loss of Ralph Bunche, we must pledge ourselves anew to the cause of international understanding to which he devoted his life. He himself once said:

> I have a bias which leads me to believe . . . that no problem in human relations is insoluble.

We, as a nation, must make that bias our national policy and constantly wage peace throughout the world. Let our final tribute to Ralph Bunche be a time of peace and harmony among men: a time of still guns and sheathed sabres in Southeast Asia, in the Middle East, and in every corner of the globe.

Mr. FISH. Mr. Speaker, with many Americans today I mourn the tragic loss of a great man, Dr. Ralph Bunche—political negotiator, United Nations founder, international diplomat, civil rights leader, educator, and Nobel Peace Prize recipient. His life was a relentless pursuit for peace and brotherhood among nations and men.

Born to hardship and prejudice, we not only remember Dr. Bunche, but we salute him as an individual who never faltered in his goals and more specifically, his ideals. Orphaned at 13, he was cared for by a grandmother who dared demand in 1917 a college education and a successful career for her black grandson. Valedictorian of his high school class in Los Angeles, Dr. Bunche studied at the University of California at Los Angeles on an academic scholarship, graduating with Phi Beta Kappa honors. A master of arts degree and a Ph. D. in government and international relations were earned at Harvard University.

After working for the War Department and serving brilliantly as an analyst of African and Far Eastern affairs during World War II, Dr. Bunche moved to the State Department where he headed the Division of Dependent Area Affairs. During this time and after the war, Dr. Bunche dedicated himself to the realization of a world peacekeeping body. He

played a key role in San Francisco in 1945, drawing up the trusteeship sections of the U.N. Charter. He served in the first U.N. General Assembly in London and in 1947, joined the permanent Secretariat of the United Nations.

History must judge Dr. Bunche's greatest single contribution to world peace. In the U.N. he proved himself not only a superlative organizer, but an outstanding negotiator for justice and peace between warring nations. A prime example of his diplomatic abilities and perserverance came in 1948 and 1949 during the Palestinian talks on the island of Rhodes. The peacekeeping abilities of the fledgling U.N. were on the line. Dr. Bunche managed after 81 days marked by tension and hostility to obtain an armistice between the Israeli and Arab delegates who represented age-old cultures of vastly differing religious and ethnic orientations.

His dedication and personal abilities in realizing this hard fought armistice, earned Dr. Bunche the distinguished Nobel Peace Prize. He, thus, became the first black man in history to be so honored.

We can take enormous pride in the fact that Ralph Bunche, American, was an outstanding world negotiator. At the same time we must credit this man with being a true "citizen of the world," one whose abilities and wisdom transcended nationality and race to advance the hardest cause of all, peace among all men.

Dr. Bunche just as heartily deserves recognition for his work and dedication in his home country. He detested discrimination and fought it fervently. He walked the picket lines and marched, often in poor health, throughout our country to dramatize the plight of the black people, while also serving as a dedicated member of the board of directors of the National Association for the Advancement of Colored People for 22 years until his death last week.

We all honor this great American and humanitarian not only for what he accomplished in attaining world peace and brotherhood, but for what he stood for as an individual—integrity, truth, and justice. Few men have been born with the foresight, endurance, and dedication of Ralph Bunche. He was truly a servant of mankind.

Mr. CARNEY. Mr. Speaker, when a man's days are ended, how do you measure his accomplishments? This age-old question has echoed throughout history. The answers have been many. One of the most eloquent was expressed in the words of the American poet Whittier. While contemplating the nature of heroism, Whittier wrote:

> But dream not helm and harness
> The sign of valor true;
> Peace hath higher tests of manhood
> Than battle ever knew.

The way of peace is truly difficult. Few men have the stamina to pursue it. In our own day and age, one man particularly stood out as having the strength of character to pursue the elusive goal of peace. Ralph Johnson Bunche was indeed a man fit for the task of peacemaker. His adult life was dedicated to the cause of peace and justice.

For more than two decades, he served as the chief troubleshooter for three Secretaries-General of the United Nations. He first came to international attention after successfully negotiating a treaty between the warring Israelis and Arabs in 1949. His skill as a diplomat was evident in the praise accorded him from both sides. Dr. Bunche received the Nobel Peace Prize the following year as recognition of his outstanding achievement.

In the years that followed, Dr. Bunche became a familiar figure at strife-torn hotspots all over the world. His calm, rational thinking often served to dampen fiery tempers. His reputation for fairness and honesty gained him access and trust where others would have failed. In the final analysis, there is really no way of tallying up his achievements. We can only say with heartfelt gratitude that the world is a better place because of the efforts of Dr. Ralph Bunche. No greater thing can be said of any man.

Mr. GIAIMO. Mr. Speaker, Dr. Ralph J. Bunche was a native of this country but a citizen of the world, a master of diplomatic skills but a servant of peace. He was, as U.N. Secretary General U Thant said, an international institution, transcending nationality and race, and therefore able to help others transcend their own hatreds and prejudice.

The history of the United Nations, and in particular its successes in peacekeeping missions, reflects Dr. Bunche's talent. He was there in Dumbarton Oaks, laying the groundwork for the international body, and he was there in San Francisco and in London for the first workings of the General Assembly and the Security Council.

Dr. Bunche was there in 1948 and 1949 in the Middle East, negotiating amidst thousands of years of religious and racial intolerance, achieving the Palestine accords. He was there during U.N. peacekeeping efforts in the Suez in 1956, in the Congo in 1960 and in Cyprus in 1964. He gave himself fully to those efforts, using his personal stamina and the always tenuous military presence of the U.N. to bring about accommodation.

In the Trusteeship work of the U.N., Dr. Bunche led in fashioning the principles under which so many territories achieved national status in the 1950's and 1960's.

Sadly, his greatest fame in this country came as a result of discrimination against his race. Not wishing to take advantage of his personal prestige to overcome that discrimination, Dr. Bunche maintained that no Negro American can be fully free until the lowliest Negro is no longer disadvantaged because of race.

Dr. Bunche's life gave meaning to his belief in the goodness of man; it gave us peace in times of discord and taught us a way for the world's community of nations to coexist. His death highlights that personal achievement and makes us more aware than ever of the need for more international citizens and for more servants of peace.

Mr. STRATTON. Mr. Speaker, I am proud to join in this special order today to pay a well-deserved tribute to Dr. Ralph S. Bunche, who passed away last Thursday.

As U.N. mediator and Under Secretary General of the U.N., Dr. Bunche served the cause of peace in an outstanding fashion with his diplomatic skills and international expertise.

I can well remember how impressed I was with Dr. Bunche's honest, outgoing personality when, as mayor of Schenectady in the mid-1950's. I had a chance to meet him personally during his visit to my home city.

Whether it was as a civil rights leader in the 1930's or as the top American in United Nations, Ralph Bunche at all times was the perfect example of responsible leadership. His successful mediation of the 1949 Arab-Israel war and the effective U.N. efforts in the Congo in 1960 are just two of the more famous examples of the results of that responsible leadership.

The world will miss Ralph Bunche, but the example he set for leaders of all nations, and the responsible character of his service will long live, not merely as an outstanding black but as an outstanding American.

Mr. BROOKS. Mr. Speaker, Dr. Ralph J. Bunche had a dream of equity for and harmony among all peoples.

Through his dedication, his intellect, and his example, he moved us all measurably toward that ideal.

As an early and courageous champion of civil rights, he led efforts in the 1930's to open public facilities in the District of Columbia to all.

As a devoted and skilled international public servant, he worked tirelessly to advance the cause of world peace, a contribution recognized in 1950 by the Nobel Peace Prize.

As a scholar and teacher, he achieved the highest honors of his profession, attaining in 1954 the presidency of the American Political Science Association.

It was not my privilege to have known Dr. Bunche personally. Yet I know—just as my children and their children shall one day know—that he touched our lives.

He gave us something of paramount value, reminding us by his accomplishments of an essential truth: That a man's capacity to contribute, to lead and to care is not conditioned by his race, color or creed.

So much can be said for only a few men of our time.

Dr. Ralph J. Bunche was a great American.

Mr. WILLIAM D. FORD. Mr. Speaker, I would like to join with my colleagues today in paying tribute to Dr. Ralph Bunche, one of this country's most remarkable citizens and one of the world's most distinguished civil servants.

I have had a special admiration and respect for Dr. Bunche ever since 1951 when I was privileged to hear him deliver the commencement address at my graduation from the University of Denver Law School. This was only a short time after he received the Nobel Peace Prize for his efforts in negotiating the 1949 armistice between Israel and the Arab States. He was an inspiration to those of us who were just beginning our careers in a field that is based on the arts of ne-

gotiation and conciliation—the skills which he used so brilliantly and effectively.

Dr. Bunche was the highest ranking American in the United Nations organization and he served it devotedly for nearly 25 years. He had a vision of how the United Nations could work to become an effective institution for maintaining peace throughout the world. And it was he, in fact, who continually played a decisive role in the majority of the United Nation's diplomatic successes—the Arab-Israeli agreement which preserved peace in the Middle East for nearly two decades, the United Nation's intervention in the Congo crisis which prevented a bloody civil war, and the U.N. peacekeeping efforts in Cyprus in 1964.

Mr. Speaker, few other Americans have so completely dedicated themselves to the goal of world peace, the promotion of international understanding, and the cause of human rights. Ralph Bunche's contributions to present and future generations cannot yet be fully measured or appreciated. However, I believe the effects of his work were best summarized by United Nations Secretary General U Thant who remembered Dr. Bunche as "an international institution in his own right, transcending both nationality and race in a way that is achieved by very few."

Mr. DONOHUE. Mr. Speaker, I wish to join with my colleagues here today in paying well-merited tribute to the late Dr. Ralph Bunche, former Under Secretary of the United Nations and one of the greatest men of modern history, who died last Thursday, December 9.

Dr. Bunche was a self-made man in the truest American tradition. He was the son of a humble barber who died when Dr. Bunche was 13 years of age. It was an almost unbelievable age for the assumption of mature responsibility, but Dr. Bunche was entirely self-supporting by the time he was 15 years old. He worked his own way through high school, the University of California at Los Angeles, and Harvard, where he earned a doctorate degree in 1934, majoring in government and international relations. He joined U.S. Government service in 1941 and in 1944, as a specialist in the State Department. He was a member of the U.S. delegation to the Dumbarton Oaks Conference which laid the groundwork for a United Nations Organization whose birth he participated at in San Francisco in 1945, and, in 1946, attended the first United Nations General Assembly meeting in London. In 1947, Dr. Bunche resigned from our State Department in order to join the Secretariat at the United Nations where his services had been requested, and where, in the testimony of Secretary General U Thant, he became "an international institution in his own right, transcending both nationality and race."

Dr. Bunche was admittedly one of the most respected international civil servants and his persevering efforts for the promotion of peace in the Middle East brought him the Nobel Prize in 1950.

Dr. Bunche's extraordinary achievements toward global understanding as an official of the United Nations guarantee him a high and everlasting place in the annals of national and international history. However, his most notable contributions to his contemporaries and those who come after are his personal example of unwavering integrity, his insistence upon the vital importance of human dignity, his tremendous sense of individual responsibility, his inexhaustible patience and diligence as a negotiator and adviser, his persevering determination against nearly insuperable odds to do all he possibly could to establish justice, understanding, and peace in a confused world and, above all, his unfailing kindness, humor, and deep compassion in all his dealings and contacts with his fellowmen throughout the world. By all human measurements, Dr. Bunche was a great and wise man whose calm counsel and personal inspiration will be sorely missed in the continuing efforts of this uncertain world to achieve peaceful understanding among all men.

I extend my deepest sympathy to Dr. Bunche's widow and children and I pray the good Lord to grant him eternal rest.

Mr. HELSTOSKI. Mr. Speaker, I wish to thank the gentleman from Michigan, (Mr. DIGGS) and the gentleman from Minnesota (Mr. FRASER) for this opportunity to say a few words in tribute to the late Ralph Bunche.

When racism was dominant in American society during the 1920's, 1930's and 1940's, Dr. Bunche overcame innumerable obstacles in his path and attained a record of academic excellence and high professional achievement. At UCLA he obtained a bachelors degree, with Phi Beta Kappa honors, and at Harvard he earned a master of arts and a Ph. D. in government and international relations. Not satisfied with these conventional degrees, Dr. Bunche went on to advance study in anthropology at Northwestern, the London School of Economics and the University of Capetown.

In the 1930's Ralph Bunche also taught at Howard University and assisted Gunnar Myrdal in research for his classic study of American racism, "An American Dilemma." After the Second World War started, Dr. Bunche, served with high honors in the OSS and later with the State Department as officer in charge of dealing with postwar colonial problems. His association with the infant United Nations began during these years as he attended the Dumbarton Oaks and San Francisco conferences. By 1947, Dr. Bunche had left the State Department to become a member of the U.N. Secretariat. His career as civil servant for the family of nations had begun.

Shortly after his work at the UN had started Ralph Bunche found himself deeply involved in the festering Palestine crisis. As troubleshooter and chief representative of the Secretary General in that area, he painstakingly negotiated the 1949 armistice between Israel and the Arabs.

For his achievement, as we all know, he earned the 1950 Nobel Peace Prize. In the next 20 years of service with the United Nations, Dr. Bunche was deeply committed to resolving the conflicts in Cyprus, the Congo, and the Middle East. His devoted service to the cause of world peace continued until illness forced his retirement earlier this year.

Mr. Speaker, as I review the career of Ralph Bunche, several themes recur. One is his courageous and unflagging struggle for racial justice. From his earliest days of academic honor to his dying days in New York, Ralph Bunche did not allow his prominence and success to blind him to the fact that he was a black and thereby was deeply involved in the struggle of all American blacks against racism and for genuinely equal treatment. As late as 1965, he traveled to Alabama, and despite ill health, took part in the historic Selma-to-Montgomery march. And as the New York Times obituary of Dr. Bunche noted:

> In 1959 he was involved in a much-publicized incident in which he and his son, Ralph, Jr., were refused membership in the West Side Tennis Club at Forest Hills. Dr. Bunche took up the cudgels and received an apology, and the club official responsible for the rebuff resigned. Dr. Bunche then declined an offer of membership.
>
> He was angered because the change appeared to be based on his personal prestige, and not on any principle of racial equality. "No Negro American can be free from the disabilities of race in this country until the lowliest Negro in Mississippi is no longer disadvantaged because of his race," he said.

Second, Ralph Bunche was one of the first international civil servants, a man devoted not to nation but to the family of nations. As Ambassador Bush noted at the U.N.:

> Though we Americans take pride in the fact that he was an American, he was truly a citizen of the world.

Mr. Speaker, America and the world has lost a good and devoted statesman and a forceful proponent of peace and justice.

Mr. RYAN. Mr. Speaker, it is with profound sorrow and a sense of deep loss for all nations I join our distinguished colleague from Michigan (Mr. DIGGS) in paying tribute today to Dr. Ralph J. Bunche, who, as much as any man of his time, served the causes of internationalism by his unstinting effort and personal conviction.

The life of Dr. Bunche was truly a life devoted to peace. Born in Detroit, the grandson of a slave, Dr. Bunche quickly rose to the natural level of his competence as an arbiter of human passions. His compassion and his understanding were at the root of his ability to comprehend and to mitigate the darker aspects of human nature toward a goal of universal enlightenment.

The career of Ralph Bunche was studded with superlative achievements from the very beginning. With the assistance of a 4-year scholarship, he graduated from the University of California at Los Angeles, a member of Phi Beta Kappa. He accepted a scholarship for graduate study at Harvard, after having been presented with his travel expenses from California to Massachusetts by a group of black clubwomen in Los Angeles. He had been too poor to afford the trip himself. Ralph Bunche received his doctorate from Harvard and did post-graduate work at Northwestern University, the

London School of Economics, and the University of Cape Town, South Africa.

Dr. Bunche joined the faculty of Howard University, in 1938, where he established the Department of Political Science and served as dean for many years. From 1938 to 1940 Dr. Bunche collaborated with the famous Swedish social scientist Gunner Myrdal in the Carnegie Corporation "Survey of the Negro in America," which was published in 1944 under the title "An American Dilemma."

After distinguished service in key advisory capacities during World War II, Dr. Bunche resigned from the State Department to accept a permanent post at the United Nations, which he had joined at its inception. As is wellknown, he received the Nobel Peace Prize in 1950 for his mediation efforts in the Middle East.

In 1955 and again in 1958 he supervised the establishment of historic U.N. conferences on the peaceful uses of atomic energy and also helped establish the International Atomic Energy Agency.

At the time of his retirement on October 1, 1971, Dr. Bunche was the highest-ranking American on the U.N. Secretariat.

Dr. Bunch also gave freely of his time and energy to the cause of civil rights, delivering countless speeches and participating in demonstrations. In 1965 he marched beside the Reverend Dr. Martin Luther King, Jr., in the Freedom March from Selma to Montgomery.

Dr. Ralph Bunche was devoted to both justice and peace—for all mankind. He cannot be replaced, but he will always be remembered. And as a result of his compassion, his leadership, his untiring efforts, we are that much closer to the dream for which he strived: a world in which peace reigns supreme.

Mr. COLLINS of Illinois. Mr. Speaker, Chief Justice Roger Brooke Taney, in the infamous Dred-Scott case of 1857, ruled that slaves and the sons of slaves were not citizens of these United States within the contemplation of the Constitution.

But, 110 years later, Dr. Ralph J. Bunche, the son of a freed slave, moved the world to compassion with his negotiation of the peace treaty—albeit unlasting—between the infant nation of Israel and the Arab nations.

The world in its entirety accepted this black and humble soul as its chief citizen. He was later rewarded the Nobel Prize for Peace, the first such honor for the black race, for this deed in international relations, and rose to this Nation's highest post in the United Nations.

Even as wars and rumors of wars still mar the face of the earth; even as men shape their plowshares into the weapons of future wars, let us hope that somewhere, the memory of this great, black, and humble man of peace will once more bring compassion of class for class, of nation for nation, of race for race, so that we can get about the business of building a better world for posterity.

May the memory of this great man recall to all mankind the words of Martin Luther, the philosophy to which Dr. Bunche dedicated his life in the United Nations:

War is the greatest plague that can afflict humanity; it destroys religion, it destroys states, it destroys families. Any scourge is preferable to it.

Mr. HAWKINS. Mr. Speaker, elsewhere the RECORD is filled with the facts about Dr. Ralph J. Bunche: his academic achievements, his public service career, and his diplomatic accomplishments. Of these one can say many things, but the more that is said, the more we leave unsaid. My remarks attempt to explain this apparent anomoly.

Few students left the University of California at Los Angeles or Harvard University better equipped academically than did Dr. Bunche. Still fewer have served in our Department of State or in an international organization with as much distinction. Yet in the last decade or two, Dr. Bunche has occupied a relatively unimportant post in the United Nations based on his rare capability and years of unusual experience.

Let us accept the fact he was awarded the Presidential Medal of Freedom, that he was elevated to Under Secretary General of the United Nations, and was awarded the Nobel Peace Prize; and let us admire what glorious praise has been accorded his peacekeeping efforts in the Middle East, Kashmir, the Congo and elsewhere. The facts and praise make even more noteworthy our failure as a Nation to make greater use of Dr. Bunche in a top role in a Presidential Cabinet, as a Secretary of State, or even in a higher-ranking position in the U.N. itself.

In paying tribute to Dr. Ralph Bunche, it is certainly not sacriligeous to express the thought that his life and accomplishment should serve to arouse the conscience of our Nation to a fuller realization of the injustice we afflict in not utilizing more fully our human resources to the greatest extent. It is not yet too late to erect a living memorial to this great stateman by applying the concepts he taught us in achieving full employment, a stable society, and a peaceful world.

Mr. DELLUMS. Mr. Speaker, Dr. Ralph Bunche pledged and devoted his life to the search for peace and justice. The United Nations will always be a symbol of the nature of the search for peace that Dr. Bunche undertook. As a black man, he demonstrated the humanity and strength that will always serve as a guiding way for oppressed peoples everywhere. In my estimation, Ralph Bunche was more than a great black man, more than a great American—he was a true citizen of the world. We will miss him greatly.

Mr. DULSKI. Mr. Speaker, the world has lost one of its great leaders in the passing of Dr. Ralph J. Bunche, former Under Secretary General for Special Affairs of the United Nations.

For nearly a quarter of a century, Dr. Bunche dedicated his life to the work of world peace through the medium of the United Nations. He never lost hope and he was a constant inspiration to all with whom he came in contact.

Dr. Bunche was at the side of each successive Secretary General, a team man all the way.

He was honored appropriately in 1950 with the Nobel Peace Prize for his work in bringing about the 1949 armistice which ended the first Arab-Israeli war.

For many years until his retirement last October, Dr. Bunche was the highest ranking American in the United Nations Secretariat.

Notwithstanding his stature and his reputation, Dr. Bunche was essentially a private man, shunning personal publicity and disclaiming all political ambition. At the same time, he was persistent at the conference table and the art of his compromise seemed to lie in his apparently boundless energy and the order and timing of his moves.

Mr. Speaker, I extend to his family my deepest sympathy in their great loss.

As part of my remarks I include editorials from the Buffalo, N.Y., Courier-Express and the Washington, D.C., Daily News.

[From Buffalo (N.Y.) Courier-Express, Dec. 11, 1971]

DR. BUNCHE, PEACEMAKER IN A TROUBLED WORLD

The world is diminished by the death of Dr. Ralph J. Bunche, former United Nations undersecretary general for special political affairs. Throughout most of his association with the global organization ever since its creation, in 1945, he labored to bring peace to a troubled world. For his principal success, the securing of an armistice between Israel and Egypt in 1949, he received the Nobel Peace Prize, but he will be remembered, too, for peace-keeping efforts in the Suez area in 1956 and later in the Congo and Cyprus.

Yet, busy though he was with world affairs, he never lost touch with the struggle in his own country for social, economic and political equality for those of his own race. He once said that no American Negro could be considered free until the lowliest Negro in the country was no longer disadvantaged because of his race.

Dr. Bunche's passing is mourned not only because of his efforts for peace and human brotherhood but because he retained an abiding faith in the U.N. as an instrument for peace. Such a combination of ability and faith is all too uncommon in our world today.

[From the Washington Daily News, Dec. 10, 1971]

DR. RALPH J. BUNCHE

At the United Nations, when news would come of a threat to peace in some far-off place, they used to say, "Send Bunche and everything will be all right."

It was good advice, which the international organization often followed and never regretted.

For many years until his retirement last October, Dr. Ralph Johnson Bunche was the highest-ranking American in the U.N. secretariat. As under secretary general for special political affairs, he was chief troubleshooter and adviser to Dag Hammarskjold and later to U Thant.

Dr. Bunche became world famous when he took over from the assassinated U.N. mediator for Palestine, Count Folke Bernadotte, and worked out the 1949 armistice that ended the first Arab-Israeli war.

For that high achievement in diplomacy, he was awarded the Nobel Peace Prize in 1950, the first time a Negro was so honored. After his success in the Middle East, Dr. Bunche was a hot property and President Truman offered to appoint him an assistant secretary of state, another first for a Negro.

It was characteristic of Dr. Bunche that he declined. He politely informed the President that he could not afford the cut in pay, but confided to friends that he would not bring his family to "a Jim Crow city," which Washington was.

His decision was right. At the State Department he probably would have got stuck in the molasses of what diplomats call "the fudge factory." At the United Nations, he was able to direct valuable peacekeeping operations, including Suez in 1957, the Congo in 1960 and Cyprus in 1964.

In all, Dr. Bunche spent more than a quarter century at the United Nations. He contributed greatly to the concept of the international civil servant, the man who works impartially for world peace without favoring his own country.

He often has been compared with a Horatio Alger story, but we suspect that Alger's heroes, being white and treacly and fictional, had an easier time. The grandson of a slave, the son of a barber and an orphan at age 14, Dr. Bunche worked his way up from poverty and thru college and graduate school, becoming one of America's foremost experts on African sociology and politics.

Altho he personally "made it" and was covered with honors, Dr. Bunche never separated himself from the cause of less fortunate Negroes. He delivered countless speeches for civil rights and took part in freedom marches in the South.

Aged 67 and suffering from kidney malfunction, diabetes, heart disease and near blindness, he died in New York yesterday morning. There will be, we fear, many insensitive tributes saying that "he was a credit to his race." Ralph Bunche was a credit to his whole country.

Mr. DERWINSKI. Mr. Speaker, it is most appropriate that our distinguished colleague, the Honorable CHARLES DIGGS of Michigan, took the lead in this special order to pay tribute to Dr. Ralph Bunche, since Mr. DIGGS is presently serving as a delegate to the 26th General Assembly of the United Nations.

Dr. Bunche, in his long career, was entitled to respect and appreciation for his untiring efforts at the United Nations and, in fact, one can say that he was that body's most international figure. It is a credit to our country that Dr. Bunche was an American—he served his country well as he served the United Nations well.

Dr. Bunche worked especially hard to produce lasting peace in the Middle East and it would certainly be a fitting tribute to his efforts if the present session of the U.N. General Assembly could work out a solution to that conflict.

Since I am also serving at the U.N. General Assembly, I can attest to the great respect in which Mr. Bunche was held and the great loss officials at the United Nations feel at his passing.

Mr. RODINO. Mr. Speaker, Dr. Ralph Bunche not only was a man of high ideals and a man of noble dreams, not only a man who voiced his ideas, hoping the world community would bend its ear and listen intently in consideration, but was a man who, upon the initial implementation of his beliefs into concrete institutionalized foundations, did not step aside feeling others should then assume further responsibility. For Dr. Bunche remained deeply devoted and intimately involved in developing peace among men and among nations, growing, changing, reinterpreting and reworking these original foundations to meet continuously the new challenges history relates in the lives of us all. We feel his loss particularly at this time—the world is especially in need of the wisdom, the understanding and the compassion of such a man. We can justly pay tribute to him by continually directing our efforts toward the ideals to which he dedicated his life.

Mr. GONZALEZ. Mr. Speaker, as I read the comments made in tribute to Dr. Ralph J. Bunche when he died on December 9, one could not help but note the underlying tone of the reactions. The Washington Post captured the very essence of Dr. Bunche in its caption: "Ralph Bunche: A Life Dedicated to Peace."

I felt a great sense of loss for our country, and for the world when I learned of Dr. Bunche's death, and I find it a great privilege to be able to participate in these special orders in tribute to him.

Former U.S. Ambassador to the United Nations, Arthur Goldberg summed it up by saying that:

Dr. Bunche, more than most nations and persons, understood that peace after all is a matter of human rights. And he was profoundly aware that the only real security is international security.

His example shall live on, and I am grateful that Dr. Bunche lived and taught us about a true sense of brotherhood.

I include the following:

[From the Washington Post, Dec. 10, 1971]

U.N.'s RALPH J. BUNCHE DIES

NEW YORK, December 9.—Ralph Johnson Bunche, winner of the 1950 Nobel Peace Prize for mediating an end to the 1949 Arab-Israeli war, died today, 10 weeks after stepping down as undersecretary-general of the United Nations. He was 67.

Death came at 12:40 a.m. at New York Hospital. The ailing Dr. Bunche had been in and out of the hospital for many months. No cause of death was announced.

President Nixon telephoned Mrs. Bunche to express his sympathy. The President also issued a statement praising the diplomat as "one of the greatest architects of peace in our time."

"America is deeply proud of this distinguished son and profoundly saddened by his death," Mr. Nixon said. "But we are also strengthened by the inexhaustible measure of dedication and creative action that spanned his splendid career."

Mr. Nixon hailed Dr. Bunche's "calm and wise counsel" at the United Nations and his role in the Middle East and the Congo.

U.N. Secretary General U Thant, saying he had "lost an incomparable friend and colleague," praised Dr. Bunche as an outstanding example of "that 20th Century breed of international officials who devote all their gifts and their very lives to the service of the community of mankind."

"He was the most effective and best known of international civil servants," Thant said, "and his record of achievement as an individual member of the secretariat was unsurpassed."

George Bush, the U.S. ambassador to the United Nations, expressed sorrow at Dr. Bunche's death and said: "Although we take pride in the fact that he was an American, he was truly a citizen of the world."

Arthur J. Goldberg, former U.S. ambassador to the U.N., said that Dr. Bunche "exemplified what an international civil servant and statesman should be by his personal qualities of objectivity, fairness and dedication."

"Dr. Bunche, more than most nations and persons," Goldberg said, "understood that peace after all is a matter of human rights. And he was profoundly aware that the only real security is international security."

Rep. Shirley Chisholm (D-N.Y.) said: "Ralph Bunche devoted his entire adult life to the cause of peace and to the recognition that all men are truly brothers. He understood war and lesser struggles for power, but he rejected such struggles as being appropriate means for redressing grievances—legitimate or not."

Dr. Bunche achieved international recognition in 1949 when he hammered out armistice agreements between Israel and the Arab world, ending the Palestine war. He also played a key role in the 1956 negotiations that led to the stationing of a U.N. emergency force in Palestine after the Suez crisis.

When the Congo erupted in 1960, Dr. Bunche was the first man rushed in by Dag Hammarskjold, then U.N. secretary general, to oversee the U.N. civilian and military operations in the strife-torn African nation.

Until his retirement on Oct. 1, Dr. Bunche had been the highest ranking American in the U.N. secretariat. He had been under secretary in charge of special political affairs.

He had been inactive in the world body since last summer because of various ailments and a broken right arm suffered in a fall at home.

The family announced tentative plans for a funeral service at noon Saturday at Riverside Church. Dr. Bunche's body will repose at the Campbell Funeral Home tonight.

RALPH BUNCHE: A LIFE DEDICATED TO PEACE

(By Robert H. Estabrook)

Ralph Johnson Bunche, 67, was the top American in the United Nations until his retirement 10 weeks ago on Oct. 1 and the U.N.'s Nobel Prize-winning expert on peacekeeping operations.

Dr. Bunche, whose title was under secretary general for special political affairs, was the U.N. mediator who arranged the Arab-Israeli armistice in 1949 and the architect of subsequent U.N. operations in the Middle East and in the Congo.

Despite being hospitalized for deteriorating health, including advanced diabetes that left him nearly blind, the onetime Howard University professor continued to take an interest in current U.N. concerns, and his counsel was actively sought until his death.

Three secretaries general regarded Ralph Bunche as their right arm, and to many persons around the world he epitomized the United Nations. That he was an American and a Negro was incidental.

He simply knew more about the United Nations' fire-brigade capabilities than any other man, and he embodied the diplomatic skills that enabled him to run a virtual command post in the 38th floor headquarters here overlooking the East River.

As the U.N. mediator picked by Secretary General Trygve Lie to succeed the murdered Count Folke Bernadotte at the time of the partition of Palestine, Dr. Bunche worked out the formula for indirect negotiations that led to Arab-Israeli agreement on the island of Rhodes. He received the Nobel Peace Prize in 1950 for his efforts.

Dr. Bunche, who barely missed being in Count Bernadotte's car when it was sprayed by gunfire, supported Bernadotte's last report, which made recommendations for a permanent peace. Dr. Bunche took charge of enforcement of a truce that threatened to explode in every direction.

The former UCLA athlete had no police or troops to enforce his orders. He nevertheless bluntly told the Israeli government that it must "assume full responsibility" for such acts as the killing of Count Bernadotte.

It was an extraordinarily difficult and complicated time during the next few months for Acting Mediator Bunche. Fighting broke out despite the truce. But after several halts, the Egyptians and Israeli negotiators sat down at the same table in Dr. Bunche's headquarters at Rhodes.

Just getting the Egyptians and Israelis to meet together was a feat.

Negotiations dragged on for seven weeks. Frequently they reached standstills. But each time Dr. Bunche would bring up a new strategem to keep the talks going. His "Bunche plan" finally proved the basis for an armistice between Egypt and Israel in February, 1969.

Dr. Bunche's efforts had halted the war in the Middle East although the armistice itself was not a formal peace.

Much the same sort of formula for indirect initial contacts is being followed by the current U.N. Middle East mediator, Gunnar Jarring.

During the 1956 Middle East crisis, under a different secretary general, Dag Hammarskjold, Dr. Bunche did the detailed work in organizing the United Nations Emergency Force which helped prevent a new conflict for 10½ years.

Paradoxically, he also advised the current secretary general, U Thant, in May of 1967, that there was no legal alternative but to withdraw that emergency force when President Nasser requested it and Egyptian troops overran U.N. positions. This recommendation, which he strongly defended, remained an item of controversy.

In yet another peacekeeping assignment, Dr. Bunche organized the U.N. effort to prevent the spread of civil war in the former Belgian Congo after its precipitate independence in the summer of 1960. Ultimately a U.N. force of nearly 20,000 men was involved.

His most important contribution to the United Nations, in the view of a close associate, was "his capacity for objective analysis and his very great integrity."

Dr. Bunche had a tough, analytical, highly disciplined mind, and a firm idea of how things ought to be done, this associate continued. He also had an intuitive sense of empathy for the parties to a conflict that frequently won him the trust of both sides.

Despite his heavy responsibilities, he had a keen sense of humor and could tell a good story. As a one-time football player he also maintained an avid interest in sports. Staff members breaking in on what they supposed to be high-level conferences over the weekend sometimes came upon Dr. Bunche and colleagues watching the World Series or other sports on television.

He also was a quick man with a phrase. Told that the close-lipped Jarring had replied "No comment" to an inquiry about his Middle East mission, Dr. Bunche shot back: "He must have been misquoted."

Partly because of the delicacy of the situations in which he was frequently involved, he often was uneasy in contacts with the press. He could be testy with diplomats as well as reporters when he thought they were wasting his time; yet he could be charming and could captivate newsmen with his reminiscences.

Soviet diplomats, who frequently disagreed with him on policy, came to respect and praise his honesty. When he attended a conference in Yalta several years ago, Ambassador Yakov Malik voluntarily made special arrangements for him to be seen at a top Soviet eye clinic in Odessa.

Although he was impatient with the slowness of legislative change in effectuating full civil rights for Negroes, Dr. Bunche believed deeply in the American system's capacity to right wrongs. He was repelled by some of the methods of present-day black activists.

He was a close friend of the late Dr. Martin Luther King Jr. and particularly of Roy Wilkins, executive secretary of the National Association for the Advancement of Colored People.

When President Truman offered him a post as assistant secretary of state in 1948, he declined to move back to Washington to accept it, explaining that he did not want to live in a segregated community. Although he probably would have had special consideration, he said, he did not want to be treated differently from the remainder of the Negro population.

He was a friend of President Lyndon B. Johnson, who pleaded with him to reconsider his effort to retire from the U.N. in 1966. He also respected Secretary of State Dean Rusk, although differing with him on Vietnam.

This respect derived from an incident during World War II, when Dr. Bunche was in the Office of Strategic Service at a time when Negroes were not served in mess for white officers. The then Col. Rusk, who did not previously know Dr. Bunche, said that was nonsense and insisted on having him as his guest.

One of his little-known past activities was to write an unpublished first draft of "An American Dilemma," the monumental study of race relations in the United States on which he worked with the Swedish social scientist, Dr. Gunnar Myrdal.

Orphaned at 13 after his family had moved west from his birthplace in Detroit, Mich., he was reared in Los Angeles by his maternal grandmother, Mrs. Lucy Johnson. He often credited her with being the formative influence in his life and teaching him the importance of dignity and self-respect.

He was graduated in 1927 from the University of California at Los Angeles, where he earned a master of arts degree in 1928. He obtained a doctorate of philosophy in government and international relations at Harvard University in 1934 and did post-doctoral work at Northwestern University, the London School of Economics and the University of Cape Town, South Africa.

For many years Dr. Bunche was a resident of Washington, becoming head of the political science department at Howard University in 1928. During his teaching career there and elsewhere some of the later leaders of Africa were his students, including President Jomo Kenyatta of Kenya and former President Amandi Azikiwe of Nigeria and Kwame Nkrumah of Ghana. Kenyatta baby-sat for the Bunches when they were in London.

Joining the government at the beginning of World War II, he worked on African affairs with the Office of the Coordinator of Information and later with the OSS. From there he joined the State Department in 1944 and participated in the planning conference for the United Nations at Dumbarton Oaks and in the 1965 San Francisco Conference.

After a temporary appointment to the United Nations in 1946, he joined the permanent staff the next year. He followed his work in Palestine with a stint in the Department of Trusteeship Affairs, dealing with the problems of emerging colonies. In 1950 he was appointed professor of government at Harvard University, but resigned without ever taking the post.

He served on the Harvard Board of Overseers and was a trustee of Oberlin College and the Rockefeller Foundation. He was awarded the Presidential Medal of Freedom in 1963.

Dr. Bunche is survived by his wife, the former Ruth Ethel Harris; a daughter, Joan, who works in the U.N. Development Program; a son, Ralph Jr., who has been with the U.S. Army in Vietnam, and three grandchildren. Another daughter, Jane (Mrs. Burton Pierce), died in 1966.

PRESIDENT NIXON'S VETO OF CHILD DEVELOPMENT PROGRAM—SHOCKING AND IRRESPONSIBLE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BRADEMAS) is recognized for 60 minutes.

Mr. BRADEMAS. Mr. Speaker, on December 9, 1971, President Richard Nixon broke his word to the American people when he vetoed a bill that represented an historic advance for the children of our country—the Comprehensive Child Development Act.

Mr. Speaker, I take this time today to review the President's veto message and to demonstrate how shocking and irresponsible was the President's action.

If we examine carefully what the President said on December 9, I think it can be shown that, at almost every point, he has proved himself guilty of misrepresentation and distortion of both the provisions and the purposes of the legislation.

For example, the President said:

> We cannot and will not ignore the challenge to do more for America's children in their all-important early years.

Yet he vetoed a bill which had won widespread support from both Democrats and Republicans in Congress and which was aimed at meeting just this objective.

The President said:

> Our response to this challenge must be a measured, evolutionary, painstakingly considered one. . . .

And went on to describe the child development program authorized in this legislation "as a long leap into the dark for the United States Government and the American people".

Apparently President Nixon is ignorant of the fact that child development legislation along the lines of the measure he killed last week has been under consideration in Congress since August of 1969 when a bipartisan group of Representatives first introduced the bill.

Apparently President Nixon is ignorant of the fact that on March 25, 1971, nearly 100 Members of the House of Representatives, both Democrats and Republicans, introduced the comprehensive child development bill.

Apparently President Nixon is ignorant of the fact that the Select Subcommittee on Education, which I have the honor to chair, of the House Committee on Education and Labor, has, during the last 2½ years, conducted 20 days of hearings on comprehensive child development legislation while a Senate subcommittee, under the leadership of Senator WALTER F. MONDALE of Minnesota, conducted an additional 6 days of hearings.

The published hearings in our House subcommittee alone total 1,715 pages.

As, himself, once a Member of the House Committee on Education and Labor, President Nixon should realize that this record represents an unusual amount of time and consideration to be given to any legislative measure.

But beyond the number of days devoted to the hearings, I must point out that the House subcommittee alone during 1969 and 1971 listened to or read the views of over 166 witnesses, including parents, child development authorities, Governors, and other public officials, including those representing the Nixon administration, testifying on the need for just the kind of program that President Nixon has now destroyed.

For the President to contend therefore that such legislation is "a long leap into the dark for the U.S. Government and the American people" is simply to make what can only be described as a false and uninformed statement.

Mr. Nixon's veto message declares that "neither the immediate need nor the desirability of a national child development program of this character has been demonstrated."

Mr. Speaker, who was it who in February 1969, told the Congress of the United States that—

So critical is the matter of early growth that we must make a national commitment to providing all American children an opportunity for healthful and stimulating development during the first 5 years of life.

Why, it was, of course, President Richard Nixon.

The President has now found that his sweeping rhetoric and grandiose promises have caught up with him, for the Congress of the United States responded affirmatively to his plea for "a national commitment" and, after lengthy and careful consideration, approved and sent to the White House legislation which was directed at the objective so well articulated by the President.

Moreover, Mr. Speaker, to suggest that the "need" or "desirability" of a child development program has not been demonstrated is to fly into the face of the overwhelming evidence in both the House and Senate hearings and, still further, to fly directly in the face of last year's White House Conference on Children, called by President Nixon himself.

For I would remind you, Mr. Speaker, that it was just 1 year ago this week that President Nixon welcomed to Washington 4,000 citizens whom he had himself invited to attend the White House Conference.

I would remind you, further Mr. Speaker, that these representatives to President Nixon's own conference concluded that their No. 1 priority and concern was that Congress should pass and the President sign exactly the kind of child development program which Mr. Nixon has just killed.

This is what Nixon's White House Conference on Children declared in 1970:

We recommend that the Federal Government fund comprehensive child care programs, which will be family centered, locally controlled, and universally available, with initial priority to those whose need is greatest. These programs should provide for active participation of family members in the development and implementation of the program. These programs—including health, early childhood education, and social services—should have sufficient variety to insure that families can select the options most appropriate to their needs.

Mr. Speaker, this is just what the bill provides.

Mr. Speaker, let me speak further of the President's astonishing declaration that "neither the immediate need nor desirability of a child development program has been demonstrated."

As the Day Care and Child Development Council of America—whose honorary chairman is Mrs. Richard M. Nixon—said on December 10 in a statement sharply criticizing the President's veto:

Is he unaware that of the 21 million children in this country under the age of 6, 10 percent (by a conservative estimate) are in glaring need of safe, quality developmental day care? That is 2.1 million at least! Two to three percent of these 2.1 million—up to 600,000—are simply left to care for themselves because their working mothers can find no care for them which the family can afford. Add to that the number known to be suffering abuse and living day to day in circumstances where rats and lead poisoning are a constant danger, and you reach the 2.1 million figure. Those children are the need! And there are millions more who are the need, because of the developmental deficiency of their environment and their families' particular desires for early childhood programs . . .

And, Mr. Speaker, as the Day Care Council went on to say:

Is Mr. Nixon aware that 70–80 percent of working mothers have their preschool children cared for in unlicensed, informal arrangements—by a very conservative estimate?

Mr. Speaker, for the President to contend that a child development program is neither needed nor desirable is totally at odds with the evidence, which demonstrates clearly contrary conclusions.

Only this week, Mr. Speaker, Life magazine, in a special December 17, 1971, issue on children, contains two significant articles in this respect.

One, by Maya Pines, cites the book published in 1964, "Stability and Change in Human Characteristics," in which Dr. Benjamin S. Bloom, of the University of Chicago, pointed out that—

By 4, as much as 50% of a person's intelligence is set. Before the age of 4, a child's intelligence is highly flexible, but after that the chances of raising a child's intelligence diminish, and more and more powerful forces are required to produce a given amount of change.

The other article in the December 17, 1971, issue of Life, by Vivian Cadden, discusses the immense importance to the emotional health of children of just the kind of child development programs contained in the bill Mr. Nixon vetoed.

Mr. Speaker, in view of what I have been saying about the evidence of the need and desirability of child development programs, it should come as no shock that the Office of Child Development has so far refused to make public the results of a number of studies it has sponsored which clearly demonstrate the immediate need and desirability of a child development program of the kind of contained in this legislation.

Indeed, I am this week writing a letter to Dr. Edward Ziegler, Director of Office of Child Development, requesting that his office reveal the results of these studies, which are, of course, paid for with tax dollars.

Mr. Speaker, the child development bill has received support from a wide variety of sources. This support is in large measure because the bill does not provide a program restricted to children of the poor.

Although the bill assigns priority to preschool children with the greatest economic and social need, the measure is intended to make services available to children from families of all income levels, including middle- and upper-income families, with those above the poverty level paying a fee, depending on their income, set by the Secretary of Health, Education, and Welfare.

The child development programs of the kind contemplated in the bill are for the benefit of all children, not only the children of the poor.

Let me here comment, Mr. Speaker, on the so-called fee schedule established under the bill.

The bill provided no charge to families with income below $4,320. Families with income between $4,320 and $5,916 would have paid 10 percent of their income between $4,320 and $5,916 for their children's participation; for example, a family of four with an income of $5,916 would have paid $159 a year for each child. Families with incomes between $5,916 and $6,960—or the lower living standard budget for a family of four as determined by the Department of Labor—would have paid the 10-percent factor just cited plus an additional 15 percent of income over $5,916; for example, a family of four with an income of $6,960 would have paid $317 for each child a year. Families with incomes above $6,960 would have paid fees according to a schedule determined by the Secretary of Health, Education, and Welfare based on the ability of the family to pay.

Mr. Speaker, as an illustration of the kind of wide support this bill has received, I list the following groups and organizations:

GROUPS SUPPORTING CHILD DEVELOPMENT

American Academy of Pediatrics.
The National Council of Churches.
United States Catholic Conference.
United Methodist Church.
Christian Science Committee on Publications.
Southern Christian Leadership Conference.
National Council of Jewish Women.
National Conference on Christians and Jews.
American Jewish Congress.
National Association for Catholic Women.
National Conference of Catholic Charities.
The Friends Committee on National Legislation.
National Board of YWCA.
United Auto Workers.
National Education Association.
Washington Research Project Action Council.
Council for Exceptional Children.
Women's International League for Peace and Friends.
AFL–CIO.
International Ladies' Garment Workers Union.
Amalgamated Clothing Workers of America.
National League of Cities-U.S. Conference of Mayors.
National Council on Hunger and Malnutrition.
National Council of Negro Women.
American Bankers Association.
National Association for Social Workers.
American Bar Association.
American Association of University Women.
Day Care and Child Development Council, Inc.
Americans for Democratic Action.
Americans for Indian Opportunity Action Council.
Zero Population.
Children's Lobby.
United Steel Workers of America.
National Welfare Rights Organization.
Leadership Conference on Civil Rights.
Common Cause.
League of Women Voters of the United States.
NAACP.
American Public Welfare Association.
Urban League.

Women's Auxiliary of AMA (American Medical Association).

Therefore, Mr. Speaker, one of the goals of the bill is to give the taxpayer some of his money back so that churches, schools, and parents at the local level could provide preschool programs that they wanted for their children without the control of either State or Federal governments. This legislation should be viewed as providing an incentive to States and local communities to help them in developing their day care programs in churches, in community centers, in schools, and the kindergarten effort now being undertaken by many States.

And, Mr. Speaker, let me here add that in order that the President and his advisers can know what has been happening in Congress, I have sent him a set of the hearings of our subcommittee and I have asked Senator MONDALE to send the President his subcommittee hearings as well.

Now Mr. Speaker, I note that President Nixon's veto message also refers to H.R. 1, the welfare reform bill. The bill authorizes, according to his December 9 message:

Day care centers to provide for the children of the poor so that their parents can leave the welfare rolls to go on the payrolls of the Nation.

The President goes on to make it abundantly clear that, in his view, these day care programs are, to quote him:

To enable mothers, particularly those at the lowest income levels, to take full-time jobs.

Mr. Speaker, is the President not aware of the views expressed by his own Secretary of Health, Education, and Welfare, Elliot Richardson, only weeks ago on September 22, 1971, in testimony before the Senate Finance Committee?

For Secretary Richardson's statement then—which I applaud—is directly contradictory to the position set forth in President Nixon's veto message.

Said Secretary Richardson:

We must not, however, focus entirely on the goal of freeing mothers for work. We also have a great opportunity, at the same time, to invest in the development of the next generation and thereby to begin to break the terrible, dehumanizing cycle of poverty. That cycle is by now all too familiar.

Many parents are unable to give their offspring the experiences necessary to achieve success in our fast-paced society. They themselves often lack experience and schooling and are ill-prepared to assure the full development their children need to compete in a highly technological world. By the time their youngsters reach school age, they are so far behind their peers that it is virtually impossible for them ever to catch up. School becomes a futile and frustrating experience for them; their failures are reinforced, not alleviated. The children often become bitter teenagers and leave school, and the cycle begins over again. If we fail to invest in these children now—in improved and expanded child care and better schools—we are likely to find them on the welfare rolls as parents 15 years from now. In short, there is a great need for child care programs which contribute to the development of the child as well as provide a safe place for the child while the mother is working.

Mr. Speaker, that President Nixon should now justify the day care provisions of H.R. 1 solely as a device to enable welfare mothers to work without any hint of the importance of these programs to the development of children represents an astonishing retreat from his earlier plea, on August 11, 1969, in proposing his welfare reform bill and calling for federally supported day care programs. Said the President then:

The child care I propose is more than custodial. This Administration is committed to a new emphasis on child development in the first five years of life. The day care that would be part of this plan would be of a quality that will help in the development of the child and provide for its health and safety and would break the poverty cycle for the new generation.

Now, Mr. Speaker, we all want to encourage people on welfare to work whenever possible and appropriate, but it is most distressing that the President has abandoned his earlier, more understanding view that child development programs must focus on the good of the child. It is distressing that he should now take the attitude that regards day care programs as nothing but babysitting centers to enable parents to work. The President seems to have forgotten his earlier speeches; some of us have not.

Moreover, for the President to charge, as his veto message does, that "to some degree, child development centers are a duplication" of the day care centers to be provided by H.R. 1 reflects further lack of awareness on the President's part of the expressed intent of Members of Congress with respect to the relationship between the day care centers to be provided under H.R. 1 and the child development programs to be provided by the Comprehensive Child Development Act.

I refer the President to a colloquy on September 30, 1971, during consideration of the child development bill, when the distinguished chairman of the Committee on Ways and Means, the Honorable WILBUR D. MILLS of Arkansas, said to me:

I appreciate the gentleman's cooperation on these points. As I said last June, the distinguished member from Indiana has been most cooperative in assuring that the Congress is not enacting duplicative or overlapping programs.

Obviously, Mr. Speaker, Chairman MILLS, as sponsor of H.R. 1, and I, as sponsor of the Comprehensive Child Development Act, were making legislative history to indicate that these two programs were neither contradictory nor duplicatory.

Mr. Speaker, the President also attacked the child development programs to be provided for in the bill he killed as "redundant in that they duplicate many existing and growing Federal, State, and local efforts to provide social, medical, nutritional, and education services to the very young."

If such services exist and are growing sufficiently, why did Mr. Nixon himself in 1969 feel it imperative to call, in his oft-quoted phrase for a "national commitment to providing all American children an opportunity for healthful and stimulating development during the first 5 years of life"?

Mr. Speaker, the President also attacked the amount of money to be provided under the child development program and says that—

The expenditure of two billions of dollars in a program whose effectiveness has yet to be demonstrated cannot be justified.

Mr. Speaker, I would remind the President that the $2 billion figure, the amount authorized for the next fiscal year, includes approximately $400 million to cover existing federally supported child care programs and that the bill, therefore, only authorizes $1.6 billion in new money.

But, of course, the only rational way to make a judgment on the question of cost is to measure the cost against the need for such programs.

I here cite one estimate.

If $2 billion were made available—the amount authorized for the next fiscal year—and if there were provided part-day services to children zero to 5, we would be able to serve 1,538,462 children—42 percent of the eligible population under the family income level of $4,320.

For purposes of comparison, we today only serve 20 percent of that population. In fiscal year 1972 all children served totaled 479,400.

Mr. Speaker, we all know, as President Nixon said, that the resources of the Federal budget are limited but we also all know that the task of responsible Presidential leadership is to make judgments about which among competing demands deserve priority for the investment of tax dollars.

The December veto makes dramatically clear that, when the chips are down, the Nixon administration assigns a very low priority to children.

Mr. Speaker, in his veto message, the President also attacks the child development program in this legislation as one which would "lead toward altering the family relationship."

Mr. Nixon is apparently ignorant of the fact that his own Secretary of Health, Education, and Welfare on June 8, 1971, in a letter to me set forth a statement of the Nixon administration's position on day care and child development legislation pending before the Select Subcommittee on Education.

Here is how Secretary Richardson then described the administration's view of the purpose of comprehensive child development legislation:

The purpose of the Comprehensive Child Development Act would be to (1) consolidate and coordinate Federal day care and child development programs; (2) assist in the development of a primary system for the delivery of day care and child development services under such programs; and (3) establish two principal targets for the provision of services under such programs: (a) the provision of day care services for children of low-income working families and (b) the provision of child development services for children regardless of the work status of their parents, to the extent permitted by budgetary resources and with priority to economically disadvantaged children.

Mr. Speaker, Secretary Richardson's statement of June 8, 1971, is an accurate description of the child development program vetoed on December 9, 1971, by President Nixon.

I here add that in his letter to me, Secretary Richardson spoke of "this highly important measure on behalf of the welfare of the Nation's children."

Is it any wonder, Mr. Speaker, that many of us read with great astonishment Secretary Richardson's speech on December 8, 1971, in which he attacked, to quote him:

> The propensity of politicians who promise more than they can possibly deliver.

Could he have been speaking of Richard Nixon?

I might here add, Mr. Speaker, that if there were as President Nixon last week alleged, "a respectable school of opinion that this legislation would lead toward altering the family relationship," Secretary Richardson and other administration spokesmen were most successful in concealing its existence from our subcommittee. For at no time during our hearings did the Nixon administration witnesses make the savage kind of attack on the child development bill that Mr. Nixon made with his veto message rhetoric charging that the legislation would "diminish both parental authority and parental involvement with children."

This charge of course is absurd and irresponsible. We have carefully drafted the bill to protect the rights of parents and their children.

First, participation in the program is completely voluntary. Children will not participate without the specific request of a parent or legal guardian.

Second, children will not be tested unless the parent or guardian is informed and given an opportunity to accept the child.

Third, the bill contains specific language providing protection against any involvement of the moral or legal right of parents or guardians with respect to the moral, mental, emotions, or physical development of their children.

To reiterate, the child development program, unlike the public school program, is totally voluntary.

Moreover, as I shall explain more fully later, the bill assigns principal responsibility for planning and operating child development programs to the parents of the children who are served.

With respect to the President's allegation that "his administration has been working for the objective of bringing the family together," I might here note, Mr. Speaker, again citing the December 10, 1971 statement of the Day Care and Child Development Council of America, Inc., that "Mr. Nixon seems to want to have his cake and eat it, too."

Said the Council:

> He alleges that the child development section here vetoed appears to move contrary to that. Later, he objects to "communal approaches to child rearing over against the family centered approach."
>
> So he is objecting to child care programs on principle apparently, while promising to provide enough child care to permit low-income people to work. He omits mentioning here that parents may be forced to take jobs, under H.R. 1, at an hourly rate of $1.20. It is impossible for us to reckon how this (H.R. 1) thereby assists family life.

Mr. Speaker, another question that the President raises in his message is that of "who the qualified people are and where they would come from to staff the child development centers."

Mr. Nixon seems to be ignorant of the fact that the child development bill he killed specifically provides that 10 percent of the moneys appropriated be devoted to the training of persons at the professional and paraprofessional levels to operate the programs.

Moreover, Mr. Speaker, the President seems to have ignored the fact that the legislation is aimed, in part because of the need to train more workers, at carefully phasing in the child development programs. The bill requires in this respect the creation of a Child Development Council and the proposal and approval of a comprehensive child development plan. This means that 12 to 18 months will elapse before any substantial number of communities will be available even to qualify for operating funds.

The sponsors of the legislation fully understood that it would not be wise immediately to launch a full-scale program but rather that time would be necessary if the program were to be soundly mounted.

Mr. Speaker, there is another charge that the President makes that is about as accurate as most of his others and it is that the legislation would create "a new army of bureaucrats." That the President would so characterize the persons would be the members of the Child development councils and the project policy committees at the local level is remarkable. Apparently, he has not even understood or wanted to understand that the chief responsibility for the planning and operation of the child development programs provided in this legislation would be the parents of the children involved.

The bill deliberately required that parents of children served by child development programs compose at least one-half of the membership of both the governing boards created to administer these programs. These parent-governed boards, the child development councils, and the project policy committees would decide which programs to fund, and approve the content, curriculum and policy of each individual project.

And the bill expressly stated that:

> Nothing in this title shall be construed or applied in such a manner as to infringe upon or usurp the moral and legal rights and responsibilities of parents or guardians with respect to the moral, mental, emotional or physical development of their children.

Mr. Nixon's rhetorical charge of a "new army of bureaucrats" suggests that he does not want to see the participation of parents or their representatives at the local level, for, if the parents will not plan and operate such programs, who will do so? Apparently a new Nixon-appointed army of Government bureaucrats.

Mr. Speaker, the President also contends that "the States will be relegated to an insufficient role" in the child development program.

Once again, his rhetoric is not on all fours with the facts.

The language of the bill is specific in requiring State involvement at every stage: Creation of prime sponsors, formation of comprehensive child development plans, and project operation.

Moreover, up to 5 percent of operating funds will become available to States to carry out their functions. In this way, States are encouraged to provide technical assistance and coordination of child programs within their boundaries. The States can thus identify problems, help in solving them, and advise the Department of Health, Education, and Welfare on how effectively programs are meeting child development standards.

But there is still another way in which States may participate in the program. The bill specifically authorizes the Secretary to fund directly any program—including that of a State—whenever he finds that a local community has not submitted a program, submitted an inadequate program, or where a program does not or cannot meet the needs of children.

Indeed, Mr. Speaker, in order to make clear that there would be a role for the States, the distinguished chairman of the House Committee on Education and Labor, the Honorable CARL D. PERKINS of Kentucky, and the distinguished ranking minority member of the Select Subcommittee on Education, who contributed much to the shaping of this bill, the Honorable OGDEN REID of New York, engaged in a colloquy during House debate on the conference report.

Mr. REID said that he wished to make it clear that—

> The Secretary has very broad discretion in selecting prime sponsors, including the discretion to use the States in order to put into effect the best possible performance in respect to child development.

Reviewing the broad requirements a prime sponsor must meet to qualify, Mr. REID asked Mr. PERKINS:

> So there is a responsibility with the Secretary to satisfy himself that any applicant, whether a locality, a combination, or an Indian tribe or a State, has the administrative capability to marshal resources and to provide effectively or assure access to the educational, social and other services needed to insure the comprehensiveness and high quality and standards for programs conducted under the title.

Mr. PERKINS replied:

> Yes, subject to the qualifications that whatever standard he may apply under these provisions be objective and applied to each case with an even hand; it is not intended as a license to develop standards such as population criteria which would have the practical effect of excluding a particular class of eligible applicants.

Mr. REID then said:

> Therefore if an applicant which is a locality, or a combination of localities, or an Indian tribe lacks the capability to carry out comprehensive programs or if the plan fails to meet the other requirements under the (act), the Secretary clearly has the authority to reject that application and to designate a State or other public or private nonprofit agency as prime sponsor, if it meets the requirements.

Mr. PERKINS replied:

> Yes, and the requirements that apply would be the same.

Mr. REID answered:

> In summary then, while the conference bill reflects the judgment that the Secretary should look first to locally run programs—in the interest of parental participation and other elements—the Secretary is not power-

less to choose a State over a locality and he is granted ample flexibility and freedom to make reasonable judgments to insure the comprehensiveness and high quality of care for children as long as he is prepared to support them with findings of fact.

Mr. PERKINS then replied:

The gentleman is correct.

Indeed, Mr. Speaker, there can be no question that the comprehensive child development program which the President vetoed provides a more important role for the States than does the present Headstart program.

So the President's argument that "the States would be relegated to an insignificant role" is just not accurate.

It is also curious, Mr. Speaker, that President Nixon would attack the bill on the grounds that it would "retain an excessive measure of operational control for such education at the Federal level, in the form of the standards and program guidelines to be set down by the Welfare."

President Nixon seems ignorant of the fact that Dr. Edward Zigler, Director of the Office of Child Development, who the President appointed, said, in Houston, Tex., October 30, 1971, in commenting on child day centers, that present licensing procedures in most States were inadequate and added:

We are preparing the nation to clean up the licensing situation.

Mr. Zigler said that States would have a choice of whether to accept or reject Federal codes but added:

If the States expect to get Federal money they have to follow the national code.

Mr. Zigler said that 37 States had already expressed interest in the Federal codes and added:

They are looking forward to receiving the codes with the idea of adopting them.

Most of the States, he said, have indicated the need for some direction and some leadership.

But, Mr. Speaker, I suppose that of all the many criticisms which have been directed at President Nixon's veto of the child development bill, none has been more cited than the President's contention, to quote him, that—

For the Federal Government to plunge headlong financially into supporting child development would commit the vast moral authority of the National Government to the side of communal approaches to child rearing over against the family-centered approach.

As the Washington Post said in a December 12, 1971, editorial, the President's veto message is "just to begin with, weird."

Said the Post:

It is weird because it is contradictory, arguing first that day care centers are good and then that they are evil. The contradiction points only to one possible conclusion: that this message is a bone he has tossed to his critics on the far right, with next November in mind, and at the expense of mothers and children and of a day care program which the President would have us believe he really supports.

Mr. Speaker, for Richard Nixon to suggest that the child development program he vetoed is aimed at supporting "communal approaches to child rearing over against the family-centered approach" is unadulterated nonsense.

I remind the President that this legislation has, during the last 2½ years, enjoyed wide bipartisan support.

I remind the President that Republican Members of the Senate voted, by a margin of over 2 to 1, for the passage of the child development bill.

I remind the President that the Republican leader of the Senate and the Republican whip of the Senate both voted for the bill.

I remind the President that the chairman of the Republican National Committee, also a Senator, voted for the bill.

I remind the President that nearly 100 Members of the House, Republicans as well as Democrats, introduced child development legislation this year.

Is the President seriously expecting people to believe that those Republican Senators—and the Democratic ones—who voted for this bill voted for "communal approaches to child rearing over against the family-centered approach"?

Nonsense.

Is the President seriously expecting people to believe that the Republican leader of the House, a Representative who introduced child development legislation, and the Republican members of the House Committee on Education and Labor who worked long and hard for such legislation favor "communal approaches to child rearing over against the family-centered approach"?

If either these Republicans in Congress or spokesmen of the Nixon administration believed that this would be the effect of this legislation, they certainly did not express this apprehension throughout the lengthy consideration given to the bill. It therefore becomes obvious to any rational observer why the President engaged in such a specious attack on a program which he had once indicated he thought essential.

The reason is simple: President Nixon is now distressed about the criticism from the right wing of his party because of his forthcoming visit to Peking and Moscow, and the child development bill seemed an appropriate lamb to throw to the right wing wolves.

One of our colleagues, the gentleman from Ohio (Mr. ASHBROOK), who a number of prominent conservatives are urging to run against President Nixon in the primaries, last week called the veto "a signal that a lot of people have been looking for."

According to the December 1, 1971, issue of Education Daily, Mr. ASHBROOK noted:

If he does veto it, it will help him a little. If he doesn't, it will hurt him a lot.

Mr. Speaker, the President apparently decided to get a little help from his right wing friends by hurting a lot the children of America. The whole business ill becomes the occupant of the highest office in the land.

years to shape a child development pro-

Mr. Speaker, many of us, both Democrats and Republicans, have worked carefully and cooperatively in both the House and Senate during the last 2½ gram that can meet the challenge of which President Nixon so eloquently spoke so many months ago—the challenge to make "a national commitment to providing all American children an opportunity for healthful and stimulating development during the first 5 years of life."

Mr. Speaker, I am confident that there are still Republicans and Democrats in both the Senate and House of Representatives of the United States who want to make good on President Nixon's call for this commitment, and I hope therefore that, in the second session of the 92d Congress, we can persuade President Nixon to join us.

For, again to quote President Nixon's veto message:

We owe our children something more than good intentions.

Mr. Speaker, at this point in the RECORD I include a statement dated December 10, 1971, from the Day Care and Child Development Council of America, Inc.:

DAY CARE AND CHILD DEVELOPMENT COUNCIL OF AMERICA RESPONDS TO PRESIDENTIAL VETO

(By Theodore Taylor)

The President's veto stands in stark contrast to the will of the people of the United States as expressed through their Congressmen and Senators. It appears in even more dismaying form when read against the background of the President's own White House Conference on Children.

Just one year ago this week, 4,000 citizens were called to Washington at the invitation of the President. These were no radical agents of social change, but men and women carefully selected to represent a broad spectrum of American life. At the conclusion of their work, these representatives to the President's own Conference stated that their number one overriding concern was for the enactment of precisely the sort of child care programs which the President has now vetoed.

"We recommend that the Federal Government fund comprehensive child care programs, which will be family centered, locally controlled, and universally available, with initial priority to those whose need is greatest. These programs should provide for active participation of family members in the development and implementation of the program. These programs—including health, early childhood education, and social services—should have sufficient variety to insure that families can select the options most appropriate to their needs."

In response to issues raised in the President's veto message, we respond as follows:

We charge that the President has been insensitive to the immediate desirability for a national commitment to child development programs. Is he unaware that of the 21 million children in this country under the age of 6, 10 percent (by a conservative estimate) are in glaring need of safe, quality developmental day care? That is 2.1 million at least! Two to three percent of these 2.1 million—up to 600,000—are simply left to care for themselves because their working mothers can find no care for them which the family can afford. Add to that the number known to be suffering abuse and living day to day in circumstances where rats and lead poisoning are a constant danger, and you reach the 2.1 million figure. Those children are the need! And there are millions more who are the need, because of developmental deficiency of their environment and their families' particular desires for early childhood programs. Their needs require a commitment of national resources. They are a social responsibility given the economic realities of American life today.

Is Mr. Nixon aware that 70–80 percent of working mothers have their preschool children cared for in unlicensed, informal arrangements—by a very conservative estimate? And that a 1968 Child Welfare League survey of working mothers came up with a clear demonstration of the desirability of a national commitment to child care and development *from their perspective*. The survey found that working mothers of all races and economic strata would use child care centers if they could afford them. This was true of 47 percent of the mothers who had to leave their children to care for themselves because they could not find an acceptable child care arrangement which they would afford; 67 percent of those who care for their children while they worked; 40 percent of those whose children received care from a sibling; 38 percent of those with children cared for by a relative; and 52 percent of those cared for by neighbors or friends. These women can tell Mr. Nixon about the desirability of federal support for child development programs. They are working mothers; not the same mothers who may receive child care aid under the Welfare Reform Plan. Mr. Nixon seems unaware that the desperate need and the obvious desirability addressed in the bill which he vetoed exends far beyond his plan to relieve welfare rolls by putting poor mothers to work.

We must make one other point about Mr. Nixon's first objection: He describes the child development legislation which he is seeking to kill as a national program. A closer reading of the legislation should make it clear to the President that the bill authorized community programs, with parents and others from the local communities where children are growing and learning as the primary policy makers and program shapers. The bill calls for the federal government to fund communities to care for their children, not to do the job for them.

The charge that the President is hypocritical in opposing child developing programs because it works against bringing the family together while defending day care provisions of H.R. 1.

We charge that the President raises a false issue of program duplication when existing governmental programs are patently inadequate in volume alone to meet Mr. Nixon's stated goals.

Mr. Nixon alludes to the provision in H.R. 1 for day care centers to provide for children of the poor so that their parents can leave the welfare rolls to go on the payrolls of the nation, and cites that child development centers in the OEO bill would to some degree duplicate these efforts.

We charge that the President has abdicated his responsibility to provide leadership in reordering the Nation's priorities in favor of children.

It is irresponsible of Mr. Nixon to base his veto of this bill on the limitations of the federal budget when, in fact, it is precisely his task as President to lead the nation in the allocation of its great resources.

Mr. Nixon entered upon his administration by making "a national commitment to provide all American children an opportunity for a healthful and stimulating development during the first five years of life."

It has become clear today that either these words were simply rhetoric, or else the President failed from the beginning to take the real measure of the commitment he so easily announced. For it has long been obvious to those of us associated with developmental child care that nothing could be accomplished on the scale required to meet the real need in America until our nation's present priorities first were challenged and radically reordered.

Mr. Nixon has failed to lead this effort.

The realities are such that, in order to care more about our children, we need now to begin caring less about many other things. The critical need is for national leadership which can free America from its inordinate investment in roads, rockets and rifles, and its consequent neglect of people.

Mr. Nixon seems to want to have his cake and eat it, too. On the one hand, he claims (point 4) that his Administration has been working for the objective of bringing the family together. He alleges that the child development section here vetoed appears to move contrary to that. Later (point 9), he objects to "communal approaches to child rearing over against the family centered approach."

So he is objecting to child care programs on principle apparently, while promising to provide enough child care to permit low-income people to work. He omits mentioning here that parents may be forced to take jobs, under H.R. 1, at an hourly rate of $1.20. It is impossible for us to reckon how this (H.R. 1) thereby assists family life. Rather, it perpetuates poverty and degradation.

Furthermore, child care provisions of H.R. 1 are so vaguely written that they defy an intelligent comparison with the relatively clear provisions of S. 2007.

On the matter of possible duplication, there appears to be no impediment to voucher payments under H.R. 1—should this highly questionable bill pass in something like its present form—being used to secure slots in the child development programs for its eligible recipients. Such a procedure would also achieve racial and class integration rather than establishing segregated programs for welfare recipients.

The matter of duplication of programs is also dealt with above in terms of the magnitude of need for child care and the absence of existing programs and facilities.

We charge that the President has misused a valid national concern for supporting family life in his veto of this bill.

We agree with the President's desire to enhance parental authority and involvement with children. In view of economic circumstances which require both parents to work, and changing family patterns which include single-parent families and the separation of nuclear families from the larger family, the provisions of this legislation seem best adapted to do just that. Parents are recognized as the authorities over the care and development programs which can mean so much to them and their children. Once again, the President should note that this bill called for a program to be governed principally by them, not by him or Secretary Richardson.

We charge that the President has branded those people whose authority and involvement he wishes to enhance as a new army of bureaucrats. We are appalled at his low estimate of the commitment of the people who would compose Child Development Councils and Local Policy Councils to see that the care and development of their own children will be safeguarded and will never be relegated to the level of a bureaucratic function. Indeed, Mr. Nixon's objection that states would be relegated to a less significant role than he deems appropriate suggests that he wants more bureaucrats in the delivery of child care services, not less.

We cannot ignore the intention in the veto statement about "communal approaches to child rearing against the family centered approach." We seek the maximization of options for families. Since this program is entirely optional, no one can be forced to use a child development program (unlike H.R. 1, where coercion to work at slave wages is the dominant impetus). Moreover, it sounds like the Old Nixon who deploys red herring phrases like "communal approaches" without defining what he means. Are public schools "communal approaches"? . . . are choirs and orchestras? This sounds like a repetition of Right Wing shibboleths calculated to allay political opponents rather than a serious comment on a developmental social program which can benefit the intellectual, physical, and social resources of the United States.

Also, we align ourselves with the other supporters of Office of Economic Opportunity programs and urge the immediate continuation of OEO programs and the establishment of the Independent Legal Services Corporation.

Mr. Speaker, I here include in the RECORD several editorials on the President's veto of the Comprehensive Child Development Act and a related article:

[From the Washington Post, Dec. 12, 1971]

THE PRESIDENT'S VETO OF DAY CARE

President Nixon's veto message to Congress explaining why he disapproves of the Child Development Act is, just to begin with, weird. It is weird because it is contradictory, arguing first that day care centers are good and then that they are evil. The contradiction points only to one possible conclusion: that this message is a bone he has tossed to his critics on the far right, with next November in mind, and at the expense of mothers and children and of a day care program which the President would have us believe he really supports.

The President's straddle comes about because day care centers are an integral part of his welfare reform program. His plan, sent to Congress two years ago, included a request for $750 million for funds to provide day care for children of poor families so their mothers can work. Indeed, it required that ultimately welfare mothers with children over age 3 put those children in day care centers and take jobs, providing both the centers and the jobs are available. This provision, as we have pointed out before, is largely window dressing as things are, since neither the centers nor the jobs exist, but it is the enticement the President used in trying to win right-wing support for welfare reform. In his veto message Thursday, the President called again for passage of that welfare day care program, saying that it would fill one of the needs of the country, a need "for day care, to enable mothers, particularly those at the lowest income levels, to take full-time jobs."

Now, if that were all Mr. Nixon had done in favor of day care, it would be fair to conclude from his veto message that he is for *requiring* poor people to put their children in such centers but against *permitting* middle-class people to do so. But it isn't all he did. The President also used the veto message to announce his support for substantial increases in the income tax deductions that parents who are working can claim for day care expenses. This is a clear encouragement to middle-class parents to use day care centers and go to work.

Having thus put himself on the record in favor of day care—an issue about which many organized groups in the country feel strongly—Mr. Nixon then vetoed the bill which would have given a much needed spur to day care development. This bill, he said, is "the most radical piece of legislation" to come out of this Congress. You might expect, once he had said that, that he would offer an explanation of how this particular day care program differed so much from those he supports. The President did list nine specific objections. Five of them are complaints that this bill would partially duplicate services he hopes to provide in the welfare bill, would give the states too minor a role, would cost too much, would create "a new army of bureaucrats," and would create centers which would be difficult to staff. Since there is nothing "radical" in those specifics—we hear them all the time about almost every piece of legislation—the radicalness of this particular bill must lie in his other objections. They are:

"Neither the immediate *need* nor the desir-

ability of a national child development of this character has been demonstrated." . . .

"For more than two years this administration has been working for the enactment of welfare reform, one of the objectives of which is to bring the family together. This child development program appears to move in precisely the opposite direction. There is a respectable school of opinion that this legislation would lead toward altering the family relationship . . .

"All other factors being equal, good public policy requires that we enhance rather than diminish both parental authority and parental involvement with children—particularly in those decisive early years when social attitudes and a conscience are formed, and religious and moral principles are first inculcated . . .

"For the federal government to plunge headlong financially into supporting child development would commit the vast moral authority of the national government to the side of communal approaches to child rearing over against the family-centered approach."

We do not find in this one word that distinguishes the day care program Mr. Nixon vetoed from the day care program he is supporting. His specifics apply to all child care facilities and it is logically impossible to square his assertion that we need to enhance parental involvement with children with his program to compel welfare mothers to put their children in day care centers. Perhaps he did not distinguish between the programs because drawing such distinctions is difficult.

That is what convinces us that this veto message is the bone he has decided to throw to the right wing of his party. If it were not, Mr. Nixon could have vetoed this bill on the other specific objections he set out—it would, for instance, create major administrative problems—and Congress could have met them. But as it is, the President chose to kill the whole idea by spelling out his veto in language that comes straight from the material circulated against this bill by the far right, language that distorts what the bill was all about and what it would have done.

[From the New York Times, Dec. 12, 1971]

ABANDONED COMMITMENT

President Nixon explained his veto of the child development program by calling the plan too costly, administratively unworkable, professionally ill-prepared and designed to undermine the American family. The sweeping nature of this attack cannot obscure the fact that the concept of child care and development enjoys broad popular support across most of the traditional divisions of politics, class, economics and race.

The argument put forth in the veto message are not convincing. Initial costs would not have been high. By limiting free services to the welfare level of poverty, Congress had already responded to the Administration's budgetary objections. Contributory fees could have readily been revised later, when operations would have provided a clearer picture of the extent of voluntary participation.

The President's vague reference to an unworkable bureaucracy reflects the Administration's apparent preference for control and management by the states, hardly the best administrative level for action that must be geared to local communities and neighborhoods. Participation by a wide variety of public and non-profit private agencies was one of the attractive features of the plan.

The President's charge that day care weakens the family ignores the realities of much of modern family life. Poor and working-class families normally have to leave their children improperly supervised or entirely unattended for much of the day; families at virtually all other income levels rely heavily on baby-sitters and, in the upper brackets, a variety of domestic help.

Mr. Nixon is justified in his concern over the lack of trained personnel, but much of the bill's first-year expenditure was to be devoted to the necessary training. The veto suggests that the President's concept of child care is limited to welfare cases and is only custodial at that. This approach reduces the chances that disadvantaged children will be lifted out of their debilitating environment at an early age.

In his message, Mr. Nixon observed that the proposal "points far beyond what the Administration envisioned" when it made its earlier commitment of providing healthful and stimulating development for all American children during the first five years of life. But in the absence of a positive program, his veto has reduced that supposed commitment to mere political rhetoric.

[From the Wilmington (Del.) Evening-Journal, Dec. 10, 1971]

YES FOR DAY-CARE BILL

It is difficult to believe that the same President Nixon who stood in front of the 4,000 delegates to last December's White House Conference on Children and spoke with conviction about his determination to meet the needs of America's children has now vetoed the day care bill.

Fact after fact was cited last winter to show the absence of adequate day-care facilities:

12 million children under 14 had mothers working in 1965, and with the current trend of women joining the work force that number must have increased substantially since then.

Four and a half million of those children were under 6 years old and 18,000 received no care at all while their mothers were working.

In 1970, there were 640,000 spaces in licensed day-care homes; the estimated need was for several million such spaces. The conference recommended a goal of 5.6 million day-care slots by 1980.

All recent studies point to the overriding importance of early experience in human growth and development. A comprehensive day-care facility can be an important factor in supplementing home care and in fostering healthy growth.

With these points in mind, the compromise day-care bill passed 210 to 186 by the House of Representatives on Tuesday and more resoundingly by Senate earlier sounded very good indeed and deserving of presidential approval.

The new legislation, which can only be saved by a Congressional override of the President's action, would provide a comprehensive day care program including medical, social, nutritional, educational, custodial services: Poor families (for instance, a family of four with an annual income under $4,320) would receive the day-care services free; families with higher incomes would contribute on a sliding scale. Emphasis would be on care of preschoolers; though after-school care for older children and school-vacation care would also be included.

The child development centers would be sponsored by any political subdivision of 5,000 or more; financing could be obtained directly by the political subdivisions without having to go through the intermediate state channel. This feature is in direct response to the conference's call for local coordination and control; it is also one of the points to which the President objects on administrative grounds.

The measure as passed by Congress authorizes $100 million in start-up funds and envisages a federal expenditure of $2 billion for 1973, the first year of operation.

The President's displeasure with the day-care measure centers on its cost. While this is a concern that all taxpayers share, the advantage of giving America's children a better start in life far outweighs the cost factor. Furthermore, the side-effects of the day-care program—jobs for those who run the centers, construction of day-care facilities or use of existing buildings that lie fallow, a widening of life options for women—also are beneficial and constructive.

The day-care measure went through the legislative mill of hearings, debates, compromises for a good many months. A fine measure emerged.

It merited better than a presidential "No." All that can be hoped for now is a congressional override—always difficult to obtain. But it's worth a try at least.

[From the Washington Post, Dec. 1, 1971]

PROGRAMS BEFORE CONGRESS THIS WEEK—A NEW PUBLIC ATTENTION TO PRESCHOOL CHILD DEVELOPMENT

(By Alice M. Rivlin)

In the United States, public concern for a child's welfare generally does not become evident until he reaches age 5 and is eligible for kindergarten. Even then the public responsibility usually ceases at 3 o'clock in the afternoon.

But these attitudes are already changing. The next few years are likely to see a burst of public attention to the vital years between birth and 5, rapid growth of all-day programs for pre-school children with working mothers, and recognition that the day does not end for a school-age child when the 3 o'clock buzzer signals that classes are over.

The big questions will be: what character will these new programs have? Who will run them? And who will pay for them? When the Congress votes this week on the OEO bill, it may begin to provide the answers.

The bill extending the life of the Office of Economic Opportunity, just reported out of the House-Senate conference committee, contains a new Title V, for "Child Development Programs," meaning a wide variety of services to children such as all-day care for preschoolers, after-school and vacation programs, nutrition, medical, dental and psychological services, and education for parents in child-care and development. The bill authorizes $2 billion for such programs in fiscal year 1973, including $500 million earmarked for continuation of Headstart. The money would be allocated among the states in accordance with a formula, but administered primarily at the local level. Communities with 5,000 or more people could be "prime sponsors," applying directly to the federal government for money. The prime sponsor would be required to have a Child Development Council, half of whose members would be elected by parents, and individual projects would be run by Project Policy Committees composed of parents and local community members. The bill would make child development services available free to those with incomes of less than $4,320 a year (for a family of four) and would establish a fee schedule related to income for families with more resources.

While there is some vagueness about what "child development" actually is—partly because the framers of the bill were eager to preserve flexibility and choice at the local level—it is very clear what this program is *not*. First, it is *not* just a babysitting operation to provide custodial care for children while their mothers work. The bill emphasizes the well-being of children and the comprehensive services they need for full development, whether their mothers work or not. Second, it is *not* just another program for the poor. Priority is to be given to "preschool children with the greatest economic and social need," but the intention is to make services available to families at all income levels with those above the poverty line paying part of the cost. Third, it is not just another welfare program. The "prime sponsor" mechanism and the parent councils are specifically designed to by-pass the state welfare bureaucracies and give the beneficiaries of the program a real voice in its operation.

Several different groups are pressing for federal programs for children, for different and not entirely compatible reasons. Some

are primarily motivated by a desire to reduce the welfare rolls. They believe day care should meet minimum standards of health and safety so the children do not come to harm, but that its main objective ought to be to keep children out of the way so that their mothers can earn wages rather than welfare. A second group is primarily concerned with overcoming the damaging early handicaps of children from poor families. Headstart, which reaches many 4- and 5-year-olds, but usually for less than a year, has proved too little and too late. There is accumulating evidence that children develop rapidly in the first three years of life, that good nutrition and mental stimulation at this age make a difference—at least if they are sustained. A third group, the voice of women's liberation, sees attractive stimulating day care centers as a way of giving *all* women, not just the poor, a genuine choice between child care and work outside the home. And finally, there are those whose primary motivation is to mobilize community action in the ghetto, the rural South or on Indian reservations, who believe parent involvement in decision making about Headstart programs did as much for parents as for children, and who see community controlled child development programs as a good vehicle for the poor to use in acquiring political experience and challenging the "power structure."

The focus on reducing welfare rolls is reflected in H.R. 1, the Nixon-Mills welfare reform bill that has passed the House, but not the Senate. Under H.R. 1, a mother on welfare could be required to take work (unless she had a child under 3) provided day care was available. Senator Long, no enthusiast of the administration's welfare reform proposals, has held hearings on his own bill to provide custodial day care to the poor through a public corporation.

But while welfare reform was bogged down in the Senate, bills for more comprehensive but entirely voluntary child development programs were making their way through the legislative obstacle course on both sides of the Hill. Senator Mondale's Child Development Bill, incorporated into the OEO amendments, stressed comprehensive services and community control and would have provided services free to families with income under $6,920 with a sliding scale of payments for families with higher incomes. On the House side, a similar bill, sponsored by Representatives Reid, Brademas and Mink, but giving more role to states and less to localities and parents, was added to the OEO extension as a floor amendment. When both bills passed and went to conference, the administration voiced concern about their cost and threatened a veto. To avoid a veto, the conferees lowered to $4,320 the income level below which services would be free and adopted a moderate scale of payments for families with incomes between that level and $6,920 (above that level the Secretary of HEW would set fees). The language of the Senate bill was modified to give a little more role to the states and rule out communities with less than 5,000 people as prime sponsors.

The bill now moves back to the two floors where it may encounter Republican opposition especially in the House. Republican unease is related not to cost, but to the bypassing of the states. If the bill passes, there is still the possibility of a veto, although it would surely be politically costly for the President, who has put such personal stress on the dignity of work, to veto a bill which promises to make work possible for millions of women and better the lives of children into the bargain.

Strident right-wing opposition to the bill has developed on the grounds that "child development" sounds like a 1984 attempt of the state to take over the role of the family. This criticism is pretty far fetched since participation would be entirely voluntary and the bill gives parents much more control over the new programs than they have over present public schools.

Criticism of the administrative mechanism has more substance—having all those "prime sponsors" deal directly with Washington hardly seems like an ideal administrative set-up. Unfortunately, however, state administration, especially in the Deep South, has so often proved insensitive to the needs of poor and minority children that direct funding may be necessary—at least for a few years.

To the criticism that these programs will be costly in the long-run there is no answer, except "yes." The bill to be voted on authorizes spending $2 billion a year for two years on the assumption that participation in the programs will be far from universal, a reasonable assumption in view of difficulty of organizing and staffing good programs quickly. In the longer run, however, it just has to be recognized that providing first-rate services to preschool children and adding after-school activities for older children is going to be expensive—$10 billion a year could be spent easily. The cost to the taxpayer can be reduced if middle and upper-income people pay fees, but these fees cannot rise too steeply as income rises without reducing incentives to earn more income. (The effect is the same as a high income tax rate.) In the long run, there will be no cheap way to do a good job. If the Child Development Bill becomes law there will at least be a hope that federal funds for day care will be spent primarily to meet the needs of children, not just to keep them busy while their mothers work.

Mr. REID of New York. Mr. Speaker, in vetoing the early child development-day care bill, the President has defeated one of the most important pieces of social legislation of this decade. His action represents a bow to political pressures and a strong disappointment to millions of children and working mothers.

The President's veto message clearly demonstrates a misconstruing of the premises of the legislation as well as an inaccurate presentation of the facts. The basic issue here is one of quality versus custodial care. The President approves of custodial care for children of welfare mothers. And that is all he approves of. And yet, there are millions of working mothers who must work and many more who want to work, yet who have no services for their children. One of the greatest ironies in the veto is that the vetoed bill would specifically have provided for lower middle-income families anxious to stay off the welfare rolls.

The President's message emphasizes care in the home through tax credits and purchasing of day care facilities through the private sector with a minimum of Federal involvement. This is to consign quality day care to upper middle-income families and to the wealthy. Those of us who have spent some time where disadvantaged children live, know that many have only one parent and that day care in this setting is a mockery of the tragic needs of these children. Further, to suggest that this single parent is in a position to benefit from a tax credit is to completely misread what poverty means to millions of Americans. Leaving aside the premises and the facts, and we do not mean to be exhaustive in this regard, there is a monumental gap between the President's national commitment to all American children ages 1 to 5, twice repeated, and the statement in the veto message in which he says that:

> This program points far beyond what this administration envisioned when it made a "national commitment to providing all American children an opportunity for a healthful and stimulating development during the first 5 years of life."

If the comprehensive child development bill, which was a minimum beginning after all, goes way beyond the administration's present intent, what is left of this pledge beyond the most empty rhetoric?

The experts who testified before the Education and Labor Committee were virtually unanimous in their agreement that the greatest gap in our educational system and the greatest hope for saving many of our young children rests in reaching them during the first 5 years of their lives. In denying these facts, in pursuing the course of only the most minimal facilities for only the children of working welfare mothers, the administration has turned its back on American children and made a mockery of its own commitment to the first 5 years of life. This horrendous act will cost our society a great deal more than the happiness or unhappiness of preschool children, for this administration will now have to bear much of the blame for the children who, 10 to 15 years from now, become addicts, dropouts, and misfits, burdening our society in a much more serious way than this administration chooses to realize.

Those of us who have worked so hard for so long in this bipartisan effort must and will continue until our goal of quality day care for all those who seek it has been realized.

Mr. Speaker, I wish to propound a number of questions to the manager of the conference report, the gentleman from Kentucky, the chairman of our committee which handled this bill. I think the questions and answers will be of great importance both to the Members who must decide how they will vote on the conference report and to the administration.

My questions concern the selection of prime sponsors for child development programs.

It is my understanding of the conference bill that a State, a locality, a combination of localities, Indian tribal organizations or public or private nonprofit agencies or organizations may be designated by the Secretary as a prime sponsor for the purpose of entering into arrangements to carry out child development programs upon meeting the requirements spelled out in the bill.

Mr. PERKINS. The gentleman is correct. Section 513 so provides. In the case of localities and combinations of localities there is a requirement that the units of general local government cover an area having a population of 5,000 or more persons.

Mr. REID of New York. Am I also correct that in considering applications for prime sponsorship—which is called the "prime sponsorship plan"—the Secretary is required to act upon plans submitted by localities and combinations of localities, in that order, but he may designate a State as prime sponsor as to areas where localities or combinations thereof fail to meet the requirements contained in the bill?

Mr. PERKINS. Yes. And that order of consideration applies also to prime sponsorship plans submitted by Indian tribal organizations, so that he must act first on its application, and can designate the State for the area if the Indian tribal organization fails to meet the requirements in the bill.

Mr. REID of New York. Would the gentleman please spell out the prime sponsorship requirements that any applicant must meet?

Mr. PERKINS. Yes. In reviewing plans submitted by localities, combinations of localities, and Indian tribal organizations, or States, the Secretary must make the judgment in each case that:

The plan sets forth "satisfactory provisions" for establishing and maintaining a Child Development Council meeting the requirements of section 514, section 513(a)(2);

The plan provides that the Child Development Council shall be responsible for developing and preparing a comprehensive child development plan, section 513(a)(3);

The plan sets forth arrangements under which the Child Development Council will be responsible for planning, coordinating, monitoring, and evaluating child development programs, section 513(2)(4);

In the case of applicants which are units of government, the plan provides for the operation of programs through contracts with public or private agencies, section 513(a)(5);

The plan contains assurances that the Council has the administrative capacity to provide—itself or by contract or other arrangement—effective and comprehensive child related family, social and rehabilitative services, coordination with educational services, and health and other services, section 513(a)(6);

The plan also includes "adequate provisions for carrying out comprehensive child development programs in the area to be served"—section 513 (b), (c), (d).

Mr. REID of New York. With respect to the last requirement, in determining whether the plan includes "adequate provisions for carrying out comprehensive child development programs," it is anticipated by the conferees that, in addition to other appropriate factors, the Secretary may make a judgment as to the capability of the particular applicant to carry out effectively comprehensive child development programs?

Mr. PERKINS. The gentleman is correct.

Mr. REID of New York. And by the term "comprehensive child development programs" do not the conferees expressly contemplate programs of high quality providing the educational, nutritional, social, medical, psychological, and physical services needed for children to attain their full potential?

Mr. PERKINS. The gentleman is correct. Section 501(a)(2), section 571(3) and other provisions of the title make the meaning of that phrase clear.

Mr. REID of New York. So there is a responsibility with the Secretary to satisfy himself that any applicant, whether a locality, a combination, or an Indian tribe or a State, has the administrative capability to marshal resources and to provide effectively or assure access to the educational, social, and other services needed to insure the comprehensiveness and high qualities and standards for programs conducted under the title.

Mr. PERKINS. Yes, subject to the qualification that whatever standards he may apply under these provisions are objective and applied to each case with an even hand; it is not intended as a license to develop standards such as population criteria which would have the practical effect of excluding a particular class of eligible applicants.

The Secretary's determination of the particular facts on which he bases his decision is conclusive if supported by substantial evidence. The conference agreement is explicit on this point, in section 513(h)(2).

Mr. REID of New York. Therefore, if an applicant which is a locality, or a combination of localities, or an Indian tribe lacks the capability to carry out comprehensive programs or if the plan fails to meet the other requirements under the sections which the gentleman has outlined, then the Secretary clearly has the authority to reject that application and to designate a State or other public or private nonprofit agency as prime sponsor, if it meets the requirements.

Mr. PERKINS. Yes, the requirements that would apply would be the same.

Mr. REID of New York. In summary, then, while the conference bill reflects the judgment that the Secretary should look first to locally run programs—in the interest of parental participation and other elements—the Secretary is not powerless to choose a State over a locality and he is granted ample flexibility and freedom to make reasonable judgments to insure the comprehensiveness and high quality of care for children as long as he is prepared to support them with findings of fact.

Mr. PERKINS. The gentleman is correct.

Mr. REID of New York. And is it also true that if none of the units of government, whether they be localities or combinations of localities, Indian tribal organizations, or the State itself qualify as prime sponsors, or in certain other specified conditions that he still has authority under the so-called bypass provisions to fund programs directly, and a State, as well as any other public or private agency, could qualify as a grantee under that provision?

Mr. PERKINS. Yes. Section 513 (j) and (k) so provide.

Mr. REID of New York. And am I correct that even in respect to areas where a locality or combination of localities or an Indian tribe may be designated as prime sponsor, that the State is to have a significant role?

Mr. PERKINS. Yes. The conference bill authorizes the Secretary to utilize up to 5 percent of the funds allocated for use in each State for activities by States, in the nature of technical assistance to localities, combinations thereof and Indian tribes including assisting in the establishment of child development councils, encouraging the cooperation and participation of State agencies and the full utilization of resources, and developing information useful in reviewing prime sponsorship plans and comprehensive child development plans submitted by localities, combinations thereof, and Indian tribes. Section 513(a) and section 515(b)(3) require that the Governor have the right to review prime sponsorship plans and comprehensive plans, respectively, with the right in each case, to submit comments to the Secretary.

Mr. REID of New York. Although the Secretary would not be bound by those comments, would they be among the factors he could consider in making the determinations relating to prime sponsorship which we discussed earlier?

Mr. PERKINS. Yes.

Mr. REID of New York. Some may reasonably conclude that under the conference bill the Secretary has the authority to significantly involve the States, in order to assure high quality care.

Mr. PERKINS. The gentleman is correct. That is the intent.

Mr. REID of New York. I thank my colleague very much. If he will bear with me for one further point, the conference report authorizes $2 billion in appropriations for child development care for the first year in which it is fully spelled out—to wit, fiscal 1973; $100 million is provided for fiscal 1972, for startup activities. It has been my understanding that the $2 billion authorization is intended by the conferees as a goal which we have established, without knowing what the total picture may be at the time of appropriation; for example, we do not know what may be available from other sources such as the family assistance plan, H.R. 1, if that should become law.

Mr. PERKINS. The gentleman is correct. The authorization is, of course, subject to the appropriation process and to the influence of various factors, as the gentleman suggests.

Mr. REID of New York. I will now insert some extraneous matter:

[From the New York Times, Dec. 11, 1971]

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President Nixon explained his veto of the child development program by calling the plan too costly, administratively unworkable, professionally ill-prepared and designed to undermine the American family. The sweeping nature of this attack cannot obscure the fact that the concept of child care and development enjoys broad popular support across most of the traditional divisions of politics, class, economics and race.

The arguments put forth in the veto message are not convincing. Initial costs would not have been high. By limiting free services to the welfare level of poverty, Congress had already responded to the Administration's budgetary objections. Contributory fees could have readily been revised later, when operations would have provided a clearer picture of the extent of voluntary participation.

The President's vague reference to an unworkable bureaucracy reflects the Administration's apparent preference for control and management by the states, hardly the best administrative level for action that must be geared to local communities and neighborhoods. Participation by a wide variety of public and non-profit private agencies was one of the attractive features of the plan.

The President's charge that day care weakens the family ignores the realities of much of modern family life. Poor and working-class families normally have to leave their children improperly supervised or entirely

unattended for much of the day; families at virtually all other income levels rely heavily on baby-sitters and, in the upper brackets, a variety of domestic help.

Mr. Nixon is justified in his concern over the lack of trained personnel, but much of the bill's first-year expenditure was to be devoted to the necessary training. The veto suggests that the President's concept of child care is limited to welfare cases and is only custodial at that. This approach reduces the chances that disadvantaged children will be lifted out of their debilitating environment at an early age.

In his message, Mr. Nixon observed that the proposal "points far beyond what the Administration envisioned" when it made its earlier commitment of providing healthful and stimulating development for all American children during the first five years of life. But in the absence of a positive program, his veto has reduced that supposed commitment to mere political rhetoric.

[From the Washington Post, Dec. 12, 1971]

THE PRESIDENT'S VETO OF DAY CARE

President Nixon's veto message to Congress explaining why he disapproves of the Child Development Act is, just to begin with, weird. It is weird because it is contradictory, arguing first that day care centers are good and then they are evil. The contradiction points only to one possible conclusion: that this message is a bone he has tossed to his critics on the far right, with next November in mind, and at the expense of mothers and children and of a day care program which the President would have us believe he really supports.

The President's straddle comes about because day care centers are an integral part of his welfare reform program. His plan, sent to Congress two years ago, included a request for $750 million for funds to provide day care for children of poor families so their mothers can work. Indeed, it required that ultimately welfare mothers with children over age 3 put those children in day care centers and take jobs, providing both the centers and the jobs are available. This provision, as we have pointed out before, is largely window dressing as things are, since neither the centers nor the jobs exist, but it is the enticement the President used in trying to win right-wing support for welfare reform. In his veto message Thursday, the President called again for passage of that welfare day care program, saying that it would fill one of the needs of the country, a need "for day care, to enable mothers, particularly those at the lowest income levels, to take full-time jobs."

Now, if that were all Mr. Nixon had done in favor of day care, it would be fair to conclude from his veto message that he is for *requiring* poor people to put their children in such centers but against *permitting* middle-class people to do so. But it isn't all he did. The President also used the veto message to announce his support for substantial increases in the income tax deductions that parents who are working can claim for day care expenses. This is a clear encouragement to middle-class parents to use day care centers and go to work.

Having thus put himself on the record in favor of day care—an issue about which many organized groups in the country feel strongly—Mr. Nixon then vetoed the bill which would have given a much needed spur to day care development. This bill, he said, is "the most radical piece of legislation" to come out of this Congress. You might expect, once he had said that, that he would offer an explanation of how this particular day care program differed so much from those he supports. The President did list nine specific objections. Five of them are complaints that this bill would partially duplicate services he hopes to provide in the welfare bill, would give the states too minor a role, would cost too much, would create "a new army of bureaucrats," and would create centers which would be difficult to staff. Since there is nothing "radical" in those specifics—we hear them all the time about almost every piece of legislation—the radicalness of this particular bill must lie in his other objections. They are:

"Neither the immediate *need* nor the desirability of a national child development of this character has been demonstrated." . . .

"For more than two years this administration has been working for the enactment of welfare reform, one of the objectives of which is to bring the family together. This child development program appears to move in precisely the opposite direction. There is a respectable school of opinion that this legislation would lead toward altering the family relationship . . .

"All other factors being equal, good public policy requires that we enhance rather than diminish both parental authority and parental involvement with children—particularly in those decisive early years when social attitudes and a conscience are formed, and religious and moral principles are first inculcated . . .

"For the federal government to plunge headlong financially into supporting child development would commit the vast moral authority of the national government to the side of communal approaches to child rearing over against the family-centered approach."

We do not find in this one word that distinguishes the day care program Mr. Nixon vetoed from the day care program he is supporting. His specifics apply to all child care facilities and it is logically impossible to square his assertion that we need to enhance parental involvement with children with his program to compel welfare mothers to put their children in day care centers. Perhaps he did not distinguish between the programs because drawing such distinctions is difficult.

That is what convinces us that this veto message is the bone he has decided to throw to the right wing of his party. If it were not, Mr. Nixon could have vetoed this bill on the other specific objections he set out—it would, for instance, create major administrative problems—and Congress could have met them. But as it is, the President chose to kill the whole idea by spelling out his veto in language that comes straight from the material circulated against this bill by the far right, language that distorts what the bill was all about and what it would have done.

Mr. STOKES. Mr. Speaker, I am appalled that President Nixon has affixed his veto to the Economic Opportunity Act amendments. His doing so is another manifestation of his total disregard and lack of empathy for the real needs, the daily and unglamorous needs, of the American people.

The President has seen fit before to undercut our efforts in behalf of minorities and the poor. But this time he has struck down a majority—and a most vocal majority at that—by vetoing a bill which would have benefited all working parents and their offspring.

It is well known that the poor have little voice in the machinations of government, and President Nixon previously, and unfortunately, has been able to exploit this silence. But his veto has succeeded in breaking down the silence and the economic and racial barriers that accompanied it, and which the administration has been painstakingly erecting over the past 3 years. Parents come in all sizes, shapes, and colors—and all have been equally victimized by this latest rebuff.

I am hopeful that my constituents, and all concerned parents, will make their dissatisfaction with the President's veto known to him in full voice. The needs of all Americans are tied to what are labeled the "needs of the poor." Mr. Nixon's action helps to prove this simple fact.

Mr. HARRINGTON. Mr. Speaker, I am disappointed by the President's veto of the OEO bill and the Senate's failure to override it. Weighing the advances in Headstart programs, in legal aid for the poor, and in the battles waged against poverty in the 6 years the Office of Economic Opportunity has existed, I can find no good or rational reason for such action.

When you look at the gains OEO has made in the past few years, and consider the challenges it has had to deal with, OEO has to be credited with accomplishing many of its goals, particularly in giving the poor a sense of hope they never had before. That is why I am disturbed by this veto. The President applies one fiscal yardstick to aid the poor and a different one to run the Pentagon.

For the 12th time the President has vetoed legislation directly affecting the personal lives of the citizens of this country. Apparently it is all right to spend $77 billion on the military, yet a $376 million appropriation for a preschool program to help disadvantaged children is unacceptable.

Apparently it is wrong to spend money on day care for the 8 million preschool children below the age of 6 whose mothers work. Apparently the President decided he was wrong when in 1969 he committed his administration to "providing all American children an opportunity for healthful and stimulating development during the first 5 years of life."

What bothers me is that this veto follows a trend. The President has vetoed funding of manpower programs, hospital construction, education, labor programs and medical training. He has never vetoed money for the military, even though we know that there are serious cost overruns, that the M–16 rifle is defective, that the F–14 fighter bomber is a disaster, and that the Pentagon is a nightmare of fiscal irresponsibility and sloppy management.

We can appropriate $5 billion for farm subsidies and the White House does not even blink an eyelash. Yet $2 billion for day care centers so mothers on welfare can find jobs for themselves is a cause for rejection.

The veto of the legislation containing the Comprehensive Child Development Act is one of the most callous actions ever taken by President Nixon. Day care centers are now available to less than 700,000 children. Yet 8 million children are in need of such centers, and by 1980 the number of working mothers will have increased 43 percent. Clearly something has to be done to make day care available and the Comprehensive Child Development Act was the solution to the problem.

The reasons for the veto just do not

make sense. The President said that the bill fails to provide an adequate role to the States in child development and that the program is administratively unworkable.

But the language is specific in requiring that States be involved at every state—in the creation of prime sponsors, formation of comprehensive child development plans and project operation. States are also entitled to up to 5 percent of operating funds to carry out their functions, thereby encouraging States to provide technical assistance and coordination of child programs within the State.

States may also receive direct funding for programs when the local community has not submitted a program, submitted an inadequate program or where a program does not or cannot meet the needs of children.

Another major objection is that the cost is excessive and will damage attempts to reduce Government spending during phase II.

First of all, since it will take approximately 18 months before any substantial number of communities will be ready to qualify for operating funds—child development councils must first be established and they must submit comprehensive plans—we are not talking about spending until the 1974 fiscal year budget. Even in fiscal year 1974, it is doubtful that more than $300 million will be spent above present levels.

But even if all of the $2 billion were spent in the next 2 years, the benefits from that money would be enormous. First, welfare mothers—who would have first preference for day care—would be able to go to work. This would reduce welfare roles substantially. Second, many of those who make up the 6 percent unemployed are unskilled and without sufficient education to qualify for many jobs. The establishment of day care centers would open up a large number of jobs and those jobs would be ones which the technically unskilled worker with proper training could do very well. The qualifications for such work are sensitivity to the needs of children, an open mind, and an ability to learn from and about children. Day-care centers are ideal for tapping the skills of those we now label unskilled, and higher employment brings a healthier economy.

Perhaps the most spurious argument used by the President is his statement that this bill would "commit the vast moral authority of the National Government to the side of communal approaches to child rearing against the family centered approach." I would like to ask Mr. Nixon what he would do if he were faced with the necessity to find child care for his children and could find none? Would he so readily denounce this legislation if he were on welfare and could not work because he had no one to take care of his children. Or what if he were a woman who wanted to work, and had no alternative but to stay home because no child care was available. Many women want to stay home and are happy to be there. That is their right. Many other women, however, have interests and needs which require the outside stimulation of a job. Their unhappiness at being forced to stay at home for lack of day care for their children reacts on their families and the family center begins to disintegrate. It is their right to work. Yet the President has made a value judgment against them and denied them access to a day care center.

Beyond the President's insensitivity is his basic lack of understanding of the legislation. His cries of "communal approaches to child rearing" and the fear engendered by such an unsupported statement are irresponsible.

Participation in the program is completely voluntary. Children will not participate without the specific request of a parent or legal guardian.

Children will not be tested unless the parent or guardian is informed and given an opportunity to accept them.

The bill contains specific language providing protection against any involvement of the moral or legal rights of parents or guardians with respect to the moral, mental, emotional, or physical development of their children.

The child development programs must be planned, created and operated at the local level by parents or by persons of their choosing. The only role given the Department of Health, Education, and Welfare would be in setting common standards and administering the funds on an allotment basis.

All of the President's reasons for vetoing the child care bill are a smokescreen for his true rationale. He just does not want to spend the money on so many nonvoters—our children. He has chosen instead to risk the welfare of millions of children in exchange for the good graces of the conservative far right.

I deeply regret the Senate's failure to override this veto. The legislation, however, is too important to quit now. I will support such legislation until it is passed. We have had substantial bipartisan support of child care in the past, and we will have it again in the future.

Mr. BEGICH. Mr. Speaker, it is my feeling that no bill has received less understanding in Alaska than the comprehensive child development program, and for a few moments today I would like to address myself to this misunderstanding and these misconceptions.

First, no defense of child care centers seems necessary, for their worth has been obvious for many, many years. Indeed, most of the objections I have received in the mail from Alaska do not question the concept of child care. Of course, most of the child care centers have been privately operated and it has been the affluent American who has had sufficient private income to enroll his child in this program or the working mother who is sufficiently trained in a high-income job to warrant payment of charges for child care. Higher and upper-income families have always been able to afford child care.

Second, the objections to H.R. 10351 and S. 2007 and the House-Senate Conference Committee Report (H. Rept. No. 92–682), in general, have come from the same people who are against excessive welfare payments and government assistance to the poor in the United States. They maintain that government is already too involved in expensive programs of this type. Of the 13.4 million people listed by the U.S. Department of Health, Education, and Welfare as welfare recipients, nearly 7.5 million are children and nearly 2.5 million are mothers, or nearly 75 percent. It is clear that we must do something if we are to resolve the problem of welfare and one action is to inaugurate programs which will entail some cost at first but, in the end, will lead to a marked decrease of some types of welfare on a permanent basis. The comprehensive child development program was and is one of these programs. There is no one more aware of the excessive burden carried by the Alaskan taxpayer than I am, and it is incumbent on all of us to attempt to find solutions to this excessive cost.

The average payment to a welfare family of four with no other income varies among States, from a low of $60 per month in Mississippi to a high of $375 per month in Alaska. Alaska's position at the top of this list indicates that we can and should initiate programs so that working mothers can, indeed, work with their children being taken care of in adequate child care centers. Additionally, until we are able to develop educational programs to train many of these mothers, in itself a program which will cost tremendously in terms of taxpayer dollars, their incomes will not be sufficient to pay for private day care centers, if there were sufficient day care centers in Alaska.

There is a paradox in all of this dialog concerning this bill recently vetoed by the President. On the one hand, there are those who do not want to bear the burden of excessive child care centers as proposed in this bill, and, on the other hand, they want a solution to the welfare problem which can be partially solved by developing these programs. On the one hand, many do not want increased taxation needed to develop educational programs to train working mothers so they can afford day care for their dependent children, and, on the other hand, many protest about so many people being on the welfare rolls. On the one hand, we find excessive costs for private day care centers and, on the other hand, there aren't enough day care centers, in the first place, even if we could afford them. On the one hand, we find a need for day care for our children and a resentment that the Federal Government became involved in this area, yet on the other hand, the State government and the local government do not have the financial resources to initiate and operate these programs.

Third, the two main objections, in addition to the cost to the Federal Government, are that it leads to Government control of the lives of our children, indeed, some have called it "brainwashing," and that the program is compulsory. Obviously, these two basic considerations are important in determining the value of this legislation. I have, for instance, received mail calling this legislation "The Federal Child Control Act"; another referred to the "drafting of our children at the age of 1 year" still another informed me that I did not have "permission to relinquish our children, our substance nor our country into the control

of a dictatorship". The legislation was clearly of a voluntary nature and stated that a parent must, specifically, request in writing that their child be permitted to attend the program. Local control was one of the great advantages of the legislation and not only would be local community have control over the budget, but they would be responsible for the hiring and firing of the personnel involved in the program. The local community group would apply directly to the Federal Government and would be funded, if deemed feasible, with the parents of those children who attend the centers determining the program, facilities and educational and recreational equipment necessary for the program. This is the simplest and most direct form of absolute community control and the misconceptions of this concept alone have brought about tremendous misunderstandings due to a lack of knowledge of the entire bill and the debate in both the Senate and the House of Representatives.

I am very emphatic when I state that parents still have an obligation and responsibility and an absolute right to raise their own children. Day care centers and the Federal Government do not and would not have had the responsibility to raise and bring up their children under the agreed terms of this legislation. That is a right that belongs only to parents. Every Member of the 92d Congress with whom I have discussed this concept recognizes and wants to protect the right of parents and that is why the local control and the voluntary aspect of the legislation has been so important.

Because half of all the mothers with children between the ages of 6 and 17 are working mothers and approximately one-third of the mothers with preschool children are working mothers, this legislation had the enthusiastic support of many Congressmen. These mothers either have to leave their children alone, with a relative or pay for day care or a baby-sitter they cannot afford. This program would have enabled those mothers of middle and lower income earning power to have quality care they can afford.

The Senate passed S. 2007 on September 9, 1971, by a vote of 49–12. H.R. 10351 passed the House of Representatives on September 30, 1971 by a vote of 251–115. The conference committee report was approved in the House of Representatives on December 7 by a vote of 210–186 after the Senate had approved the same report on December 2 by a vote of 63–17. I feel confident that the entire Alaskan delegation in the Congress would not have approved any legislation unless it was, clearly, legislation which would have been of great benefit to Alaska and both Senators joined me and either voted for the legislation or announced previously their support of this legislation.

It is regrettable, to my way of thinking, that President Nixon vetoed this legislation and, for the RECORD, I would like to include the editorial in Sunday, Dec. 12, 1971, Washington Post, which places clearly in focus the whole situation. He is obviously for day care centers, has introduced legislation to that effect (although in his legislation there is a requirement that poor people place their children in such center), and his veto message does not distinguish the bill he vetoed from the one he is supporting. This editorial is helpful in placing the rhetoric of his message with the action of his performance.

The editorial follows:

THE PRESIDENT'S VETO OF DAY CARE

President Nixon's veto message to Congress explaining why he disapproves of the Child Development Act is, just to begin with, weird. It is weird because it is contradictory, arguing first that day care centers are good and then that they are evil. The contradiction points only to one possible conclusion: that this message is a bone he has tossed to his critics on the far right, with next November in mind, and at the expense of mothers and children and of a day care program which the President would have us believe he really supports.

The President's straddle comes about because day care centers are an integral part of his welfare reform program. His plan, sent to Congress two years ago, included a request for $750 million for funds to provide day care for children of poor families so their mothers can work. Indeed, it required that ultimately welfare mothers with children over age 3 put those children in day care centers and take jobs, providing both the centers and the jobs are available. This provision, as we have pointed out before, is largely window dressing as things are, since neither the centers nor the jobs exist, but it is the enticement the President used in trying to win right-wing support for welfare reform. In his veto message Thursday, the President called again for passage of that welfare day care program, saying that it would fill one of the needs of the country, a need "for day care, to enable mothers, particularly those at the lowest income levels, to take full-time jobs."

Now, if that were all Mr. Nixon had done in favor of day care, it would be fair to conclude from his veto message that he is for *requiring* poor people to put their children in such centers but against *permitting* middle-class people to do so. But it isn't all he did. The President also used the veto message to announce his support for substantial increases in the income tax deductions that parents who are working can claim for day care expenses. This is a clear encouragement to middle-class parents to use day care centers and go to work.

Having thus put himself on the record in favor of day care—an issue about which many organized groups in the country feel strongly—Mr. Nixon then vetoed the bill which would have given a much needed spur to day care development. This bill, he said, is "the most radical piece of legislation" to come out of this Congress. You might expect, once he had said that, that he would offer an explanation of how this particular day care program differed so much from those he supports. The President did list nine specific objections. Five of them are complaints that this bill would partially duplicate services he hopes to provide in the welfare bill, would give the states too minor a role, would cost too much, would create "a new army of bureaucrats," and would create centers which would be difficult to staff. Since there is nothing "radical" in those specifics—we hear them all the time about almost every piece of legislation—the radicalness of this particular bill must lie in his other objections. They are:

"Neither the immediate need nor the desirability of a national child development of this character has been demonstrated." . . .

"For more than two years this administration has been working for the enactment of welfare reform, one of the objectives of which is to bring the family together. This child development program appears to move in precisely the opposite direction. There is a respectable school of opinion that this legislation would lead toward altering the family relationship . . .

"All other factors being equal, good public policy requires that we enhance rather than diminish both parental authority and parental involvement with children—particularly in those decisive early years when social attitudes and a conscience are formed, and religious and moral principles are first inculcated . . .

"For the federal government to plunge headlong financially into supporting child development would commit the vast moral authority of the national government to the side of communal approaches to child rearing over against the family-centered approach."

We do not find in this one word that distinguishes the day care program Mr. Nixon vetoed from the day care program he is supporting. His specifics apply to all child care facilities and it is logically impossible to square his assertion that we need to enhance parental involvement with children with his program to compel welfare mothers to put their children in day care centers. Perhaps he did not distinguish between the programs because drawing such distinctions is difficult.

That is what convinces us that this veto message is the bone he has decided to throw to the right wing of his party. If it were not, Mr. Nixon could have vetoed this bill on the other specific objections he set out—it would, for instance, create major administrative problems—and Congress could have met them. But as it is, the President chose to kill the whole idea by spelling out his veto in language that comes straight from the material circulated against this bill by the far right, language that distorts what the bill was all about and what it would have done.

Finally, I would like to assure the many Alaskans who wrote in support of this bill that I appreciate their concern and their support and their efforts should now be geared to working from programs of a similar nature through local agencies and with local endorsement and support. The veto by the President at the end of last week has made this necessary and indicates the need for acceleration of solutions to this very real problem of modern America. We can ask no less for our children than the best possible care of them while their mothers are at work. That has been my overriding concern in supporting this legislation.

I appreciate the opportunity generously given to me by the man most responsible for the comprehensive child development program, the esteemed member of the House Education and Labor Committee, the Honorable John Brademas of Indiana, to clarify my position on this legislation and sincerely hope that many of the issues that have been either misunderstood or misinterpreted have been clarified.

Mr. RYAN. Mr. Speaker—

So critical is the matter of early growth that we must make a national commitment to provide all American children an opportunity for healthful and stimulating growth . . .

Those words could have been mine. Or for that matter, they could have been spoken by almost any of the 63 Senators and 210 Congressmen who voted for the conference report on the Economic Opportunity Amendments of 1971, in which the Comprehensive Child Development Act was contained.

But they were not.

They were spoken by the President of the United States on February 19, 1969.

Yet just 5 days ago, on December 9, the President threw those words—and his pledge to the children of this Nation—aside by vetoing the OEO bill. And in so doing he sacrificed the welfare of millions of young children to the expediency of pacifying the most regressive elements in our society.

The fate of our young is often sealed in their experiences during those first few years of life. Therefore the value of early childhood care and education is incalculable. Yet, despite the fact that in this country there are some 8 million preschool children less than 6 years of age whose mothers work, day care services are available to only 700,000 of these children.

Each year this problem is compounded. In fact, the U.S. Department of Labor has estimated that by 1980 there will be close to 7.6 million working mothers with children under 6 years of age—an increase of 43 percent in the next 10 years.

The child development program passed by the Congress—and of which I am a cosponsor—would have been a significant step toward meeting the needs of these youngsters, while preserving parental control and strengthening the family unit.

Rather than taking this stride toward progress, President Nixon has once again demonstrated that this administration is totally insensitive to the plight of the young and the poor. I say once again, because all too often over the course of the past 3 years, we have had to witness the callous disregard of the White House toward our Nation's children.

We witnessed it in the unconscionable foot dragging in the implementation of a provision in the medicaid law which would have provided over 6 million young children with preventive health care.

We witnessed it in the tragic failure of this administration to mount a meaningful attack against the devastating disease of childhood—lead poisoning—an epidemic sweeping across our Nation's cities, bringing affliction and death to hundreds of youngsters.

We witnessed it in the outrageous attempt to cut back on the school lunch program, which would have forced some 1,300,000 disadvantaged children farther into the jaws of hunger and malnutrition.

Now, we have been forced to witness yet another heartless blow to the hopes of America's children, and to the hopes of America. The veto of the child care bill vetoed an investment in our future. And no amount of Presidential rhetoric can overcome the clear need for that investment. Nor can it mask the fact that the President of the United States has violated his own pledge.

On coming to office, this administration asked the American people to judge it not on its words, but by its deeds. We can now see all too clearly the emptiness of its words; and its deeds give evidence only to its cruel neglect and misplaced priorities.

In his veto message, President Nixon stated that:

> We owe our children something more than good intentions.

We do owe our children a great deal. But this administration is not providing it. And by vetoing the OEO bill, the President took away from our young what could have been the most fitting and beneficial of Christmas presents: a better chance for a decent and healthy life.

Mr. GONZALEZ. Mr. Speaker, I believe that all of us recognize the reality that there are a vast number of families in this country needing day care services that cannot obtain them. We all agree that there are millions of mothers who need to work in order to support their families, but cannot work because they cannot find, cannot afford day care for their children.

If we are to meet the need for day care in this country, we need to provide assurances that the care is available wherever it is needed, and that it is of adequate quality. We need to be assured that all children, and all families, needing day care services can get them, and at a cost they can afford. The care provided must be such that we know the children are safe, that they are healthy, that they are happy, and that they are provided every opportunity to develop their skills and potentials. This will require more, much more, than just hiring babysitters. It will require the skill and commitment of thousands of well trained, highly motivated people. It will require a national commitment. I am not interested in just providing warehouses for children; I am interested in providing them opportunities. That is what the House bill would have done. I believe that we should again assert ourselves on this issue. The President was wrong to veto the child care bill, and I believe that if we are to have the kind and extent of day care this country needs, we must again enact at the very minimum the same bill that the President vetoed.

Mrs. HECKLER of Massachusetts. Mr. Speaker, I would like to register distress and disappointment over the President's veto of the OEO extension which includes the child development provisions.

I am disappointed because after the legislation was approved by both Houses of Congress, and, I am confident, by a representative segment of the general public, the Presidential disapproval comes as a serious setback to the concept of child development in general and quality day care in particular.

I am distressed because the real needs of millions of American women and children remain unfulfilled while the need itself and whether or not it ought to be met is questioned.

The thread of tragedy running through all this is the misunderstanding of both the situation as it is in the country today and of the grievance it represents.

In the United States today, it is an undisputed fact that a great many married women work, some 42 percent of the work force, I believe. I daresay a large number of them work because they have to, either because they are the sole support of their families or because they must augment their husbands' income to make ends meet.

These women require as a necessity some kind of care for their children. They must prevail on a relative or a neighbor or they must hire a paid custodian. They are free, of course, not to marry, or not to have children, or not to work, or to leave their children unattended if they do.

Realistically, however, they are faced with a need for babysitters, either in the family or for hire. If there are no family members available—which is quite likely in today's mobile society—then the choice is narrowed to hired sitters. Because of the demand, and a variety of other reasons, they are in short supply. Any babysitter at all, much less a highly competent one, is at a premium—and expensive.

Women who have to work can ill afford the going sitter rate which usually serves to eat up whatever they earn.

I am talking in this context of women who, together with their husbands, produce a combined gross income of $6,000, $8,000, or $10,000 a year. It is they whose position in this regard is all but untenable. And I know of their plight firsthand because there are many of them in my congressional district.

This is not to discriminate against those in higher or lower income brackets. Their need is also great. But H.R. 1 provides care for the children of welfare mothers.

Now if all these women require some workable alternative to this economic squirrel cage, what of their children? Surely the children's requirement not only for care and security but also for constructive, wholesome learning, and development is real and pressing.

And if there is an opportunity to shape a young child in the mold of decent, productive, law-abiding citizenship, where is the wisdom in failing to take it?

All of that is what this legislation is geared to. It creates a system of quality day care centers, financed in part with Federal funds, that would be designed to meet the needs of these women and children.

Such care would be free to families under a certain income level. A scale of fees based on ability to pay would go into effect when that income level is exceeded.

Beyond that, this care would be available only to those who wanted it. It would be forced on nobody, it would be mandatory for nobody. It is totally voluntary.

And lest wrongful or undue influence be brought to bear on the children, their parents would be involved in the administrative oversight of each local program as members of the local councils required in the act. They would, under this program, have the opportunity for closer surveillance and participation than they do now in the public school systems of this country.

All of which is why the disapproval of this legislation that was so close to reality is discouraging. But it is not fatal.

I am planning to introduce new child development legislation on the first day of the new session that hopefully will meet much of the criticism that the recent legislation met.

I am confident a child care program eventually will come into being. I took the issue to my constituents to a special hearing and their reaction convinced me of that.

Mr. MIKVA. Mr. Speaker, earlier this month Congress passed legislation extending for another 2 years various pro-

grams funded by the Office of Economic Opportunity. Earlier this week, the President chose to veto that bill. The bill contained badly needed funding for comprehensive health services and family planning programs, for senior citizens' service programs, for drug rehabilitation and alcoholic treatment programs, for VISTA and legal services, and child care.

The desperate need for such social services among a substantial portion of our people, the obvious social benefit to be gained by these programs, is so obvious that a child could understand it. And yet, the President has seen fit to veto the bill, and it is left to us to try to make millions of children, and their parents, understand why.

Apparently it was the child development provisions of the bill which caused the President to veto it. Let us first be clear about what the child development program would and would not do. It would provide Federal funds to assist private and public nonprofit groups to establish and operate child development centers, offering a full range of health, education, and social services. No child would be required to enroll. No parent would be required to work outside the home and to place his or her child in such a center. If a group of parents, or a community, felt a need for preschool child care and child development programs, this legislation would simply make funds available to them, provided their programs met the applicable standards of professional staffing and facilities. All children would be entitled to take advantage of the opportunities offered by such programs, regardless of the income or resources of their parents. The cost to the family would be based on their ability to pay.

The potential benefits of such programs to children are obvious. In addition, there would be immense social benefits, and this makes the President's veto even more puzzling. Child care is a basic requirement of any meaningful welfare reform. First, it would provide a stable, wholesome environment for the child, enabling mothers to accept employment out of the home in order to support their families. Furthermore, the child development centers would themselves provide employment for mothers and for elderly people, giving them a chance not only to support themselves economically but to enjoy the satisfaction of helping children to learn and to grow.

Second, child development offers the greatest hope for breaking the poverty cycle by providing children with a fertile environment for early development regardless of the circumstances of their families. The first 5 years of a child's life are critical years in terms of physical and intellectual growth. Lack of physical or emotional or intellectual nourishment during those early years places a child at a decided social disadvantage.

An ounce of prevention is worth a pound of cure. A dollar invested in early child development is worth hundreds of dollars of later expenditures on remedial school programs, juvenile delinquency programs, narcotics treatment programs, and all the other too-little too-late efforts we make to treat the eventual symptoms of early deprivation. Even President Nixon acknowledged the important benefits of early child care, in his 1969 message to Congress on economic opportunity. The President said:

> So critical is the matter of early growth that we must make a national commitment to providing all American children an opportunity for healthful and stimulating development during the first five years of life.

That statement is as true today as it was in 1969. It is difficult to square the President's words of 1969 with his actions of 1971.

It is true that children do not vote. But they do cry. It is past time that those of us who do have a vote heeded their cries, and insisted on their behalf that their need must be the first item on this Nation's agenda.

Mrs. ABZUG. Mr. Speaker, last Friday, the President gravely injured and grossly insulted the women and children of this country; not just the poor women and the children of poor women, but all the women and all the children. The President's veto of the Child Development Act—S. 2007—demonstrates that although he has spoken many times of his commitment to "providing all American children an opportunity for a healthful and stimulating development during the first 5 years of life," he is more than willing to sacrifice these 18 million children in this country for short-term political gain.

In his veto message, President Nixon gave three substantive reasons for his action: fiscal irresponsibility; administrative unworkability; and family-weakening implications. Let us examine these reasons in light of the Child Development Act which passed Congress and which the Secretary of Health, Education, and Welfare indicated he found acceptable:

The Child Development Act authorized $2 billion to carry out the first broad-based, federally assisted low-cost child care program. The President found this authorization unacceptably high. But this is the same President who has permitted the Defense budget to exceed $73 billion and the war in Indochina to consume five times the funds which would have been authorized for the Child Development Act. The Child Development Act, as adopted by Congress, would initially benefit families with incomes below the poverty level, $4,320; they would have been provided with free child care services, while those with incomes up to $6,960, the Bureau of Labor Statistics' figure for a minimum adequate standard of living would have been provided child care at fees within their means. These are, for the most part, families with working mothers or families with mothers who would work if adequate, low-cost child care facilities were available. It is fiscally responsible for Congress to provide the means by which women of low- and moderate-income families can work to support their families or augment their family income and thus become economically productive members of society. It is fiscally irresponsible for the President to deprive them of that opportunity.

The second major reason which the President cited for his veto of the Child Development Act is its "administrative unworkability."

As the President correctly noted, the Child Development Act represented a new comprehensive child care program. Quite possibly, modifying congressional action would have been in order as actual experience with the program occurred. This is true of all new programs. We can always modify programs in light of experience, but we do not kill them because they are new and untried. Under the President's theory, we would be doomed to the status quo forever.

That brings us to the President's third reason for vetoing the bill, the alleged "family weakening implications." We are all familiar with the campaign that was mounted against comprehensive child care: The specter of children taken off to be brainwashed by the Government. It was a totally groundless appeal to fear and suspicion, and the President's allusion to this baseless fear does not make it any more true. Indeed, it demonstrates that the veto was no more than a bid for short-term political gain with the most conservative and regressive elements in this country.

The child development program which the Congress adopted was a totally voluntary program: no parent would have been required to utilize it. In fact, the only place where the element of compulsion regarding child care is to be found is in the President's welfare "reform" legislation, H.R. 1. That legislation would require welfare mothers with children over 3 years of age to place their children in day care centers in order to seek and take jobs. The President's veto of S. 2007, taken together with the day care requirements of H.R. 1, leads inescapably to the conclusion that forced day care for the poor is acceptable, but voluntary day care is not. It is hardly family centered to have children left alone, with neighbors, or with latch keys around their necks to fend for themselves. The Child Development Act included provisions for substantial parent involvement and could not possibly have been a family weakening program.

The programs for which the act provided were local programs, to be supervised by local boards composed 50 percent of local parents and 50 percent of local educators and professional people. This emphasis on the local nature of the act was also reflected in the fact that communities of 5,000 and over were eligible to sponsor programs. The implication that this program would not have been under local, parental control is absurd and completely contrary to the facts.

The truth is that the President offered no real reason for vetoing this legislation. He has demonstrated to the whole world his total insensitivity to the desperate needs of the women and children of the United States as well as the fact that he places a higher value on hardware than on people.

GENERAL LEAVE

Mr. BRADEMAS. Mr. Speaker, I ask unanimous consent that all Members may have permission to extend their remarks on the subject of my special order.

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

There was no objection.

THE INTERGOVERNMENTAL COMMITTEE FOR EUROPEAN MIGRATION CELEBRATES 20TH ANNIVERSARY

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

Mr. McCLORY. Mr. Speaker, on November 29, 1971, the 34th session of the Council of the Intergovernmental Committee for European Migration—ICEM—convened in Geneva, Switzerland. This session of the council, which lasted through December 2, was of particular significance since it marked the 20th anniversary of ICEM and, furthermore, since a distinguished American, our colleague Representative PETER W. RODINO, Jr., chairman of the House Subcommittee on Immigration and Refugees, was unanimously elected to serve as chairman of this commemorative meeting.

I was privileged to attend the 20th anniversary session of the Intergovernmental Committee for European Migration as a congressional adviser to the U.S. delegation. On the first day of the session, we in the U.S. delegation were justly proud when Representative RODINO was chosen to chair this important session. Following the election of officers, the council devoted 1½ days to ceremonies commemorating ICEM on its achievements over the last two decades. Immediately following the ceremonies, the delegates to the session engaged in discussions on the extensive migrations from the Eastern European nations, including U.S.S.R., Czechoslovakia, and other nations in the Soviet bloc, as well as national migration from countries of Europe to countries of Latin America. The ICEM conference enabled me to confer directly with many public leaders of member-nations who are dealing directly with the subject of refugees.

The U.S. Congress was represented at the 20th anniversary session by the following members of the House Judiciary Committee who served as advisers to the U.S. delegation. Hon. PETER W. RODINO, Jr., New Jersey; Hon. ROBERT MCCLORY, Illinois; Hon. JOSHUA EILBERG, Pennsylvania; Hon. TOM RAILSBACK, Illinois; Hon. LAWRENCE J. HOGAN, Maryland; and Hon. JAMES D. MCKEVITT, Colorado.

Furthermore, ICEM was honored by the presence of ministers from 11 member countries who journeyed to Geneva for this important conference: Louis Maria de Pablo Pardo, Minister of External Relations, Argentina; Ian Sinclair, Minister of Primary Industries, Australia; Alberto Raposo Lopes, Chief of Department of Consular and Immigration Affairs, Brazil; Jose Utreia Molina, Under-Secretary of the Ministry of Labor, Spain; Egon Franke, Federal Minister of Inter German Relations, Germany; Alberto Bemporad, Undersecretary of State, Ministry of Foreign Affairs, Italy; Odd Hoejdahl, Minister of Health and Social Affairs, Norway; J. G. Rietkerk, Secretary of State, Ministry of Social Affairs, Netherlands; C. P. Mulder, Minister of Information, Social Welfare and Pensions, South Africa; Pierre Graber, Chief of Federal Political Department, Switzerland; Frederico Biji, Secretary of State, Ministry of Foreign Affairs, San Marino.

It was, indeed, an honor for the United States that a Member of the U.S. Congress was elected to serve as Chairman of the 20th anniversary session.

In nominating Mr. RODINO, Ambassador Smoquina of Italy said:

> The Honorable Peter W. Rodino, Jr. is well known to all of us since he has always taken the greatest interest in the work of this organization and has participated for many years as delegate to this Council. Nobody better than the Honorable Rodino, who has always been a strenuous defender of civil rights, could chair the debates on this occasion of the 20th anniversary.

In seconding the nomination, Ambassador J. P. van Bellinghen of Belgium, said:

> My Government had the honor of being the co-sponsor of the Migration Conference in Brussels in December 1951 which led to the birth of ICEM; the other Government in this endeavor was the United States. It is only fitting that the 20th anniversary Council Session be chaired by another member of this august body, a man who has long represented his Government in international conferences and is an expert in the field of immigration legislation—the Honorable Peter W. Rodino, Jr.

Further seconding nomination speeches were made by the Ambassador from Australia, the Ambassador from Spain, and the Ambassador from Israel, all praising RODINO for his outstanding contributions in the fields of refugee and migration assistance.

After his election as Chairman, PETER RODINO was escorted to the chair by John Thomas, United States, the Director General of ICEM.

Upon assuming the chair, Mr. RODINO said:

> It is indeed a great honor and privilege to be elected to serve as Chairman of this 20th anniversary session of ICEM. Since I have always tried to appreciate the human side of governmental action, I have developed a great respect for ICEM's outstanding humanitarian work.
>
> For these reasons and because of my intense admiration of individuals who have previously chaired these meetings, I assume the role of Council Chairman with a deep sense of personal pride and humility.

The U.S. delegate to ICEM, Ambassador Francis Kellogg, Special Assistant to the Secretary for Refugee and Migration Affairs, Department of State, in his opening statement recited the history of ICEM, praised the organization for its accomplishments, and honored ICEM on the occasion of its 20th anniversary.

Ambassador Kellogg also read to the Council the following personal message from President Richard M. Nixon:

> Dear Mr. Chairman: May I ask you to convey my warmest regards and congratulations to the Council of the Intergovernmental Committee for European Migration on the occasion of the 20th anniversary of this unique and humanitarian organization.
>
> This indispensable international unit has had an heroic and historic role in helping men and countries adjust to the post World War II era.
>
> As a non-political, technical, and operational organization, ICEM has well served the community of free nations by providing for the orderly resettlement of refugees from troubled areas and the orderly movement of migrants to lands of new opportunity.
>
> It is an organization fulfilling the belief of the United States in the principle of freedom of movement—the right of man to move from his homeland should he feel that resettlement would enhance his future and that of his family.
>
> ICEM is the type of organization that personifies my belief that humanitarian assistance to countries can best be handled in the international community on a multi-lateral basis. The successful operation of ICEM illustrates, in my mind, the need for, and efficacy of, international cooperation in solving worldwide problems.
>
> ICEM is the only international organization dealing exclusively with the movement of a large number of persons. This has been demonstrated by the resettlement of some 1,800,000 persons during its 20-year existence. Truly, this is a commendable and enviable accomplishment.
>
> From the time of its inception in 1951, ICEM has enjoyed bi-partisan support in the United States—a support that has been rewarded by the knowledge that we have afforded opportunities to many people seeking human dignity, but who need assistance to help themselves.
>
> I am proud to commend ICEM today for its two decades of outstanding humanitarian achievements.
>
> RICHARD NIXON.

During the course of the debates before the Council, Ambassador Kellogg and alternate delegate, Mr. Raymond W. Laugel, Director, Office of Refugee and Migration Affairs, Department of State, participated vigorously in the debates on the future of ICEM, the plight of Soviet Jews, and the possibility of making ICEM's services available in troubled areas, such as East Pakistan and India.

ICEM had its beginning on November 26, 1951, in Brussels, Belgium, when representatives of 27 governments attended a migration conference convened by the Government of Belgium at the request of the United States of America. The Holy See, the United Nations, the International Labor Organization, the International Refugee Organization, the United Nations High Commissioner for Refugees, and many intergovernmental and nongovernmental agencies were represented by observers.

This conference considered and adopted a resolution to establish the Provisional Committee for the Movement of Immigrants from Europe and that organization survived to become in 1954 the Intergovernmental Committee for European Migration.

The Intergovernmental Committee for European Migration, is a 31-member nation international organization designed to carry out simultaneously three important programs: First, refugee migration; second, European nationals migration; and third, selected migration to Latin America. Additionally, ICEM provides a variety of corollary services, such as surveys to determine manpower requirements; participation and planning development projects; information, orientation and counselling; preparation and collection of documents; trade tests, medical examinations, language and vocational training; home economics' courses; passport and visa services; embarkation, transport, reception and placement; and integration assistance. The transportation of migrants and refugees is one of the primary functions of ICEM and it is also one of the most complicated if one considers that, in an average year of

the late 1960's, bookings were made on some 200 vessels, 1,600 scheduled air services, and 230 ICEM chartered aircraft. During the year 1970, an average of 240 persons were moving under ICEM's auspices each day.

The record of ICEM is impressive and the achievements of this organization over the past 20 years have been truly remarkable. In fulfilling its mandate, ICEM has relocated over 900,000 displaced persons and refugees and it has also enabled 900,000 persons to obtain better opportunities for themselves and their families.

Mr. Speaker, one of the subjects which I was able to discuss informally at the ICEM meeting related to the plight of Soviet Jews.

While ICEM is not directly involved in handling this problem, the organization has provided substantial professional and technical advice to the private organizations which are concerned with the emigration of Jews from the Soviet Union and their relocation primarily in the State of Israel.

I conferred with His Excellency, Mr. Shabtai Rosenne, Ambassador of Israel, and Mr. Eran Laor who represented the State of Israel at this conference and received detailed information regarding the manner in which the Jewish refugees from the Soviet Union are assisted following their ordeals in the Soviet Union, both before and during the time of their departures. A refugee center for Soviet Jews in Vienna is not unlike that through which ICEM operates in Dreiskirke.

In addition to the service which ICEM performs in this behalf, experts from the ICEM organization have assisted in the acute refugee problem experienced by the Pakistani refugees.

Mr. Speaker, the benefits which our Nation derives from the Intergovernmental Committee on European Migration are manifold. Without this multinational organization, the unilateral steps which we would be required to take would be far more expensive and much less productive.

Mr. Speaker, several members of the staff of the ICEM prepared a book of cartoons which graphically and humorously described the subject of refugees from the time of the first wanderings of Adam and Eve in the Garden of Eden to the outer space explorations of today's astronauts. In all of the intervening peregrinations of mankind, the resettlement of large numbers of people have occurred. This is a continuing problem in which the whole world has been and must continue to be involved. The Subcommittee on Immigration of the House Judiciary Committee is itself directly concerned with immigration and refugee problems. To the extent that a multinational approach to these two questions can be handled—and on a very limited budget—ICEM does exceedingly well.

Mr. Speaker, I would like to add also that ICEM works closely and effectively with other international organizations—including primarily the United Nations High Commissioner on Refugees, and other groups.

Mr. Speaker, it was an enriching and invaluable experience to attend this memorable anniversary conference of ICEM in Geneva, Switzerland. I commend all of my colleagues who were present at these meetings, and I congratulate particularly our distinguished colleague from New Jersey (Mr. RODINO), who served as the Conference Chairman.

Mr. Speaker, I would also like to commend our prominent Representative at our U.S. Mission in Geneva—Mr. James Carlin, Counselor for Refugee, Migration, and Red Cross Affairs. Mr. Carlin is a fully knowledgeable person on the subjects considered at the ICEM Conference. He is an able representative of our Nation and exhibits a high degree of humanity, diplomacy, and intelligence. He represents our interests on an ongoing basis in Geneva.

Mr. Speaker, I should add that our Ambassador, Francis L. Kellogg, and his Deputy, Raymond W. Laugel, served our Nation well at this historic international conference—to the end that our Nation's interests were expertly represented and the goals of improved international understanding were advanced. Their active participation and substantial contributions were important elements in the success of the ICEM conference.

Mr. Speaker, I could not close these remarks without also paying tribute to our congressional staff representative from the House Judiciary Committee—Garner J. Cline—whose expert advice and assistance based on experience were always readily available in support of all of our U.S. Representatives at this important International Conference on Immigration and Refugees.

Mr. EDWARDS of California. Mr. Speaker, will the gentleman yield?

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

Mr. EDWARDS of California. Mr. Speaker, I join in the congratulations to our good friend and distinguished colleague from New Jersey (Mr. RODINO) for being elected to chair the 20th anniversary session of the Intergovernmental Committee for European Migration, which was held in Geneva, Switzerland, from November 29 to December 3, 1971.

It is extremely appropriate that the gentleman from New Jersey, one of this country's foremost defenders of human rights, was chosen to preside over the important anniversary session of this humanitarian organization.

As chairman of the Immigration and Nationality Subcommittee, Mr. RODINO has continuously demonstrated his strict adherence to the principle of "freedom of movement" for all people. Therefore, it is only fitting that he was selected as the U.S. delegate to this commemorative session of ICEM.

Likewise, by electing him to chair the anniversary meeting of the 31-member-nation body, which has enabled 1.8 million to seek new opportunities, the Council members have recognized Mr. RODINO's deep concern for the underprivileged and oppressed peoples of the world.

As an ardent proponent of individual liberties and an expert in refugee and migration matters, our distinguished colleague was eminently qualified to represent the United States at this meeting and to chair this international organization, which operates for the benefit of all mankind.

Although ICEM was originally created in 1951, to resettle over 1 million persons, displaced during World War II, it has continued to assist refugees fleeing from political and religious persecution and to preserve the free flow of migration.

For the past 8 years, PETER RODINO has manifested a special interest in the affairs of this organization and has diligently attended ICEM's Council sessions, which are held annually to discuss financing, current refugee activities and migration trends.

Therefore, the House of Representatives can be justly proud, not only because one of its Members has been elected to chair this august international body, but also because it has passed legislation (H. Con. Res. 417) sponsored by the distinguished chairman of the House Judiciary Committee, the Honorable EMANUEL CELLER, commending ICEM for an unequaled record of outstanding accomplishments.

Mr. McCLORY. Mr. Speaker, I thank the gentleman from California for his contribution and for his able service in the House Committee on the Judiciary.

Mr. Speaker, I will now yield to the gentleman from Maryland (Mr. HOGAN) who served importantly as a Congressional adviser at the recent ICEM meeting.

Mr. HOGAN. Mr. Speaker, I wish to join my colleague in paying tribute to the Intergovernmental Committee for European Migration upon the occasion of the 20th anniversary of its founding. I wish also to join in extending congratulations to our distinguished colleague, Congressman PETER W. RODINO upon his election as chairman for the 34th session of the Council of ICEM which met in the Palais des Nations, in Geneva, Switzerland, November 29 through December 3.

It was my great pleasure to attend the session as a congressional adviser. I find it particularly appropriate that Congressman RODINO, chairman of the Immigration Subcommittee of the Committee on the Judiciary, was selected by the delegation from the 31-member nations of ICEM to serve as chairman for the anniversary meeting.

The United States was one of the two original sponsor nations which initiated the formation of ICEM in 1951 in Brussels. PETER RODINO has been an active supporter and participant in its achievements and efforts on behalf of refugees since ICEM's founding. It was gratifying to me, since I serve under his chairmanship on the Immigration Subcommittee of the House Judiciary Committee, that Congressman RODINO has received worldwide recognition as the friend of refugees—as a truly sympathetic champion of the oppressed—and an untiring worker for the improvement of the lot of the downtrodden throughout the world.

The 20th anniversary session in Geneva was marked by the presence of foreign ministers and dignitaries from the world's leading nations—all paying tribute to the remarkable record compiled by ICEM—the movement and resettlement

of approximately 1,800,000 refugees and migrants.

The need for this great humanitarian organization continues. During 1971 more than 65,600 migrants and refugees will have been moved to havens of opportunity. Refugees from the Soviet Union, Hungary, Iraq, China, Cuba, Czechoslovakia—the list goes on and on—and the challenge continues for people of good will to help their fellow man—victims of oppression who are struggling for new hope and opportunity, ICEM stands ready and active in meeting this challenge.

Mr. McCLORY. Mr. Speaker, I thank the gentleman from Maryland, and I commend him on his service at this important conference, as well as his work on the House Committee on the Judiciary.

Mr. Speaker, I now yield to the gentleman from Pennsylvania (Mr. EILBERG).

Mr. EILBERG. Mr. Speaker, I rise to offer my congratulations to my good friend, the distinguished gentleman from New Jersey (Mr. RODINO), chairman of the Subcommittee on Immigration and Nationality, on his excellent leadership as chairman of the 20th anniversary session of the Intergovernmental Committee for European Migration.

This was the second time in the 20-year history of ICEM that an American was elected to serve in this important capacity. In 1960, the first American elected to serve as chairman was the late Honorable Francis E. Walter, of Pennsylvania, who was considered a founding father of ICEM.

PETER RODINO has faithfully attended every ICEM Council session as a congressional adviser since 1963. Furthermore, he has made field trips to numerous refugee camps where he has personally witnessed the suffering, confusion, and despair of refugees who are caught in the turmoil of the present and have but little hope for the future. Because of his expertise in immigration matters, his widespread experience in refugee problems, and his concern for humanity, he was an unqualified choice to serve as chairman of the 20th anniversary Council session of this indispensable humanitarian organization, which has assisted over 1.8 million persons to find opportunities for fruitful lives.

I am proud to have had the opportunity, once again, to have served as a congressional adviser to the U.S. delegation to ICEM. ICEM is an organization which has recognized the principle of freedom of movement and the right of every man to choose the place where he would like to live and raise his family. ICEM brings together a multilateral approach in assisting refugees and migrants to find, prepare, and integrate into the land of their choice.

I was pleased that in the course of debate, U.S. representative, Ambassador Francis Kellogg, Special Assistant to the Secretary for Refugee and Migration Affairs, Department of State, made what I consider a very significant policy statement regarding the Soviet Jews. I would like at this time to bring it to the attention of my colleagues.

STATEMENT REGARDING SOVIET JEWS MADE BY U.S. REPRESENTATIVE FRANK L. KELLOGG DURING GENERAL DEBATE AT ICEM COUNCIL SESSION DECEMBER 1

As for refugees, the continuing heavy flow into asylum areas in various parts of our globe is clear evidence of man's all-pervasive, age-old quest for freedom. It is wished that one could forecast stability in the world which would bring an end to refugee problems. Regrettably one cannot do so, and common prudence demands that the international machinery—ICEM, the voluntary agencies, UNHCR and the other working partners—must be maintained in a high state of readiness.

While it has been encouraging to note that the concept of freedom of movement and asylum is being increasingly accepted among nations of the world—and indeed becoming embodied in international law—it is to be regretted that some nations still do not honor this principle and deny to certain peoples these human rights.

My country attaches the utmost importance to the right of free emigration—that is to say, the freedom of an individual to leave his country and indeed, if he so wishes, to return to it.

This right is a basic one and indeed it is guaranteed in the universal declaration of human rights. From it stem many other rights and entitlements. The individual who feels that he cannot pursue his profession satisfactorily in his own country—cannot practice the religion of his choice—or who wishes to join his relatives abroad—should be permitted to seek resettlement in another country.

My Government has repeatedly expressed in public and in private its opposition to anti-humanitarian policies and practices wherever they exist in the world. For example, we have expressed sympathy and concern on many occasions for members of minority groups in the Soviet Union, such as the Soviet Jews, who wish to emigrate—often to be reunited with their families elsewhere—but who are denied permission to do so. We intend to continue to make these views known and to take every practical measure which could help to overcome the hardships suffered by such persons.

During the last ICEM Council Session in November 1970, concern was expressed over the denial of freedom of emigration to Jews and other citizens in the Soviet Union. On January 21, 1971, ICEM Director Thomas sent an aide-memoire to the Soviet Permanent Delegate in Geneva offering ICEM's good offices with respect to emigration from the Soviet Union and aid in travel arrangements for Soviet Jews. The United States Government has supported this initiative wholeheartedly. Unfortunately Mr. Thomas has as yet received no response from the Soviet Delegate.

On behalf of my Government, I wish to commend Mr. Thomas for this initiative. It is in the best tradition of ICEM, an organization founded on the principle of freedom of movement.

I believe we all share a deep concern for the plight of Soviet citizens who have been denied the fundamental human right of freedom of emigration. During the past year the United States Government at the highest level has expressed its concern about this denial of rights. On January 11, 1971, President Nixon joined leaders of the American Jewish Community in urging "freedom of emigration as explicitly provided in Article 13 of the Universal Declaration of Human Rights." We have also used diplomatic channels to emphasize the importance we attach to freedom of emigration and to the reunification of families. We have regularly presented to Soviet officials a list of Soviet citizens, including many Jews, who have refused permission to emigrate to join close relatives in the United States.

Furthermore, my Government has taken steps to insure that Soviet Jews who obtain exit permits and desire to go to the United States will be admitted to our country. On September 30 the Attorney General, John Mitchell, informed Congressman Emanuel Celler, Chairman of the House Judiciary Committee, and Congressman Peter Rodino, Chairman of the House Judiciary Sub-Committee, that if the need arose, he would use his discretionary authority to parole into the United States Soviet Jews who are able to leave the USSR.

We believe that the Soviet Government takes into account responsible world public opinion and that the efforts of governments, international organizations, and private men of good will can favorably affect emigration from the USSR. It appears from news accounts that emigration of Jews from the USSR during 1971 has substantially exceeded that of 1970. We certainly welcome this development and wish to see it continue.

I know that all member nations of ICEM will continue to stress their belief in the basic human right of freedom of emigration to the end that all nations recognize this principle and confirm it by practice. In this spirit I recommend that Mr. Thomas consider making a further demarche to the Soviet Permanent Delegate in Geneva at such time as he feels his efforts would be appropriate, and that ICEM members consider discussing further ways in which ICEM might be helpful in promoting freedom of emigration.

We submit, Mr. Chairman, that broad implementation of the concept of freedom of movement coupled with quick resettlement assistance, which ICEM has the capacity to provide, would help greatly in the resolution of many refugee problems—and keep hope alive for the world's oppressed.

Mr. McCLORY. Mr. Speaker, I thank the gentleman from Pennsylvania, and commend the gentleman on his service.

Mr. Speaker, I now yield to the gentleman from Illinois (Mr. ANNUNZIO).

Mr. ANNUNZIO. Mr. Speaker, I deeply appreciate my colleague, the gentleman from Illinois (Mr. McCLORY) yielding to me, and I want to commend and compliment the gentleman for taking this special order to pay tribute to a colleague of ours in the House, who is the second American in 20 years to chair this Intergovernmental Committee on European Migration.

I understand this committee is 20 years old, and over the years all of us are familiar with the great and outstanding job it has done throughout the world on the refugee and migration problems. It is only fitting that our colleague, PETER RODINO, should chair that committee, because all of us are acquainted with the work he has done in the House over the years on the House Committee on the Judiciary, along with our other colleagues on that committee, and also the great bill that was brought to this House by that committee in 1964, the Immigration and Nationality Act amendments.

In addition, PETER RODINO, who has always taken an active interest in the human aspects of legislation, was well equipped to preside over the affairs of ICEM which is devoted exclusively to the consideration of human problems. Our distinguished colleague has compiled an outstanding record of supporting and defending the fundamental rights of man. In chairing the Subcommittee on Immigration and Nationality, he has effectively demonstrated his belief in the principle of "freedom of movement" for all men.

His dedication and unselfish participation and support of ICEM and the humanitarian principles on which it was founded has contributed immeasurably to the remarkable record of achievements of this international organization.

I congratulate the gentleman from New Jersey (Mr. RODINO), who has a deeply rooted and sincere interest in the problems of refugees and migrants. I also congratulate all of the other members of the Committee on the Judiciary who have, along with PETE RODINO, attended this meeting. All of them made tremendous contributions in helping to correct and to alleviate this problem.

And again, Mr. Speaker, I congratulate my distinguished colleague the gentleman from Illinois (Mr. MCCLORY), for taking this special order this afternoon.

Mr. MCCRORY. Mr. Speaker, I thank my illustrious colleague, the gentleman from Illinois (Mr. ANNUNZIO) for his contribution.

Mr. Speaker, I now yield to the gentleman from New York (Mr. RYAN).

Mr. RYAN. Mr. Speaker, I should like to commend the gentleman from Illinois (Mr. MCCLORY) for having taken this time to pay tribute to our distinguished colleague, the gentleman from New Jersey, PETER RODINO, who serves as chairman of the Subcomittee on Immigration and Nationality of the House Committee on the Judiciary, and who has been elected unanimously as chairman of the Intergovernmental Committee for European Migration. That is much deserved recognition.

Congressman RODINO's diligence and determination, as reflected in his work on the House Judiciary Committee, as well as his wealth of experience were very much in evidence at the 20th anniversary session of the Intergovernmental Committee for European Migration. I know that the success of that recent meeting was due to the efforts of Congressman RODINO, and I join my other colleagues in congratulating him on this honor.

GENERAL LEAVE

Mr. MCCLORY. Mr. Speaker, I ask unanimous consent that all Members may have 5 days during which to extend their remarks on the subject of my special order of today.

The SPEAKER pro tempore (Mr. FASCELL). Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MCCLORY. Mr. Speaker, I thank the gentleman for his contributions.

Mr. Speaker, I now yield to the gentleman from New Jersey (Mr. RODINO) who served as chairman of the 20th anniversary session of the Intergovernmental Committee for European Migration in Geneva, Switzerland.

Mr. RODINO. Mr. Speaker, I thank the distinguished gentleman from Illinois for yielding.

Mr. Speaker, I would like to commend the gentleman from Illinois for calling to the attention of the House the commemorative session, the 20th anniversary of the Intergovernmental Committee on European Migration.

This great conference was held at Geneva, Switzerland, to commemorate the humanitarian work that ICEM has done over a period of 20 years in assisting refugees and settling migrants all over the world.

I think the House should recognize the gentleman from Illinois along with other members on the Committee on the Judiciary who serve as congressional advisers to this great committee and participate in its deliberations and contribute generously to its work.

I know that all who participated, the 31-member countries, 15-observer countries and the voluntary agencies, in the deliberations and operation of this unique committee are grateful to the United States of America for its unselfish contribution.

Furthermore, more than 1,800,000 people all around the world now look with gratitude to the United States and other member countries of ICEM who have helped resettle them. I know that they send their sincere appreciation to the Members of the Congress for having made it possible for ICEM to exist and for the United States of America to have been a participant.

Lastly, let the gentleman from New Jersey express his deep gratitude for the kind, complimentary remarks that have been made about him on this occasion.

REPORT ON THE 92D CONGRESS—FIRST SESSION

The SPEAKER. Under a previous order of the House, the gentleman from Ohio Mr. VANIK is recognized for 20 minutes.

Mr. VANIK. Mr. Speaker, as the first session of the 92d Congress comes to a close, it is important to review the work of the Congress and determine legislative priorities for action next year. The Democratic-controlled Congress gave President Nixon substantially all of the tools he requested to recover the economy.

At President Nixon's request, the Congress put over until next year final action on Welfare Reform and Revenue Sharing. Although the House and Senate are controlled by a political party different from that of the President—the two branches of the Government have proven that shared powers can work in the public interest. In fact, administration proposals were usually modified and improved in the legislative process.

FOREIGN AFFAIRS

The war in Southeast Asia has continued for another year. Our weekly casualty rate is way down—but still a steady flow of death notifications come into each congressional office, reminding us that the killing continues. It is estimated that total casualties, military and civilian, in Indochina number 300 per day.

The purpose and rationality of our involvement in Vietnam has become more questionable. The publication of the "Pentagon Papers" has pointed out the policy failures which have occurred in our democracy.

The moral picture is further clouded by the revelation of such events as the American-inspired sabotage raids into North Vietnam during the 1950's and early 1960's.

The fall presidential election in South Vietnam, coupled with information about "tiger cages" and other atrocities, have cast questions on the regime which we are supporting.

I continued to work for a termination of our involvement in the war. In the spring, I filed a discharge petition in the House in an effort to bring a bill to the floor for a vote, which would have terminated our involvement within a 6-month period. This effort failed, because it was not possible to get 218 congressional signatures on the petition.

In votes on the war, the Members against the war appeared to be gaining in number through much of the year. On June 17, an amendment to the military procurement bill which would have prohibited the use of funds in Southeast Asia after the end of this year, failed by 158 to 254. An attempt to amend the draft extension bill to end the war on a date certain failed on June 28 by 176 to 219. A further effort to adopt the Mansfield amendment in the House failed on October 19 by 193 to 215. An end-the-war amendment of November 17 lost 163 to 238. It is my hope that the decline in antiwar votes does not indicate a congressional accommodation to continue the involvement of American troops.

I felt that the draft extension bill was a vehicle for carrying on and extending the war and I voted against it. If stronger efforts had been made this year to implement the volunteer army, the draft would not have been necessary.

A U.S. Court of Appeals in Massachusetts has recently ruled that the war is "constitutional." Even though Congress has never formally declared war, the Court held that the Congress has supported the conduct of the war through a series of continuing defense appropriations. For this reason, I again voted against the $71 billion Department of Defense Appropriation bill. In addition, this bill provided for the continuation and development of new and fantastically expensive weapons systems such as the B–1 advanced manned strategic bomber. Given new developments in air defenses, plus our twin deterrent arm of Poseidon submarines and land missiles in silos, a third and vulnerable deterrent force is unnecessary.

The foreign aid bill has finally come in for a thorough overhaul. While much of the aid package is necessary—such as assistance in dealing with the refugees from East Pakistan—other major portions are highly questionable—such as military aid to the government of Yahya Khan or the dictatorship in Greece. In some cases, military assistance to liberal democracies—such as for the beleaguered State of Israel—has been denied by the administration. The sale of F–4 Phantom jets to Israel has reportedly been held up for over half a year. The Congress has voted financial credits and has encouraged the administration to assist Israel in meeting its military needs. It appears that more vigorous congressional action will be needed in this area.

THE ECONOMY

For another year, the economy has been in a recession. Unemployment is 6 percent. In Ohio, 204,500 workers are

unemployed; 89,064 are on unemployment compensation, and 55,197 have exhausted their compensation benefits. The situation is particularly serious among returned Vietnam veterans. In Ohio, 23,818 recently returned veterans are unemployed.

On August 15, President Nixon formally announced his plan to curb inflation by "controlling" the economy—an authority earlier given to the President by the Congress on August 15, 1970, and again on May 18, 1971.

I supported President Nixon in the wage-price freeze. Controls are evil—but they are a lesser evil than a runaway inflation. I am very much concerned, however, with the success of the wage-price freeze. For that reason, I have helped establish in my congressional district, the Nation's first price committee to implement the President's program. Some 250 individuals are maintaining price watches and checks in an effort to determine the success of the program. In addition, the price lists maintained by these citizens will enable abuses and unreasonable price increases to be examined. I hope to release the first data on this survey in the next few weeks.

On August 15, the President also announced a 10-percent import surcharge and took the first step toward devaluing the dollar—suspending gold payments. Although I fought against Government programs which unnecessarily drained off American dollars abroad, the problem resulting from this outflow had to be corrected. I supported the President in his policy to suspend gold payments.

However, the free world economy was thrown into turmoil by devaluation. The dollar has long been the trading currency of the free world. Even nations not involved extensively in U.S. trade were shaken with the "flexible" dollar—since their sales and purchases were in dollars. Now the entire free world trading system must be readjusted to new rules.

The effectiveness of the President's new tax proposals fills me with concern. I opposed the 7-percent investment credit because there is not an acceptable relationship between the loss of Treasury revenue and the touted potential of the tax credit to stimulate employment and to fire up the economy.

There are varying estimates of the Treasury loss—one of the most reliable is the September 1971 Monthly Review of the Federal Reserve Bank which points out that the investment credit, plus the asset depreciation system, should mean a reduction of $8 billion or more in business taxes during the next year alone.

This bill does provide a few crumbs for the average taxpayer—but there is little need for rejoicing: what is given to the individual taxpayer will be taken away by higher social security taxes next year. The tax bill totally overlooks the need for reducing the overwhelming burdens of the average taxpayer—the most neglected American.

In the passion of September, the House of Representatives very quickly adopted the President's investment credit proposal—to get the economy moving, restore employment, stimulate purchasing and production. The House acted passionately and quickly to turn things around. As the weeks rolled on, it became quite apparent that the investment credit was not meeting its expectations.

At the end of November, machine tool orders, generally regarded as the best barometer of a developing recovery, were down. The late November reports also indicated a rise in unemployment from 5.8 to 6 percent, followed by a continued rise in the wholesale price index.

From these circumstances, it was apparent that the economy was offering very little, if any, response to the administration's investment credit incentive program—a costly and wasteful diversion of critically essential tax revenues.

For all purposes, the investment credit is a give-away, a tax loss, a form of revenue wasting with no purpose. Seventy-five percent of the revenue loss provides tax credit for capital expenditures which would be made without the tax credit. There are other ways to stimulate the economy—the investment credit is the most costly and the most uncertain.

With the tax loss compounded by the cost of the investment credit and the asset depreciation range, the huge annual deficit—the difference between Government receipts and expenditures—will become permanent. The pressures will continue to erode essential Federal programs and services, and the citizen will be the loser.

It is my fear that the billions of dollars given away to a few special taxpayers because of the asset depreciation range and the 7-percent investment credit will have to be made up by higher taxes on the individual taxpayer either through an income tax surcharge or a new value-added tax—another name for a Federal sales tax.

It seems to me that the American people should be taken into the confidence of the Government so that they can fully understand how massive tax reductions for special groups of taxpayers affect the average citizen. Furthermore, the enactment of tax legislation should be for long-term effects rather than election year maneuverings.

SOCIAL SECURITY

The social security increase has been held up in the Senate for 6 months. This bill provides a 5-percent increase in benefits effective July 1, 1972. This bill also extends medicare benefits to the disabled.

It is my hope that this bill can be made retroactive to January 1972, with increased benefits related to higher health and living expenses. For example, rising medical costs make it likely that part B medicare rates will increase July 1 substantially above the present $5.60 per month. In addition, the handling of medicare claims must be reorganized.

The Welfare Reform Act is a part of this legislation "bottled up" by the Senate which must be acted on in the next session.

ENVIRONMENTAL LEGISLATION

The Senate has passed an excellent water pollution control bill. It includes a proposal I presented before the Senate Public Works Committee to increase the percentage level of Federal assistance to cities for the construction of waste treatment facilities. This provision is vitally important to the Greater Cleveland area as we try to meet new pollution control deadlines. The House Public Works Committee has also reported a water pollution control bill which would also bring us near to the goal of clean water. I will make an effort to see that this legislation includes a massive demonstration program on the Lake Erie problem.

The SST, which involved both economic subsidy questions and environmental problems, was finally terminated by the Congress this spring. Several foreign nations are proceeding with SST's. It is doubtful that this first generation of planes can be financially successful. It is most disturbing, however, that such aircraft development should continue when a number of environmental questions affecting life throughout the world remain unanswered. I am supporting legislation which would ban the landing of any such planes in the United States until the environmental problems are solved.

This spring, I introduced legislation, with wide cosponsorship among the Ohio congressional delegation, to create a National Park along the Old Ohio Canal and Cuyahoga River Valley between southern Cleveland and northern Akron. This park, in a relatively undeveloped area between two major cities, fits perfectly into the President's effort to create parks where the people are. Initial studies by the National Park Service are very favorable to the creation of this park.

EDUCATION, HEALTH, AND CONSUMER LEGISLATION

The House has passed a major bill providing $23 billion for assistance to colleges and needy students over the next 5 years. This bill is now in the Senate and its future is uncertain because of threats of a filibuster. Major legislation providing for the training and education of badly needed health service personnel has also been enacted.

In the area of health, both the Senate and House have passed legislation designed to step up our research and control efforts of cancer. The level of possible appropriations for research into the causes and cures of our most dreaded disease will be $1.6 billion over the next 3 years. Hopefully this extra money will enable us to make further research breakthroughs on cancer.

My bill providing for free school lunch aid to needy children was extended for 2 more years. The funding of this program has been plagued by continued Agriculture Department delays. Fortunately, we were able to obtain $28 million for feeding children in summer day care centers.

CONCLUSION

In the next session of the Congress we must deal with the development of a national health program, a new trade bill designed to open new markets for American goods and a revenue sharing program which can provide substantial relief for local governments. All of these

major issues will have to be resolved in the Ways and Means Committee on which I serve.

The next session of the Congress will labor under a difficult timetable which must provide time-out for the party conventions of 1972. Partisanship must not interfere with the public business to be done. It is my hope that the 92d Congress will develop a creditable record of achievement.

RECESS

The SPEAKER. Pursuant to the previous order of the House, the Chair declares a recess subject to the call of the Chair.

The bells will be rung 15 minutes prior to the reconvening of the House.

Accordingly (at 4 o'clock and 19 minutes p.m.) the House stood in recess subject to the call of the Chair.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 5 o'clock and 18 minutes p.m.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10604) entitled "An act to amend title II of the Social Security Act to permit the payment of the lump-sum death payment to pay the burial and memorial services expenses and related expenses for an insured individual whose body is unavailable for burial."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 382) entitled "An act to promote fair practices in the conduct of election campaigns for Federal political offices, and for other purposes."

The message also announced that the Senate further disagrees to the amendments of the House to the bill (S. 2891) entitled "An act to extend and amend the Economic Stabilization Act of 1970," agrees to a further conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. SPARKMAN, Mr. PROXMIRE, Mr. WILLIAMS, Mr. CRANSTON, Mr. TOWER, Mr. PACKWOOD, and Mr. ROTH to be the conferees on the part of the Senate.

The message also announced that the Senate further agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2891) entitled "An act to extend and amend the Economic Stabilization Act of 1970."

The message also announced that the Senate had passed joint resolutions of the following titles, in which the concurrence of the House is requested:

S.J. Res. 183. Joint resolution extending the date for transmission to the Congress of the President's Economic Report; and

S.J. Res. 184. Joint resolution extending the dates for transmission of the Economic Report and the report of the Joint Economic Committee.

CONFERENCE REPORT ON S. 2891, ECONOMIC STABILIZATION ACT AMENDMENTS OF 1971

Mr. PATMAN submitted the following conference report and statement on the bill (S. 2891) to extend and amend the Economic Stabilization Act of 1970:

CONFERENCE REPORT (H. REPT. No. 753)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2891) to extend and amend the Economic Stabilization Act of 1970, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

That this Act may be cited as the "Economic Stabilization Act Amendments of 1971".

ECONOMIC STABILIZATION ACT OF 1970

SEC. 2. Title II of the Act entitled "An Act to amend the Defense Production Act of 1950, and for other purposes", approved August 15, 1970 (Public Law 91-379), as amended, is amended to read as follows:

"TITLE II—COST OF LIVING STABILIZATION

"§ 201. Short title

"This title may be cited as the 'Economic Stabilization Act of 1970'.

"§ 202. Findings

"It is hereby determined that in order to stabilize the economy, reduce inflation, minimize unemployment, improve the Nation's competitive position in world trade, and protect the purchasing power of the dollar, it is necessary to stabilize prices, rents, wages, salaries, dividends, and interest. The adjustments necessary to carry out this program require prompt judgments and actions by the executive branch of the Government. The President is in a position to implement promptly and effectively the program authorized by this title.

"§ 203. Presidential authority

"(a) The President is authorized to issue such orders and regulations as he deems appropriate, accompanied by a statement of reasons for such orders and regulations, to—

"(1) stabilize prices, rents, wages, and salaries at levels not less than those prevailing on May 25, 1970, except that prices may be stabilized at levels below those prevailing on such date if it is necessary to eliminate windfall profits or if it is otherwise necessary to carry out the purposes of this title; and

"(2) stabilize interest rates and corporate dividends and similar transfers at levels congrowth. Such standards shall—

Such orders and regulations shall provide for the making of such adjustments as may be necessary to prevent gross inequities, and shall be consistent with the standards issued pursuant to subsection (b).

"(b) In carrying out the authority vested in him by subsection (a), the President shall issue standards to serve as a guide for determining levels of wages, salaries, prices, rents, interest rates, corporate dividends, and similar transfers which are consistent with the purposes of this title and orderly economic growth. Such standards shall—

"(1) be generally fair and equitable;

"(2) provide for the making of such general exceptions and variations as are necessary to foster orderly economic growth and to prevent gross inequities, hardships, serious market disruptions, domestic shortages of raw materials, localized shortages of labor, and windfall profits;

"(3) take into account changes in productivity and the cost of living, as well as such other factors consistent with the purposes of this title as are appropriate;

"(4) provide for the requiring of appropriate reductions in prices and rents whenever warranted after consideration of lower costs, labor shortages, and other pertinent factors; and

"(5) call for generally comparable sacrifices by business and labor as well as other segments of the economy.

"(c)(1) The authority conferred on the President by this section shall not be exercised to limit the level of any wage or salary (including any insurance or other fringe benefit offered in connection with an employment contract) scheduled to take effect after November 13, 1971, to a level below that which has been agreed to in a contract which (A) related to such wage or salary, and (B) was executed prior to August 15, 1971, unless the President determines that the increase provided in such contract is unreasonably inconsistent with the standards for wage and salary increases published under subsection (b).

"(2) The President shall promptly take such action as may be necessary to permit the payment of any wage or salary increase (including any insurance or other fringe benefit offered in connection with an employment contract) which (A) was agreed to in an employment contract executed prior to August 15, 1971, (B) was scheduled to take effect prior to November 14, 1971, and (C) was not paid as a result of orders issued under this title, unless the President determines that the increase provided in such contract is unreasonably inconsistent with the standards for wage and salary increases published under subsection (b).

"(3) In addition to the payment of wage and salary increases provided for under paragraphs (1) and (2), beginning on the date on which this subsection takes effect, the President shall promptly take such action as may be necessary to require the payment of any wage or salary increases (including any insurance or other fringe benefits offered in connection with employment) which have been, or in the absence of this subsection would be, withheld under the authority of this title, if the President determines that—

(A) such increases were provided for by law or contract prior to August 15, 1971; and

(B) prices have been advanced, productivity increased, taxes have been raised, appropriations have been made, or funds have otherwise been raised or provided for in order to cover such increases.

"(d) Notwithstanding any other provision of this title, this title shall be implemented in such a manner that wage increases to any individual whose earnings are substandard or who is a member of the working poor shall not be limited in any manner, until such time as his earnings are no longer substandard or he is no longer a member of the working poor.

"(e) Whenever the authority of this title is implemented with respect to significant segments of the economy, the President shall require the issuance of regulations or orders providing for the stabilization of interest rates and finance charges, unless he issues a determination, accompanied by a statement of reasons, that such regulations or orders are not necessary to maintain such rates and charges at levels consonant with orderly economic growth.

"(f) The authority conferred by this section shall not be exercised to preclude the payment of any increase in wages—

"(1) required under the Fair Labor Stand-

ards Act of 1938, as amended, or effected as a result of enforcement action under such Act; or

"(2) required in order to comply with wage determinations made by any agency in the executive branch of the Government pursuant to law for work (A) performed under contracts with, or to be performed with financial assistance from, the United States or the District of Columbia, or any agency or instrumentality thereof, or (B) performed by aliens who are immigrants or who have been temporarily admitted to the United States pursuant to the Immigration and Nationality Act; or

"(3) paid in conjunction with existing or newly established employee incentive programs which are designed to reflect directly increases in employee productivity.

"(g) For the purposes of this section the term 'wages' and 'salaries' do not include contributions by any employer pursuant to a compensation adjustment for—

"(1) any pension, profit sharing, or annuity and savings plan which meets the requirements of section 401(a), 404(a)(2), or 403(b) of the Internal Revenue Code of 1954;

"(2) any group insurance plan; or

"(3) any disability and health plan;

unless the President determines that the contributions made by any such employer are unreasonably inconsistent with the standards for wage, salary, and price increases issued under subsection (b).

"(h) No State or portion thereof shall be exempted from any application of this title with respect to rents solely by virtue of the fact that it regulates rents by State or local law, regulation or policy.

"(i) Rules, regulations, and orders issued under this title shall insofar as practicable be designed to encourage labor-management cooperation for the purpose of achieving increased productivity, and the Executive Director of the National Commission on Productivity shall when appropriate be consulted in the formulation of policies, rules, regulations, orders, and amendments under this title.

"§ 204. Delegation

"The President may delegate the performance of any function under this title to such officers, departments, and agencies of the United States as he deems appropriate, or to boards, commissions, and similar entities composed in whole or in part of members appointed to represent different sectors of the economy and the general public. Members of such boards, commissions, and similar entities shall be appointed by the President by and with the advice and consent of the Senate; except that—

"(1) the foregoing requirement with respect to Senate confirmation does not apply to any member of any such board, commission, or similar entity (other than the Chairman of the Pay Board, established by section 7 of Executive Order Numbered 11627 of October 15, 1971, and the Chairman of the Price Commission, established by section 8 of such Executive order) who is serving pursuant to appointment by the President, on such board, commission, or similar entity on the date of enactment of the economic Stabilization Act Amendments of 1971, and who continues to serve, pursuant to such appointment, on such board, commission, or similar entity after such date; and

"(2) any person serving in the office of Chairman of such Pay Board, and any person serving in the office of Chairman of such Price Commission, on the date of enactment of the Economic Stabilization Act Amendments of 1971, may continue to serve in such capacity on an interim basis without regard to the foregoing requirement with respect to Senate confirmation until the expiration of sixty days after the date of enactment of the Economic Stabilization Act Amendments of 1971, and the provisions of sections 910–913 of title 5, United States Code, shall be applicable with respect to the procedure to be followed in the Senate in considering the nomination of any person to either of such offices submitted to the Senate by the President during such sixty-day period, except that references in such provisions to a 'resolution with respect to a reorganization plan' shall be deemed for the purpose of this section to refer to such nominations.

Where such boards, commissions, and similar entities are composed in part of members who serve on less than a full-time basis, legal authority shall be placed in their chairmen who shall be employees of the United States and who shall act only in accordance with the majority vote of members. Nothing in section 203, 205, 207, 208, or 209 of title 18, United States Code, shall be deemed to apply to any member of any such board, commission, or similar entity who serves on less than a full-time basis because of membership on such board, commission, or entity.

"§ 205. Confidentiality of information

"All information reported to or otherwise obtained by any person exercising authority under this title which contains or relates to a trade secret or other matter referred to in section 1905 of title 18, United States Code, shall be considered confidential for the purposes of that section, except that such information may be disclosed to other persons empowered to carry out this title solely for the purpose of carrying out this title or when relevant in any proceeding under this title.

"§ 206. Subpena power

"The head of an agency exercising authority under this title, or his duly authorized agent, shall have authority, for any purpose related to this title, to sign and issue subpenas for the attendance and testimony of witnesses and the production of relevant books, papers, and other documents, and to administer oaths. Witnesses summoned under the provisions of this section shall be paid the same fees and mileage as are paid to witnesses in the courts of the United States. In case of refusal to obey a subpena served upon any person under the provisions of this section, the head of the agency authorizing such subpena, or his delegate, may request the Attorney General to seek the aid of the district court of the United States for any district in which such person is found to compel such person, after notice, to appear and give testimony, or to appear and produce documents before the agency.

"§ 207. Administrative procedure

"(a) The functions exercised under this title are excluded from the operation of subchapter II of chapter 5, and chapter 7 of title 5, United States Code, except as to the requirements of sections 552, 553, and 555(e) of title 5, United States Code.

"(b) Any agency authorized by the President to issue rules, regulations, or orders under this title shall, in regulations prescribed by it, establish procedures which are available to any person for the purpose of seeking an interpretation, modification, or rescission of, or seeking an exception or exemption from, such rules, regulations, and orders. If such person is aggrieved by the denial of a request for such action under the preceding sentence, he may request a review of such denial by the agency. The agency shall, in regulations prescribed by it, establish appropriate procedures, including hearings where deemed advisable, for considering such requests for action under this section.

"(c) To the maximum extent possible, the President or his delegate shall conduct formal hearings for the purpose of hearing arguments or acquiring information bearing on a change or a proposed change in wages, salaries, prices, rents, interest rates, or corporate dividends or similar transfers, which have or may have a significant large impact upon the national economy, and such hearings shall be open to the public except that a private formal hearing may be conducted to receive information considered confidential under section 205 of this title.

"§ 208. Sanctions; criminal fine and civil penalty

"(a) Whoever willfully violates any order or regulation under this title shall be fined not more than $5,000 for each violation.

"(b) Whoever violates any order or regulation under this title shall be subject to a civil penalty of not more than $2,500 for each violation.

"§ 209. Injunctions and other relief

"Whenever it appears to any person authorized by the President to exercise authority under this title that any individual or organization has engaged, is engaged, or is about to engage in any acts or practices constituting a violation of any order or regulation under this title, such person may request the Attorney General to bring an action in the appropriate district court of the United States to enjoin such acts or practices, and upon a proper showing a temporary restraining order or a preliminary or permanent injunction shall be granted without bond. Any such court may also issue mandatory injunctions commanding any person to comply with any such order or regulation. In addition to such injunctive relief, the court may also order restitution of moneys received in violation of any such order or regulation.

"§ 210. Suits for damages or other relief

"(a) Any person suffering legal wrong because of any act or practice arising out of this title, or any order or regulation issued pursuant thereto, may bring an action in a district court of the United States, without regard to the amount in controversy, for appropriate relief, including an action for a declaratory judgment, writ of injunction (subject to the limitations in section 211), and/or damages.

"(b) In any action brought under subsection (a) against any person renting property or selling goods or services who is found to have overcharged the plaintiff, the court may, in its discretion, award the plaintiff reasonable attorney's fees and costs, plus whichever of the following sums is greater:

"(1) an amount not more than three times the amount of the overcharge upon which the action is based, or

"(2) not less than $100 or more than $1,000;

except that in any case where the defendant establishes that the overcharge was not intentional and resulted from a bona fide error notwithstanding the maintenance of procedures reasonably adapted to the avoidance of such error the liability of the defendant shall be limited to the amount of the overcharge: *Provided*, That where the overcharge is not willful within the meaning of section 208(a) of this title, no action for an overcharge may be brought by or on behalf of any person unless such person has first presented to the seller or renter a bona fide claim for refund of the overcharge and has not received repayment of such overcharge within ninety days from the date of the presentation of such claim.

"(c) For the purposes of this section, the term 'overcharge' means the amount by which the consideration for the rental of property or the sale of goods or services exceeds the applicable ceiling under regulations or orders issued under this title.

"§ 211. Judicial review

"(a) The district courts of the United States shall have exclusive original jurisdiction of cases or controversies arising under this title, or under regulations or orders issued thereunder, notwithstanding the amount in controversy; except that nothing in this subsection or in subsection (h) of

this section affects the power of any court of competent jurisdiction to consider, hear, and determine any issue by way of defense (other than a defense based on the constitutionality of this title or the validity of action taken by any agency under this title) raised in any proceeding before such court. If in any such proceeding an issue by way of defense is raised based on the constitutionality of this title or the validity of agency action under this title, the cases shall be subject to removal by either party to a district court of the United States in accordance with the applicable provisions of chapter 89 of title 28, United States Code.

"(b)(1) There is hereby created a court of the United States to be known as the Temporary Emergency Court of Appeals, which shall consist of three or more judges to be designated by the Chief Justice of the United States from judges of the United States district courts and circuit courts of appeals. The Chief Justice of the United States shall designate one of such judges as chief judge of the Temporary Emergency Court of Appeals, and may, from time to time, designate additional judges for such court and revoke previous designations. The chief judge may, from time to time, divide the court into divisions of three or more members, and any such division may render judgment as the judgment of the court. Except as provided in subsection (d)(2) of this section, the court shall not have power to issue any interlocutory decree staying or restraining in whole or in part any provision of this title, or the effectiveness of any regulation or order issued thereunder. In all other respects, the court shall have the powers of a circuit court of appeals with respect to the jurisdiction conferred on it by this title. The court shall exercise its powers and prescribe rules governing its procedure in such manner as to expedite the determination of cases over which it has jurisdiction under this title. The court shall have a seal, hold sessions at such places as it may specify, and appoint a clerk and such other employees as it deems necessary or proper.

"(2) Except as otherwise provided in this section, the Temporary Emergency Court of Appeals shall have exclusive jurisdiction of all appeals from the district courts of the United States in cases and controversies arising under this title or under regulations or orders issued thereunder. Such appeals shall be taken by the filing of a notice of appeal with the Temporary Emergency Court of Appeals within thirty days of the entry of judgment by the district court.

"(c) In any action commenced under this title in any district court of the United States in which the court determines that a substantial constitutional issue exists, the court shall certify such issue to the Temporary Emergency Court of Appeals. Upon such certification, the Temporary Emergency Court of Appeals shall determine the appropriate manner of disposition which may include a determination that the entire action be sent to it for consideration or it may, on the issues certified, give binding instructions and remand the action to the certifying court for further disposition.

"(d)(1) Subject to paragraph (2), no regulation of any agency exercising authority under this title shall be enjoined or set aside, in whole or in part, unless a final judgment determines that the issuance of such regulation was in excess of the agency's authority, was arbitrary or capricious, or was otherwise unlawful under the criteria set forth in section 706(2) of title 5, United States Code, and no order of such agency shall be enjoined or set aside, in whole or in part unless a final judgment determines that such order is in excess of the agency's authority, or is based upon findings which are not supported by substantial evidence.

"(2) A district court of the United States or the Temporary Emergency Court of Appeals may enjoin temporarily or permanently the application of a particular regulation or order issued under this title to a person who is a party to litigation before it. Appeals from interlocutory decisions by a district court of the United States under this paragraph may be taken in accordance with the provisions of section 1292(b) of title 28, United States Code; except that reference in such section to the courts of appeals shall be deemed to refer to the Temporary Emergency Court of Appeals.

"(e)(1) Except as provided in subsection (d) of this section, no interlocutory or permanent injunction restraining the enforcement, operation, or execution of this title, or any regulation or order issued thereunder, shall be granted by any district court of the United States or judge thereof. Any such court shall have jurisdiction to declare (A) that a regulation of an agency exercising authority under this title is in excess of the agency's authority, is arbitrary or capricious, or is otherwise unlawful under the criteria set forth in section 706(2) of title 5, United States Code, or (B) that an order of such agency is invalid upon a determination that the order is in excess of the agency's authority, or is based upon findings which are not supported by substantial evidence.

"(2) Any party aggrieved by a declaration of a district court of the United States respecting the validity of any regulation or order issued under this title may, within thirty days after the entry of such declaration, file a notice of appeal therefrom in the Temporary Emergency Court of Appeals. In addition, any party believing himself entitled by reason of such declaration to a permanent injunction restraining the enforcement, operation, or execution of such regulation or order may file, within the same thirty-day period, a motion in the Temporary Emergency Court of Appeals requesting such injunctive relief. Following consideration of such appeal or motion, the Temporary Emergency Court of Appeals shall enter a final judgment affirming, reversing, or modifying the determination of the district court and granting, such permanent injunctive relief, if any, as it deems appropriate.

"(f) The effectiveness of a final judgment of the Temporary Emergency Court of Appeals enjoining or setting aside in whole or in part any provision of this title, or any regulation or order issued thereunder, shall be postponed until the expiration of thirty days from the entry thereof, except that if a petition for a writ of certiorari is filed with the Supreme Court under subsection (g) within such thirty days, the effectiveness of such judgment shall be postponed until an order of the Supreme Court denying such petition becomes final, or until other final disposition of the action by the Supreme Court.

"(g) Within thirty days after entry of any judgment or order by the Temporary Emergency Court of Appeals, a petition for a writ of certiorari may be filed in the Supreme Court of the United States, and thereupon the judgment or order shall be subject to review by the Supreme Court in the same manner as a judgment of a United States court of appeals as provided in section 1254 of title 28, United States Code. The Temporary Emergency Court of Appeals, and the Supreme Court upon review of judgments and orders of the Temporary Emergency Court of Appeals, shall have exclusive jurisdiction to determine the constitutional validity of any provision of this title or of any regulation or order issued under this title. Except as provided in this section, no court, Federal or State, shall have jurisdiction or power to consider the constitutional validity of any provision of this title or of any such regulation or order, or to stay, restrain, enjoin, or set aside, in whole or in part, any provision of this title authorizing the issuance of such regulations or orders, or any provision of any such regulation or order, or to restrain or enjoin the enforcement of any such provision.

"(h) The provisions of this section apply to any actions or suits pending in any court, Federal or State, on the date of enactment of this section in which no final order or judgment has been rendered. Any affected party seeking relief shall be required to follow the procedures of this title.

"§ 212. Personnel

"(a) Any agency or officer of the Government carrying out functions under this title is authorized to employ such personnel as the President deems necessary to carry out the purposes of this title.

"(b) The President may appoint five officers to be responsible for carrying out functions of this title of whom three shall be compensated at the rate prescribed for level III of the Executive Schedule (5 U.S.C. 5314) and two at the rate prescribed for level V of the Executive Schedule (5 U.S.C. 5316). Appropriate titles and the order of succession among such officers may be designated by the President.

"(c) Any member of a board, commission, or similar entity established by the President pursuant to authority conferred by this title who serves on less than a fulltime basis shall receive compensation from the date of his appointment at a rate equal to the per diem equivalent of the rate prescribed for level IV of the Executive Schedule 5 U.S.C. 5315) when actually engaged in the performance of his duties as such member.

"(d)(1) In addition to the number of positions which may be placed in GS–16, 17, and 18, under section 5108 of title 5, United States Code, not to exceed twenty positions may be placed in GS–16, 17, and 18, to carry out the functions under this title.

"(2) The authority under this subsection shall be subject to the procedures prescribed under section 5108 of title 5, United States Code, and shall continue only for the duration of the exercise of functions under this title.

"(e) The President may require the detail of employees from any executive agency to carry out the purposes of this title.

"(f) The President is authorized to appoint, without regard to the civil service laws, such advisory committees as he deems appropriate for the purpose of consultation with and advice to the President in the performance of his functions under this title. Members of advisory committees, other than those regularly employed by the Federal Government, while attending meetings of such committees or while otherwise serving at the request of the President may be paid compensation at rates not exceeding those authorized for individuals under section 5332 of title 5, United States Code, and, while so serving away from their homes or regular places of business, may be allowed travel expenses, including per diem as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

"(g)(1) Under such regulations as the President may prescribe, officers and employees of the Government who are appointed, without a break of service of one or more work days, to any position for carrying out functions under this title are entitled, upon separation from such position, to reemployment in the position occupied at the time of appointment or in a position of comparable grade and salary.

"(2) An officer or employee who, at the time of his appointment under paragraph (1) of this subsection, is covered by section 8336(c) of title 5, United States Code, shall continue to be covered thereunder while carrying out functions under this title.

"§ 213. Experts and consultants

"Experts and consultants may be employed, as authorized by section 3109 of title 5,

United States Code, for the performance of functions under this title, and individuals so employed may be compensated at rates not to exceed the per diem equivalent of the rate for grade 18 of the General Schedule established by section 5332 of title 5, United States Code. Such contracts may be renewed from time to time without limitation. Service of an individual as an expert or consultant under this section shall not be considered as employment or the holding of an office or position bringing such individual within the provisions of section 3323(a) of title 5, United States Code, section 872 of the Foreign Service Act of 1946, or any other law limiting the reemployment of retired officers or employees.

"§ 214. Small business

"(a) It is the sense of the Congress that small business enterprises should be encouraged to make the greatest possible contribution toward achieving the objectives of this title.

"(b) In order to carry out the policy stated in subsection (a)—

"(1) the Small Business Administration shall to the maximum extent possible provide small business enterprises with full information concerning (A) the provisions of this title relating or of benefit to such enterprises, and (B) the activities of the various departments and agencies under this title;

"(2) in administering this title, such exemptions shall be provided for small business enterprises as may be feasible without impeding the accomplishment of the purposes of this title; and

"(3) in administering this title, special provision shall be made for the expeditious handling of all requests, applications, or appeals from small business enterprises.

"§ 215. Mass transportation systems

"No company, or other entity constituting a public benefit corporation, charged by law or contract with the responsibility to operate a mass transportation facility or facilities, the fares of which are not otherwise regulated, shall increase any fare without first obtaining approval under this section from the President or his delegate.

"§ 216. Reports

"(a) In transmitting the Economic Report required under section 3(a) of the Employment Act of 1946 (15 U.S.C. 1022), the President shall include a section describing the actions taken under this title during the preceding year and giving his assessment of the progress attained in achieving the purposes of this title. The President shall also transmit quarterly reports to the Congress not later than thirty days after the close of each calendar quarter describing the actions taken under this title during the preceding quarter and giving his assessment of the progress attained in achieving the purposes of this title.

"(b) In carrying out his authority under this title, the President shall study and evaluate the relationship between excess profits, the stabilization of the economy, and the creation of new jobs. The results of such study shall be incorporated in the reports referred to in subsection (a).

"§ 217. Funding

"(a) There are authorized to be appropriated to the President, to remain available until expended, such sums as may be necessary to carry out the provisions of this title.

"(b) The President may accept and use in furtherance of the purposes of this title money, funds, property, and services of any kind made available for such purposes by gift, devise, bequest, grant, or otherwise.

"§ 218. Expiration

"The authority to issue and enforce orders and regulations under this title expires at midnight April 30, 1973, but such expiration shall not affect any action or pending proceeding, civil or criminal, not finally determined on such date, nor any action or proceeding based upon any act committed prior to May 1, 1973.

"§ 219. Ratification

"The assignment of personnel and expenditure of funds pursuant to the authority conferred on the President by this title prior to the date of enactment of the Economic Stabilization Act Amendments of 1971 are hereby approved, ratified, and confirmed.

"§ 220. Severability

"If any provision of this title or the application of such provision to any person or circumstances is held invalid, the remainder of the title, and the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby."

FEDERAL EMPLOYEE COMPENSATION

SEC. 3. Notwithstanding any provision of section 3(c) of the Federal Pay Comparability Act of 1970 (Public Law 91-656), or of section 5305 of title 5, United States Code, as added by section 3(a) of Public Law 91-656, and the provisions of the alternative plan submitted by the President to the Congress pursuant thereto on August 31, 1971, such comparability adjustments in the rates of pay of each Federal statutory pay system as may be required under such sections 5305 and 3(c), based on the 1971 Bureau of Labor Statistics Survey—

(1) shall not be greater than the guidelines established for the wage and salary adjustments for the private sector that may be authorized under authority of any statute of the United States, including the Economic Stabilization Act of 1970 (Public Law 91-379; 84 Stat. 799), as amended, and that may be in effect on December 31, 1971; and

(2) shall be placed into effect on the first day of the first pay period that begins on or after January 1, 1972.

Nothing in this section shall be construed to provide any adjustments in rates of pay of any Federal statutory pay system which are greater than the adjustments based on the 1971 Bureau of Labor Statistics survey.

NATIONAL PRODUCTIVITY POLICY

SEC. 4. (a) (1) It is the policy of the United States to promote efficient production, marketing, distribution, and use of goods and services in the private sector, and improve the morale of the American worker, all of which are essential to a prosperous and secure free world, and to achieve the objectives of national economic policy.

(2) The Congress finds that the persistence of inflationary pressures, and of a high rate of unemployment, the underutilization and obsolescence of production facilities, and the inadequacy of productivity are damaging to the effort to stabilize the economy.

(3) The Congress, therefore, finds a national need to increase economic productivity which depends on the effectiveness of management, the investment of capital for research, development, and advanced technology and on the training and motivation of the American worker.

(4) The Congress further finds that at a time when economic stabilization programs require price-wage restraints, management and labor have a strong mutual interest in containing "cost-push" inflation and increasing output per man-hour so that real wages may increase without causing increased prices, and that, without in any way infringing on the rights of management or labor, machinery should be provided for translating this mutuality of interest into voluntary action.

(b) It shall be the objective of the President's National Commission on Productivity (hereinafter referred to as the "Commission")—

(1) to enlist the cooperation of labor, management, and State and local governments, in a manner calculated to foster and promote increased productivity through free competitive enterprise toward the implementation of the national policy declared in the Employment Act of 1946 to create and maintain "conditions under which there will be afforded useful employment opportunities, including self-employment, for those able, willing, and seeking to work, and to promote maximum employment, production, and purchasing power";

(2) to promote the maintenance and improvement of worker motivation and to enlist community interest in increasing productivity and reducing waste;

(3) to promote the more effective use of labor and management personnel in the interest of increased productivity;

(4) to promote sound wage and price policies in the public interest, and to seek to accomplish that objective within a climate of cooperation and understanding between labor, management, and the public, and within a framework of peaceful labor-management relations and free and responsible collective bargaining;

(5) to promote policies designed to insure that United States products are competitive in domestic and world markets;

(6) to develop programs to deal with the social and economic problems of employees adversely affected by automation or other technological change or the relocation of industries.

(c) (1) It shall be the duty and function of the Commission, in order to achieve the objectives set forth in subsection (b) of this section, to encourage and assist in the organization and the work of labor-management-public committees and similar groups on a plant, community, regional, and industry basis. Such assistance shall include aid—

(A) in the development of apprenticeship, training, retraining, and other programs for employee and management education for development of greater upgraded and more diversified skills;

(B) in the formulation of programs designed to reduce waste and absenteeism and to improve employee safety and health;

(C) in the revision of building codes and other local ordinances and laws, in order to keep them continuously responsive to current economic conditions;

(D) in planning for provision of adequate transportation for employees;

(E) in the exploration of means to expand exports of the products of United States industry;

(F) in the development, initiation, and expansion of employee incentive compensation, profit-sharing and stockownership systems and other production incentive programs;

(G) in the dissemination of technical information and other material to publicize its work and objectives;

(H) to encourage studies of techniques and programs similar to those in paragraphs (A) to (G) of this subsection, as they are applied in foreign countries; and

(I) in the dissemination of information and analysis concerning the economic opportunities and outlook in various regions and communities, and of information on industrial techniques designed for the increase of productivity.

(2) The Commission shall transmit to the President and to the Congress not later than March 1 of each year an annual report of its previous year's activities under this Act.

(3) The Commission shall perform such other functions, consistent with the foregoing, as it determines to be appropriate and necessary to achieve the objectives set forth in subsection (b) of this section.

(d) (1) In exercising its duties and functions under this Act—

(A) the Commission may consult with such representatives of industry, labor, agriculture, consumers, State and local governments, and other groups, organizations, and

individuals as it deems advisable to insure the participation of such interested parties;

(B) the Commission shall, to the extent possible, use the services, facilities, and information (including statistical information) of other Government agencies as the President may direct as well as of private agencies and professional experts in order that duplication of effort and expense may be avoided;

(C) the Commission shall coordinate such services and facilities referred to in subsection (B) above in order to supply technical and administrative assistance to labor-management-public committees and similar groups referred to in subsection (c)(1);

(D) the Commission shall establish the regional offices and such local offices as it deems necessary;

(E) the Commission shall hold regional and industrywide conferences to formulate ideas and programs for the fulfillment of the objectives set forth in subsection (C);

(F) the Commission may formulate model programs to ameliorate the effects of unemployment caused by technological progress;

(G) the Commission may furnish assistance to parties in collective bargaining entering into collective bargaining agreements; and

(H) the Commission may review collective bargaining agreements already in effect or those being negotiated to ascertain their effects on productivity; and it may have the power to make recommendations with respect to the agreements made or about to be made in specific industries.

(2) The Commission may accept gifts or bequests, either for carrying out specific programs which it deems desirable or for its general activities.

(e)(1) The Executive Director of the Commission shall be the principal executive officer of the Commission in carrying out the objectives, functions, duties and powers of the Commission described in subsections (b) through (d) of this section.

(2) The Executive Director of the Commission, with the approval of the Chairman of the Commission is authorized (A) to appoint and fix the compensation of such officers and employees, and prescribe their functions and duties, as may be necessary to carry out the provisions of this section, and (B) to obtain the services of experts and consultants in accordance with the provisions of section 3109 of title 5, United States Code.

(f) There are hereby authorized to be appropriated the sum of $10,000,000 to carry out the purposes of this section during the period ending April 30, 1973.

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title and agree to the same.

WRIGHT PATMAN,
WILLIAM A. BARRETT,
LEONOR SULLIVAN,
HENRY S. REUSS,
FERNAND J. ST GERMAIN,
JOSEPH G. MINISH,
WILLIAM B. WIDNALL,
ALBERT W. JOHNSON,
J. WILLIAM STANTON,
GARRY BROWN,
Managers on the Part of the House.

JOHN SPARKMAN,
WILLIAM PROXMIRE,
HARRISON A. WILLIAMS, Jr.,
ALAN CRANSTON,
JOHN TOWER,
BOB PACKWOOD,
W. V. ROTH, Jr.,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing vote of the two Houses on the amendments of the House to the bill (S. 2891) to amend and extend the Economic Stabilization Act of 1970, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The House struck out all of the Senate bill after the enacting clause and inserting a substitute amendment.

The committee of conference has agreed to a substitute for both the Senate bill and the House amendment. Except for clarifying, clerical, and conforming changes, the differences are noted below.

The House bill authorized the President to stabilize Federal expenditures and finance charges in connection with the extension of credit. that it contained a reference regarding the need to stabilize Federal taxes and expenditures and a statement relating to a balanced budget. The House receded to the Senate provision.

The House bill authorized the President to stabilize Federal expenditures and finance charges in connection with the extension of credit. There was no comparable provision in the Senate bill. The House receded to the Senate.

The House bill authorized the President to stabilize prices, wages, rents and salaries at levels not less than those prevailing May 25, 1970 or at such other levels as the President deemed appropriate to achieve appropriate economic growth and to carry out the purposes of the Title. The Senate bill contained similar authority except that prices, wages, salaries or rents could be stabilized below those prevailing May 25, 1970, when necessary to eliminate windfall profits. The conferees accepted the Senate provision with an amendment providing that prices, wages, salaries or rents could be stabilized below levels prevailing on May 25, 1970, when otherwise required to carry out the purposes of this Title.

The House bill gave the President discretionary authority to issue orders and regulations providing for adjustments and exceptions to the price and wage control to prevent gross inequities. The Senate bill required the President to provide for such adjustments. The conferees agreed to the Senate provision. The Senate bill required that stabilization orders or regulations must be consistent with the standards issued by the President under Section 203(b). No comparable provision was included in the House bill. The conferees accepted the Senate provision.

The House bill provided that wage controls will not apply to individuals whose wages are substandard or to the working poor. The Senate bill contained similar language except that the term "working poor" was not included. Moreover, the Senate bill defined substandard earnings to mean no less than those prescribed as the poverty level by the Office of Management and Budget. The conferees agreed to the House provision.

The House bill required the President to stabilize interest rates and finance charges whenever the price and wage control authority was invoked with respect to a significant segment of the economy, unless the President issued a determination together with his reasons that such regulations or orders are not necessary to maintain such rates and charges at levels consonant with economic growth. The Senate bill contained no such provision. The conferees agreed to the House provision.

The House bill contained a provision exempting certain pension and other retirement plans which qualify for special tax treatment under the Internal Revenue Code. The Senate bill made no reference to retirement plans which qualify for special tax treatment under the Internal Revenue Code, and instead provided that the terms "wages" and "salaries" do not include contributions by any employer pursuant to a compensation adjustment (affecting less than 1,000 employees) for any pensions, profit-sharing, annuity, savings, insurance, or health plan, unless the President determines that the contributions made by any such employer are unreasonably inconsistent with the standards issued by the President to serve as guides for determining appropriate levels of wages and salaries. The Conference agreed upon a compromise between the two provisions which would exempt employer contributions to pension, profit-sharing, or annuity and savings plans, which meet the requirements of Sections 401(a), 404(a)(2), or 403(b), of the Internal Revenue Code; to a group insurance plan; or to a disability or health insurance plan.

It is the intention of the Managers that employer contributions, as defined in subsection 203(f), shall not as a general rule be defined as "wages" and "salaries" for the purposes of the stabilization guidelines established under the authority of this title. The Managers believe that the general wage and salary guidelines might otherwise discourage the establishment of new plans and the liberalization of existing plans covering various fringe benefits.

The Senate bill contained a provision that nothing in this title would prevent increases in wages or extensions in coverage pursuant to future amendments to the Fair Labor Standards Act, executive agency pay, and certain employee incentive programs. The House bill contained no such provision. The conferees accepted the Senate provision.

The Senate bill contained a provision exempting the press and related media from the authority to control prices and wages. The House bill contained no such provision. The Senate receded to the House.

The House bill provided that the President shall take no action under the title which directly or indirectly impairs or detracts from the protections guaranteed by the First Amendment. The Senate bill contained no such provision. The House conferees receded to the Senate.

The House bill contained a provision prohibiting exceptions concerning the control of rents. The Senate version of the bill contained no such provision. The Conferees accepted the House provision with an amendment making it clear that any exception from the stabilization program could not be made solely on the basis that the rents were regulated by State or political subdivisions thereof.

The Senate bill required, with certain exceptions, Senate confirmation of members of the boards, commissions and similar entities established by the President to carry out the purposes of this Act. The House bill contained no such provisions. The Conferees agreed to accept the Senate provisions.

The House bill contained a provision that legal authority would be placed in the chairmen of the boards, commissions or similar entities but required such chairmen to act only in accordance with the majority vote of the members. The Senate bill contained a similar provision but did not require a majority vote of the members. The Conferees accepted the House provision.

The House bill contained a provision authorizing the use of agency funds for the performance of functions under the Act. The Senate bill contained no such provision. The House receded.

The House bill contained a provision authorizing the use of confidential information by other executive departments, agencies and other establishments of the Federal Government for use in matters officially before them. The Senate bill did not contain such a provision. The House receded to the Senate.

The Senate bill contained a provision requiring a statement that there had been consultation with affected parties in the for-

mulation of regulations issued under this Act or that such consultation was impracticable. The House bill contained no such provision. The Senate receded from its provision.

The House bill required the President to establish local protest boards throughout the United States. The Senate bill contained a provision which required each agency authorized to issue regulations and orders to establish procedures which make available to any person the opportunity to seek interpretations, exceptions and exemptions in connection with such regulations and orders issued. The Conferees agreed to accept the Senate provision. The Conferees did agree, however, that individuals should have every opportunity to have information and interpretations given to them at the local level.

The Senate bill required the President to conduct formal hearings with respect to a change or proposed change in wages, salaries, prices, rents, interest rates or corporate dividends. The House bill contained no such provision. The House agreed to accept the Senate provision with an amendment which would require hearings only on matters that are of such importance as to have a significant effect on the economy.

The House bill required the President to establish a board to study, evaluate and report quarterly to the Congress on the relationship between excess profits, the stabilization of the economy and the creation of new jobs. The Senate bill contained a provision which required the President to include a section in the Economic Report describing the actions taken under this Act and to transmit quarterly reports to the Congress describing such actions taken under the Act. The Conferees amended the Senate version to require that the Economic Report and quarterly reports contain sections concerning the relationship between excess profits, the stabilization of the economy and the creation of new jobs but did not require the establishment of a separate board for making such reports as was provided in the House bill.

The Senate bill contained a section providing that regulations issued under the Act, shall, insofar as practicable, be designed to encourage labor-management cooperation for the purpose of achieving increased productivity. It also provided for consultation with the Executive Director of the National Commission on Productivity when appropriate in the formulation of such policies and regulations. No similar provision was contained in the House bill. The Conference Report contains the Senate language.

The House bill authorized consumers to bring suits to recover three times the amount of the transaction from anyone willfully violating the price control regulations. The Senate bill contained a similar provision, but authorized suits for damages of three times the amount of the overcharge. The conferees agreed to the Senate provision.

The House bill provided that in the case of an overcharge which is not willful, no action for an overcharge may be brought unless the plaintiff has first presented a claim for a refund and has not received repayment from the seller within ninety days. The House bill also provided that the term "willful" shall have the same meaning as in the case of criminal willfulness. The Senate bill contained a comparable provision except that it applied to violations whether or not willful and required repayment within a reasonable period of time as opposed to ninety days. The Conferees accepted the House provisions.

The Conferees adopted the Senate provisions relating to the judicial procedures applicable to the administration of this Act. The Senate provisions in significant part were:

(1) exclusive jurisdiction of cases arising under this Act shall lie in the United States district courts, and such cases shall not be subject to any limitation with respect to amount in controversy;

(2) permits other courts of competent jurisdiction to determine issues relating to the Act when such issues are raised by way of defense, other than a defense based on the constitutionality of the act or the validity of action taken by any agency under the Act;

(3) creates a Temporary Emergency Court of Appeals, which shall have exclusive jurisdiction over all appeals arising under the Act, and over all constitutional questions involving the Act or the validity of any regulation or order issued thereunder;

(4) the district court must certify all constitutional questions arising under the Act or questions involving the validity of any regulation or order issued thereunder; the injunctive authority of the district court is limited to enjoining temporarily or permanently the application of a particular regulation or order to a person who is a party to litigation before it; and,

(5) the grounds requisite for invalidating a regulation or order are those listed in 5 USC 706(2).

The House bill differed from the Senate bill in this regard principally in that it gave no jurisdiction to any courts other than those in the federal system; it gave no injunctive authority to the district courts; and it restricted the scope of judicial review to only "excessive authority" and "arbitrary and capricious" criteria for regulations and, in the case of an order, to "excessive authority" and "not supported by substantial evidence" criteria. The Conferees felt that the Senate provisions would facilitate efficient and equitable administration of the Act.

The House bill authorized the appointment of up to 20 supergrade positions without respect to the Civil Service laws. The Senate bill authorized 40 such positions. The conferees accepted the House provision.

The Senate bill stated that it is the sense of Congress that small business enterprises should be encouraged to make the greatest possible contribution toward achieving the objectives of the title. The Small Business Administration is directed to provide small business enterprises with information on the stabilization program. The Senate bill also provided that small business enterprises should be exempted from the stabilization program where feasible. No comparable provisions were contained in the House bill. The conferees agreed to the Senate provisions.

The House bill provided that no company or other entity constituting a public benefit corporation charged by law or contract with the responsibility to operate a mass transportation facility shall increase any fare without first obtaining approval from the President. No comparable provision was contained in the Senate bill. The conferees agreed to the House provision with an amendment specifying that mass transportation companies regulated by a rate making authority would not be covered.

The Senate and House bills each contained provisions regarding the payment of wage increases contracted prior to August 15, 1971 and falling due between that date and November 13, 1971.

The Senate bill provided that such retroactive pay would be permitted if the President determined that the increase is not unreasonably inconsistent with the standards for wage and salary increases issued under the program. The House bill required such retroactive payments if the President determined that prices have been advanced, productivity increased, taxes have been raised, appropriations have been made or funds have otherwise been raised or provided in order to cover such increases. The House bill also extended this provision to wage increases falling due after November 13, 1971.

The conferees agreed to both the Senate and House provisions with respect to retroactive pay. The conferees intended to require retroactive and deferred pay under either the House provisions or the Senate provisions, whichever provision would authorize such payments to be made. The conferees also intended that the provisions relating to employment contracts also apply to wage increases which were scheduled to be paid as a result of an agreement or an established practice but which were not allowed to go into effect because of the 90-day freeze or subsequent controls issued under the authority of this title.

The Senate bill contained a provision that notwithstanding any provision of Section 3(c) of the Federal Pay Comparability Act of 1970 (Public Law 91–956), or of section 5305 of title 5, United States Code, as added by section 3(a) of Public Law 91–656, and the provisions of the alternative plan submitted by the President to the Congress pursuant thereto on August 31, 1971, such comparability adjustments in the rates of pay of each Federal statutory pay system as may be required under such sections 5305 and 3(c), based on the 1971 Bureau of Labor Statistics survey—

(1) shall not be greater than the guidelines established for the wage and salary adustments for the private sector that may be authorized under authority of any statute of the United States, including the Economic Stabilization Act of 1970 (Public Law 91–379; 84 Stat. 799), as amended, and as may be in effect on December 31, 1971; and

(2) shall be placed into effect on the first day of the first pay period that begins on or after January 1, 1972. Nothing in this section shall be construed to provide any adjustments in rates by any Federal statutory pay system which are greater than the adjustments based on the 1971 Bureau of Labor Statistics survey.

The House bill contained no such provision. The Conference Report contains the debate provision.

Both bills contained a section establishing a National Productivity Commission to develop a National Productivity Policy. The House bill authorized $10 million to be appropriated to carry out the work of the commission. The Senate bill authorized the commission to be financed through funds appropriated pursuant to the overall stabilization program. The conferees accepted the House provision with the proviso that the funds appropriated shall not exceed $10 million.

The title of the House bill stated that it was "An Act to Extend and Amend the Economic Stabilization Act of 1970, As Amended, and for Other Purposes". The title of the Senate bill read as follows: "An Act to Extend and Amend the Economic Stabilization Act of 1970". The conferees accepted the House title.

WRIGHT PATMAN,
WILLIAM A. BARRETT,
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GARRY BROWN,
Managers on the Part of the House.

JOHN SPARKMAN,
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JOHN TOWER,
BOB PACKWOOD,
W. V. ROTH, Jr.,
Managers on the Part of the Senate.

Mr. PATMAN. Mr. Speaker, pursuant to House Resolution 729, I call up the conference report on the bill (S. 2891) to extend and amend the Economic Stabilization Act of 1970, and ask unanimous consent that the statement of

the managers be read in lieu of the report.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, and I hope I shall not have to object, do I understand correctly that the conferees struck out the language to which a point of order was made earlier today.

Mr. PATMAN. That is my understanding and belief. We worked on it very hard to tie it down to make sure.

Mr. GROSS. That is your understanding and belief?

Mr. PATMAN. Yes, sir, and it is correct, according to the staff that worked on it, and the Members who signed the conference report. The conferees struck out the language, the language to which a point of order was raised, and which was sustained. So we had to correct and to eliminate what the gentleman from Iowa objected to, and that is exactly what we did.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of today.)

Mr. PATMAN (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the statement of the managers be dispensed with.

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

There was no objection.

Mr. PATMAN. Mr. Speaker, the time is late, and it is not our purpose to take up a lot of time. I will be brief and insert my remarks in the RECORD.

GENERAL LEAVE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks, and include any relevant and extraneous material.

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

There was no objection.

Mr. PATMAN. Mr. Speaker, the conference version of the Economic Stabilization Act of 1971 retained the basic thrust of the legislation which this House adopted last Friday.

It is a good bill—a much better bill than many had believed possible when the administration sent up its hurriedly drafted legislation on October 19.

On the controversial question of wage agreements and contracts, the conference decided to retain the entire version adopted by the House last Friday. It also voted to accept intact the Senate language on the same subject.

This will mean that under the language originally voted by the House on Friday that all teachers, public employees and workers will be paid if the wage increases were provided for by law or contract prior to August 15, 1971, and prices have been advanced, productivity increased, taxes have been raised, appropriations have been made, or funds have otherwise been raised or provided for in order to cover such increases.

Mr. Speaker, this means that all teachers, public employees and others whose wage agreements meet these tests, must immediately be paid their wages and salaries that have been withheld because of orders issued under the Economic Stabilization Act since August 15. This language obviously covers all teachers and public employees and most other categories of workers on wages and salaries in this Nation. Under the language of this section, the contracts and agreements would have to be paid unless the administration could establish—by factual proof—that they did not meet the statutory criteria.

This section, from the bill which passed the House, does not refer to any standards now in effect or which might be promulgated in the future by the Pay Board or any other administrative agency. The section spells out its own specific standards under which the contracts are to be paid.

The conference, however, also decided to retain the Senate language which provides that these wage agreements and contracts entered into prior to August 15 are to be met unless they are unreasonably inconsistent with the standards which must be enunciated under this act. So any wage or contract that does not meet the criteria spelled out in the language adopted by the House last Friday—and reaffirmed in the conference yesterday—would be allowed under the language which we took from the Senate bill. Under the language which was originally adopted by the Senate—and is now incorporated as part of the conference version—all wage and salary contracts for all classes of employees must be allowed so long as they do not violate the standards in an unreasonably inconsistent manner.

The Senate insisted—and the House conferees agreed—on language which would require that the comparability adjustments for Federal employees pay be placed into effect January 1, 1972. While the Pay Board has made adjustments for other workers, the Federal employees—through Presidential action—have been deprived of wage increases which were to be granted under the comparability statute. The adoption of the Senate language places the Federal employees in a more equal status with employees in the private sector.

The conferees retained in the House language exempting the working poor from application of the act. This is an important provision which makes certain that the stabilization program will not be used to keep people in a poverty state.

The conferees compromised on language involving pension and other retirement plans and annuity, savings, group insurance, profit-sharing and health plans. These benefits would be exempt from wage regulations unless they were unreasonably inconsistent with standards issued by the President.

It was the intention of the managers that employer contributions would not, as a general rule, be defined as wages and salaries for the purposes of the stabilization guidelines.

Mr. Speaker, the newspapers tell us that the administration is now willing to accept the various steps that the Congress has taken to bring equity to the various wage questions. To those who have been the targets of the administration's onslaught on this issue, this may come as a surprise. Nevertheless, we are happy that the administration has informed the news media—if not the Congress—of this 11th hour conversion.

Mr. Speaker, I am happy to report that we were able to retain in its entirety the House language on the control of interest rates. The conference agreed to accept the House language which provides that the President shall issue orders and regulations to stabilize—to limit or to roll back—interest rates and finance charges if he uses any other part of the Economic Stabilization Act. The only exception to this would be if the President issued a specific determination, accompanied by a precise statement of reasons—why interest rates and finance charges should not be controlled on any category of loans. This would have to be a determination on each category of loans—business, mortgage, consumer, farm, and on down the line. Efforts to dilute this requirement were successfully resisted in the conference.

After lengthy discussion, the House conferees found it necessary to recede from part of its provision dealing with the right of consumers and others to bring lawsuits for civil damages in the event of violations of price regulations. The House language had provided for treble damages of three times the amount of the transaction and the Senate had provided for treble the overcharge. The Senate language on this point was accepted, but other provisions in the House version were retained.

The section on civil damages remains a strong deterrent to cheating and provides a mechanism for policing prices. The original administration bill had provided nothing in the way of meaningful policing of prices and this provision, agreed to by the conferees, will be an important part of the Economic Stabilization Act. As the House undoubtedly remembers, the idea for consumer suits against price violators originated in the House Banking and Currency Committee during its mark-up sessions in early November.

The conferees could not agree on provisions dealing with the first amendment and exemptions for various news media and related activities. As a result of the difficulties in resolving this question, the conferees felt that it was best that each House recede from its position. The final bill does not contain any reference to this question.

The House conferees receded to the Senate on the provisions requiring confirmation of members of the boards and commissions appointed under the Economic Stabilization Act. The Senate conferees, in turn, accepted the House language which provided that the chairman of the boards and commissions are required to act only in accordance with a majority vote of the members.

The conferees retained important language relating to administrative procedures from both the House and Senate versions. To strengthen this area, the House conferees agreed to a Senate provision requiring formal hearings on any changes in the various regulations issued under the Economic Stabilization Act. The House, however, insisted on an amendment which would limit such hearings to those areas having a significant effect on the economy.

Other provisions, of course, are outlined in the statement of managers which has been filed. All of the amendments which were adopted to the basic text of the administration bill in the House Banking and Currency Committee during the mark-up sessions were retained in some form in the conference bill. Many are intact as originally offered in the committee and as approved by the House. Others from the House bill were melded into Senate language with the basic thrust and intent remaining. The bill, as agreed to in the conference, is a fair compromise between the House and the Senate and it is legislation which will enable the President to move forward with his phase II program. I urge the adoption of the conference report.

Mr. Speaker, as I said, I have no desire to use further time. However, if the gentleman from New Jersey (Mr. WIDNALL) would like to use time, then I would ask that he use it now.

The SPEAKER. Does the gentleman from New Jersey desire to use time?

Mr. WIDNALL. Yes, Mr. Speaker; I do.

The SPEAKER. The gentleman from New Jersey is recognized.

Mr. WIDNALL. Mr. Speaker, the House and the Senate, as you know, met in conference, and we had a couple of knotty problems to iron out, and they were ironed out. We believe the conference report that is being submitted for action by the House now is one that is an excellent result in this very troublesome field of wage and price controls.

I think we have accomplished the essential things that must be done in order to put phase II adequately into operation.

I am sure that many of those who have raised objections to the proposed act before the conference will be satisfied by what happened in the conference, as I am sure the teachers will who were raising a great hue and cry and hullabaloo about the situation before. They must be satisfied by what has taken place and what has been reported here, as they are adequately taken care of.

The expiration date is going to be as proposed on the House side, and this is in line with the thinking, I believe, of most Members of the House.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from Michigan, the minority leader.

Mr. GERALD R. FORD. Mr. Speaker, I think it is important to clarify the effect of the Pay Board amendment to the legislation before us, to ask the distinguished gentleman from New Jersey if the 5½ percent increase is on an annual basis?

Mr. WIDNALL. In answer to your question—yes—the objective of this amendment is to treat Government employees the same as employees in the private sector.

The Pay Board has promulgated a 5½ percent annual guideline and, therefore, for the calendar year 1972 Federal employees will receive a 5½ percent increase under this amendment and there will be no October 1, 1972, pay adjustment.

Mr. GERALD R. FORD. To further clarify the question, will these guidelines be applicable to all, and I emphasize all Federal employees?

Mr. WIDNALL. Yes. Although the amendment does not specifically apply to Wage Board employees, the administration is expected to accord equal treatment to statutory pay employees and Wage Board employees. Therefore, Wage Board employees will be affected by the same 5½-percent guidelines. It would be totally inequitable to treat one group of Government employees differently from other Federal employees.

This matter is referred to in the last paragraph in the Senate Committee Post Office and Civil Service report on November 8, 1971.

Mr. GERALD R. FORD. Mr. Speaker, I thank the gentleman from New Jersey.

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

Mr. WIDNALL. I yield to the gentleman.

Mr. UDALL. Mr. Speaker, the hour is late and I am not sure I understand everything here.

Is the gentleman from New Jersey suggesting that the language in this report rules out the October 1972, pay raise for Federal employees which is scheduled under permanent law and under the Bureau of Labor Statistics comparability studies?

Mr. WIDNALL. It is the intent of this report and this conference that in the calendar year the 5½ percent increase will go into effect, but there will be no October 1972, pay adjustment.

Mr. UDALL. If the gentleman will yield further, is that adjustment postponed to a specific date?

Mr. WIDNALL. It is not.

Mr. UDALL. So the intent is that we shall simply jump the comparability system in 1972. Is that the effect of it?

Mr. WIDNALL. That all depends on whether or not the Members of the House want to effect a further increase aside from the guidelines.

Mr. ST GERMAIN. Mr. Speaker, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from Rhode Island.

Mr. ST GERMAIN. I believe I was present in the conference at every moment of the conference. This question never came up in the conference. There is nothing in the statement of the managers and there is nothing in the conference report that has any reference to this subject whatsoever. Therefore, I do not understand. Maybe this is an interpretation that the gentleman from New Jersey gets from the Senate side, but as far as the conference is concerned, as far as the conference report is concerned, and as far as the statement of the managers is concerned, there is not one period, comma, or preposition referring to this matter.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman from New Jersey yield?

Mr. WIDNALL. I yield to the minority leader.

Mr. GERALD R. FORD. Does the gentleman argue that all employees in the private sector should be held to a 5½ percent increase and that the Federal employees should get 5½ percent until October 1 and then an increase after that?

Mr. ST GERMAIN. In the first place, there is nothing in the legislation that says 5½ percent. The authority is given to the President, and, therefore, to the Pay Board, to set the guidelines.

No. 2, I am not arguing one way or the other, whether a limitation placed on the general public should not apply to Federal employees also. I make no reference to that whatsoever. I am merely stating that, as far as the conference was concerned, the conference report and the statement of the managers, there was no discussion on this subject whatsoever, and there is no mention or allusion to it whatsoever.

Mr. UDALL. Mr. Speaker, will the gentleman yield to me once more?

Mr WIDNALL. I yield to the gentleman from Arizona.

Mr. UDALL. This disturbs me greatly. This is a matter entirely within the jurisdiction of the Committee on Post Office and Civil Service. We have labored for many years to construct a permanent system of making adjustments. This has been one of the objectives of the Congress. Committees which are great committees but committees which have no jurisdiction or experience in this field are apparently writing major amendments to permanent legislation which will have a drastic effect on a system that we have constructed with great difficulty. If this is in the report, it is not here to read unfortunately. I would be constrained to vote against the whole thing and see if something cannot be done about it.

Mr. WIDNALL. If the gentleman will read the Senate provision, he will see that this is the intent. There was a colloquy in the Senate when they took up the conference report.

Mr. UDALL. Maybe it was discussed in the Senate, but there is no binding language. To my knowledge, the question was never raised on this floor during consideration of the bill. There has been nothing in the press about it. There was nothing about it in the report I read this morning. I am shocked and troubled to hear that this was apparently slipped in, a provision which is as outrageous as the proposition that Mr. GROSS properly objected to, as far as I am concerned.

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

Mr. WIDNALL. I yield to the gentleman from North Carolina.

Mr. HENDERSON. Did I correctly understand the gentleman to say that there is some action proposed that would affect Wage Board employees?

Mr. WIDNALL. No, I was asked a specific question, whether the guidelines would be applied to all Federal employees, and I answered yes, although

the amendment does not specifically apply to Wage Board employees. The administration is expected to accord equal treatment to statutory pay employees and Wage Board employees. Therefore, Wage Board employees will be affected by the same 5½-percent guidelines.

Mr. HENDERSON. I would like to say that I join the gentleman in the hope that this will be the case, but at the present time under the President's Executive order, with the Wage Board surveys being suspended, I do not know how this could come about, unless that portion of the Executive order is rescinded. I hope it will be rescinded in the light of the action I think we are about to take, and that the Wage Board employees will be treated as fairly and as equitably as the other employees are being treated.

Mr. WIDNALL. This is the intent of the administration, as I understand it.

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

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

Mr. PUCINSKI. As I understand it, there are two guidelines for retroactive pay. There is one adopted by the Senate, the other adopted by the House. If a union contract meets either one but not both, the retroactive pay would have to be paid.

In other words, if the gentleman would be good enough to elaborate. I understand the Senate version permits a pay increase for a contract negotiated prior to August 15, if a contract was negotiated prior to August 15 calling for pay raises, and those pay raises must be paid unless they are unreasonably inconsistent with the standards of the Wage Board. In the House version, as I understand it, we say if the contract was made prior to August 15, the raise would be paid if the prices have been advanced, taxes have been raised, appropriations have been made, or funds have otherwise been raised or provided for in order to cover such increases.

Question: In the event a contract was negotiated prior to August 15 and it does not meet the House criteria, but it does meet the Senate criteria, is there a provision here which requires the payment of this retroactive pay?

Mr. WIDNALL. I believe they can get it both ways. This was the intention of the conferees. I believe I am correct in that.

Mr. PUCINSKI. In other words, if the contract was negotiated prior to August 15 calling for a pay raise on September 1, and that pay raise is consistent with the Wage Board standards, even if the other criteria included in the House provision are not met, that additional pay would have to be paid beginning September 15 so long as that contract is consistent with the Wage Board recommendations?

Mr. WIDNALL. In accord with the criteria that was in the Senate bill. We have incorporated both the provisions of the Senate bill and the House bill.

Mr. PUCINSKI. But the answer is yes, that the money will have to be paid if it meets the Senate standards even though it might not meet the House standards.

Mr. WIDNALL. Yes, I understand that.

Mr. PUCINSKI. Point No. 2: It is my understanding the conference report excludes completely fringe benefits. If the contract was agreed to prior to August 15 and calls for an increase in fringe benefits, and such fringe benefits are not outlandishly excessive, those fringe benefits are exempt from the regulations and any freeze incorporated in this legislation. Am I correct?

Mr. WIDNALL. That has nothing to do with the conference.

Mr. PUCINSKI. No, no, we are talking about a contract negotiated prior to August 15 calling for increased fringe benefits, those fringe benefits do not come under the freeze incorporated in this legislation. Is that correct?

Mr. WIDNALL. Yes, it is correct.

Mr. PUCINSKI. Finally, then, do I understand that if a contract was signed prior to August 15 calling for a pay raise on September 1, and that raise is consistent, then they will have to pay the back pay going back to September 1. Is that correct?

Mr. WIDNALL. Yes, I believe that is correct.

Mr. PUCINSKI. I ask these questions because when we originally passed this legislation in 1971, these questions were not asked. We can make a very thorough study of the legislative history, and the legislative history was silent on the whole question of retroactivity. Therefore, there was a serious question as to whether or not the wage freeze was valid and constitutional from August 15. I want to ask the questions and make sure these contracts negotiated in good faith prior to August 15 are valid and enforceable so long as the increased salaries meet the criteria, and the gentleman said yes.

Mr. WIDNALL. That is correct.

Mr. PUCINSKI. I thank the gentleman.

Mr. BROWN of Michigan. Mr. Speaker, will the gentleman yield?

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

Mr. BROWN of Michigan. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, in connection with the gentleman's response to the question of the gentleman from Illinois, I would like to point out that when we were talking about criteria, we were talking about all standards and guidelines set forth in section 203(b) which require that the President, and the Pay Board and authorities and commissions and boards to whom he delegates the authority, must abide by the criteria, which are "fair" and "equitable" and all these things.

Mr. PUCINSKI. Mr. Speaker, if the gentleman will yield, we have two sets of criteria, the Senate criteria and the House criteria. I understand the record is now clear that a contract calling for wage increases negotiated prior to August 15, which becomes effective subsequently to August 15, will have to be honored and met if it meet the Senate criteria but does not meet the House criteria, or vice versa.

It does not have to meet both criteria. There is an option. If it meets either one of the two criteria it becomes effective.

Mr. BROWN of Michigan. Mr. Speaker, if the gentleman will yield further, that is entirely correct; but included in the Senate language is the requirement that there be compliance with the standards for the regulations that will be promulgated, which standards appear in subsection (b).

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

Mr. WIDNALL. I yield to the gentleman from Indiana.

Mr. DENNIS. Since they have it both ways, and they are all right if they meet either criteria, they cannot only get it if they meet the Senate criteria, as the gentleman from Illinois points out, of not being unreasonably inconsistent, but also, on the other hand, if they meet the House criteria—that is, that the money has been provided, and so on—they could get the raise no matter how inconsistent or how high it might be, is that true?

Mr. WIDNALL. We have incorporated in there, when prices have been raised to cover.

Mr. DENNIS. Raised to what?

Mr. WIDNALL. In the operating.

Mr. DENNIS. As I read it, and as I understood the answer to the gentleman from Illinois—I believe this is important, and I want to be sure I am right—one could get it if one met either criteria, even though one did not meet the other; and the House criterion is simply that the taxes be raised or the money be provided. So, if one can meet either one, it looks to me like one could get it under the Senate provision if it is not unreasonably inconsistent whether the money was raised or not, or could get it under the House provision if the money had been raised no matter how inconsistent it might otherwise be.

Mr. WIDNALL. The House version provided that prices had advanced, productivity had increased, taxes had been raised, appropriations had been made or funds otherwise raised or provided for to cover each such increase.

Mr. DENNIS. Yes. If that is the only criterion, if those things had been done it would not make any difference how outrageous the raise was so far as the other criteria were concerned.

Mr. BROWN of Michigan. Mr. Speaker, will the gentleman yield?

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

Mr. BROWN of Michigan. I do not like the interpretations suggested, and I believe we ought to clarify this matter.

The gentleman is correct that there are two criteria now. There are two plans under which retroactive wages may be paid. There is the so-called Senate language, the Proxmire language, which applies the same requirement of a negotiated contract before August 15, not paid by November 14, et cetera, and then the requirement that retroactive wages shall be paid unless the President determines they are unreasonably inconsistent for the purposes of ease of discussion with the "guidelines." The other plan or method for payment of retroactive wages is under the so-called Stephens amendment.

Frankly, I believe that the conference has done something which really the

House did not intend to do by the Stephens amendment; that is, to provide another means of collecting retroactive wages. In passing the Stephens amendment I am sure the House intended to restrict, not add to, the retroactive wage provisions of the committee bill. In effect, the conference report provides that if one qualifies under the Stephens amendment he probably is not subject to the unreasonably inconsistent language that appears in the Senate amendment.

The thing which I would point out to the gentleman from Illinois is that under the Senate language the caveat on Presidential discretion is involved, it says: "unless the President determines that the increase provided in such contract is unreasonably inconsistent with the standards for wage and salary increases published under subsection (b)"; we therefore must look at subsection (b).

Subsection (b) provides:

In carrying out the authority vested in him by subsection (a), the President shall issue standards to serve as a guide for determining levels of wages, salaries, prices, rents, interest rates, corporate dividends, and similar transfers which are consistent with the purposes of this title and orderly economic growth. Such standards shall—

be generally fair and equitable;

provide for the making of such general exceptions and variations as are necessary to foster orderly economic growth and to prevent gross inequities, hardships, serious market disruptions,

et cetera—

Thus, to qualify under the Senate language for the retroactive wages, one must meet the standards the Pay Board can adopt, if the Pay Board is the Presidential delegate, and the regulations which will take care of gross inequities that might occur in the event that increased wages would be payable retroactively but there had been no provision for the funds, for the payment of the increase.

That is within the jurisdiction of the Pay Board.

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

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

Mr. PUCINSKI. The gentleman is correct, if a contract was negotiated prior to August 15 and it meets the criteria of the House; the sky is the limit. If negotiated prior to August 15 and it does not meet the criteria of the House but does meet the criteria of the Senate then whatever is considered reasonably consistent with the wage board finding becomes retroactive to whatever date is in that contract.

Mr. PATMAN. Mr. Speaker, may I inquire as to the time?

The SPEAKER. The gentleman from New Jersey has 9 minutes remaining and the gentleman from Texas has 27 minutes remaining.

Mr. PATMAN. May I use some of the time, Mr. WIDNALL?

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

Mr. BROWN of Michigan. I thank the gentleman for yielding.

In further answer to the gentleman from Illinois, he is substantially correct. However, once again it should be made abundantly clear that if you are qualifying under the Senate language and not the House language, that is, the so-called Stephens amendment, the presidential delegate or the pay board under the standards of 203(6) has jurisdiction to regulate beyond merely the setting of percentages. It can determine the equity of the situation between the pays and payee of such wages.

Mr. DENNIS. Will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman.

Mr. DENNIS. I have one additional question. Now I think the answer to that one is reasonably well cleared up, that you have it both ways, to meet either standard.

The language in the bill talks about wage contracts. A lot of people get wages without a formal contract. If you are under a union setup, you get a contract.

Is it the intention that this applies only to formal labor contracts, or will it take care of the little fellow who is working without a contract, also?

Mr. WIDNALL. I would like to point this out to you: As I understand what we have done, you are limited. The sky is the limit, yes, but you are limited to the amount by the amount of the price increases thrown into it.

Mr. DENNIS. The gentleman is going back to my previous question to which I think I got an answer. What I am asking now is whether the contract, the language on the contracts, holds this relief, whatever it is, down to the man who is operating under a formal labor contract or not.

Mr. BROWN of Michigan. Will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman.

Mr. BROWN of Michigan. In answer to the question of the gentleman from Indiana, I cannot stress too much the importance of referring back to section 203, which is the whole basis for the Presidential authority. The provisions in section 203 which talk about fair and equitable standards and preventing inequities and hardships, and so forth—those provisions apply throughout the whole bill, especially in the areas where we are talking about contracts, increases, retroactive wages and all of these things.

So when we are talking about whether or not a contract as used in the language means only an organized labor negotiated contract, it does not have that meaning, if there would be inequitable treatment, hardships would be created, and so forth.

Mr. DENNIS. Was any thought given in the conference to putting in "agreements" or "customary practice" or anything instead of the sole word "contracts"?

Mr. BROWN of Michigan. As the gentleman well knows, the conferees cannot put anything in the bill that does not exist either in the Senate bill or the House bill or is a matter of difference.

Mr. DENNIS. But if the gentleman is telling me it means the same thing——

Mr. BROWN of Michigan. I think in the course of the discussion, if I may further answer the gentleman, on the House and Senate floors, when we talked about contracts we were not talking only about negotiated contracts by organized labor but talking about contracts, agreements, and understandings or where there is a scheduled increase that is understood by both parties. The law does not contemplate disparate treatment between recognized contracts, even though the formality may be lacking, nor between parties to a contract, be they "organized" or not.

Mr. DENNIS. Regardless of what your thinking may be on the meaning, the only language in the bill is the word "contracts." Is that correct?

Mr. ST GERMAIN. Will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from Rhode Island.

Mr. ST GERMAIN. In answer to the question of the gentleman, on page 25, line 1, the point you bring up is a very valid one.

The point he raises is very valid. It was mentioned in the conference report, and as the gentleman from Michigan stated, we did not want to take a chance on a point of order. However, we all recognized the fact that in addition to formal contracts there are business practices where agreements are repeated every year or so.

So, we put into the language of the conference report the following:

The conferees also intended that the provisions relating to employment contracts also apply to wage increases which were scheduled to be paid as a result of an agreement or an established practice but which were not allowed to go into effect because of the 90-day freeze or subsequent controls issued under the authority of this title.

Mr. DENNIS. I will say to the gentleman that I am very, very glad to be assured by both sides that that is what you mean, and I hope the courts agree with you, because it worries me about these matters, having these two provisions. In the first place, you create a big exception to your price controls and then you do not clear the fellow who is not covered by a formal contract. So, you are paying a pretty high price, it seems to me, for what you are doing.

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

Mr. BARRETT. Mr. Speaker, I rise in support of the conference report on the bill S. 2891, the Economic Stabilization Act Amendments of 1971. During the legislative consideration of this bill, I had serious misgivings with regard to a number of provisions that had been proposed by the administration and a number of the amendments which had been added during markup. I believe that the changes that were made on the House floor and, more particularly, the changes that were made in the conference on this bill permit me to strongly endorse this conference report.

Mr. Speaker, yesterday the conferees met from 9 a.m. until almost 4 o'clock with just a short break for lunch. It was a difficult and exhaustive session, but a very profitable one. As a conferee, I am fully satisfied that the provisions in this bill will permit all those employees to receive the retroactive and deferred pay increases that were due them since Au-

gust 15, 1971. This aspect of the bill during its whole legislative journey has been the most controversial provision. I believe the conferees arrived at a satisfactory agreement. This agreement will permit especially the teachers of this country to receive their retroactive pay increases that were held up due to the economic policies of this administration. It is my understanding that all pay increases agreed upon by the employer and employee that are not unreasonably inconsistent with the administration standards for wage and salary increases will be permitted under the provisions of this bill.

Mr. Speaker, this is a simple matter of equity for the working people of this country. I am happy that the conferees adopted a provision for exemption from economic controls the wages of the working poor. These are the people who are not on welfare, who are not receiving handouts from the Government and private groups, but whose salaries are low and whose families are large. Again, to me, it is a matter of simple equity.

Mr. Speaker, I am pleased that the conferees adopted Chairman PATMAN's interest rate provision which would require the President to stabilize interest rates and finance charges whenever the price and wage control authority was invoked with respect to a significant segment of the economy, unless the President issues a determination together with his reasons that such regulations or orders are not necessary. I agree with Mr. PATMAN that unless interest rates are regulated with the same vigor that wages and prices are, we cannot have a balanced economic stabilization program. The conferees agreed to exempt employer contributions to pension, profit-sharing, or annuity and savings plans which meet the requirements of the Internal Revenue Code and to group insurance plans or to a disability insurance plan. Here again, I believe the conferees provided for a simple equity for the working man. As a conferee, strongly opposed to the Senate provision to exempt the press and news media from authority under this bill, I was pleased to see the conferees not adopt the so-called Cranston amendment.

Mr. Speaker, the conferees refused to strike the House provision which prohibited exemption concerning the control of rents. The members of the New York congressional delegation have been coming to me during the past few months regarding proposed sizable increases in rents that were to be implemented under the New York State rent control law. Earlier the Price Commission exempted from its rent guidelines rents which are regulated under State and local rent control programs. We agreed on the House floor to accept an amendment offered by my distinguished colleague from New York (Mr. BRASCO) which simply provided that controlled rents in New York and other areas that have rent control provisions would be subject to review by the Price Commission. The addition of one word by the conferees to this provision does not change the purpose of the Brasco amendment. It is my understanding that all proposed increases in rent controlled areas will be subject to review by the Price Commission.

Finally, Mr. Speaker, the conferees agreed to permit all Federal employees to receive their 5½ percent pay increase that was due them January 1, 1972. President Nixon delayed this increase until July 1, 1972. Action by the conferees yesterday nullified this Presidential step and permits the pay increase to take effect the first of the new year.

Mr. Speaker, I am pleased with the results of this conference report, and I urge its adoption.

Mr. PATMAN. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. MINISH).

Mr. MINISH. Mr. Speaker, yesterday, the conferees on the Economic Stabilization Act came up with what I believe is an excellent solution to the problem of retroactive and deferred wages.

The controversy surrounding these wage increases—to which workers, teachers, and others were entitled—has been a divisive influence. The conference version of this legislation will finally put an end to this issue and will provide equity for American workers and teachers.

As the House remembers, the Congress took the initiative on this question back on November 4 when the Banking and Currency Committee accepted my amendment providing for retroactive and deferred payments during the markup of the Economic Stabilization Act. This opened the question for congressional consideration over the bitter opposition of the administration. The end result is a bill which will provide payment of these contracts and agreements for nearly all teachers, public employees and workers.

Yesterday, the conference decided to accept the language which was adopted by the House last Friday. It also decided to accept the Senate language covering this same area.

The House language provides that when pay increases were provided for by law or contract prior to August 15, that the increase is to be paid if prices have been advanced, productivity increased, taxes have been raised, appropriations have been made, or funds have otherwise been raised or provided for in order to cover such increases. This language plainly covers all teachers and public employees and most other categories of workers on wages and salaries in this Nation.

Standards spelled out in this section are statutory and cannot be affected by any rules or regulations adopted by administrative agencies.

The conference also retained the Senate language which says that the wage agreements and contracts entered into prior to August 15 are to be met unless they are unreasonably inconsistent with the standards which must be enunciated under this act. This means that any wage agreement or contract that does not meet the standards spelled out in the language adopted by the House last Friday would be allowed under the language which we adopted from the Senate bill. The Senate language—which the conference accepted—provides that all wage and salary contracts for all classes of employees—entered into prior to August 15—must be allowed as long as they do not violate the standards in an unreasonably inconsistent manner.

The combining of these two sections—the Senate and House versions—means that the basic approach of the original Minish amendment will go forward in the final bill. In my opinion, the combined language gives us at least 98 percent of what we were seeking in the original amendment approved in the Banking and Currency Committee. This is a good resolution to a very difficult problem.

Unfortunately, Mr. Speaker, we have been forced to deal with this important wage question—an essential issue of equity in the wage-price program. Despite the pressure, the teachers, public employees and workers—who entered into legal contracts prior to August 15—are going to be treated fairly because of the congressional initiatives.

Mr. PATMAN. Mr. Speaker, I yield such time as he may consume to the gentleman from Wisconsin (Mr. REUSS).

Mr. REUSS. Mr. Speaker, I rise in support of the conference report.

Mr. Speaker, if there has to be a phase II, and I believe there does, I think your conference committee has resolved the many vexing questions in the best possible way.

As we enter phase II on the domestic side, it is a pleasure to observe that we are now, I believe, entering phase II on the international side.

Mr. Speaker, I applaud the President for his action in the Azores today in agreeing with President Pompidou of France that, as a price of the very important realinement of world currency, a modest devaluation of the dollar may be included. This is a most salubrious decision by the President.

It would have been better still if it had been made 3 months ago, but it is much, much better late than never. It will have many good effects. American workers in our great export industries are going to find better job security, because we will sell more exports abroad at lower prices. Americans engaged in employment in import-threatened domestic industries, whether it be steel or automobiles or electronics or shoes or pottery or glassware or whatever, are going to find that imports are going to be less price competitive.

Americans who are today working in plants that are threatening to leave for Europe or Asia, as a result of hyperthyroid American investment abroad, are going to find their condition easier, because American investors are going to find that their investments abroad are not going to be as profitable and as inexpensive as they have been in the past.

So, altogether, it is a beneficial action, and I know the Congress will want to support it. It is necessary that the Congress support this, because under the Bretton Woods Act of 1945 only the Congress may effect a change in the parity between the dollar and gold. It is an inconsequential thing since gold is not now being sold. But, in my judgment, this Congress will stand ready and willing to enact whatever legislation the President

may request. If, for example, he should request it tomorrow morning, which I hope he will, I believe we could report out and pass such legislation in record time, without interfering for more than a few hours with the adjournment schedule.

So, Mr. Speaker, phase II is under way.

I hope the conference report will be adopted, and I hope the President will be heard from on the dollar devaluation.

Mr. PATMAN. Mr. Speaker, I thank the gentleman from Wisconsin (Mr. REUSS) for his remarks. I would say further to the gentleman that all the conferees signed this report.

I now yield to the gentleman from Texas (Mr. KAZEN).

Mr. KAZEN. Mr. Speaker, I thank the gentleman from Texas (Mr. PATMAN) for yielding, and I would like to ask the gentleman a question that I asked when the bill was before the House. I want to know if the provisions of this conference report will allow our Texas schoolteachers and our State employees, whose salaries were raised by legislative act prior to August 15, but not to become effective until September 1, to receive those raises?

Mr. PATMAN. That is the legislative intent of this act, and if I did not believe that they would be paid I would not support the conference report. Every time it was appropriate to ask, that question was asked, and I am convinced that under this bill the Texas schoolteachers and State employees will be paid. There is no question about it.

Mr. KAZEN. Let me ask this further question: Will they be limited to the 5.5 percent, or will they get the raise that was provided for them by legislative act?

Mr. PATMAN. Under the language of the bill they will receive whatever is contracted or appropriated for.

Mr. KAZEN. In other words, they will receive what the State act calls for?

Mr. PATMAN. That is right.

Mr. KAZEN. The amount the Texas legislative act calls for?

Mr. PATMAN. That is right.

I think it would be appropriate to read this portion of the bill:

Prices which have been—

I am afraid that I would have to read too much here, I think, to get at it, but anyway, where prices have been advanced productivity increased, taxes have been raised, appropriations have been made, contracts have been made, or funds have otherwise been raised or provided for in order to cover such increases, all these are included.

Mr. KAZEN. Therefore it is the gentleman's opinion that they, Texas schoolteachers and State employees are covered?

Mr. PATMAN. I am convinced that they are included. If I did not think so I would not vote for the legislation.

Mr. KAZEN. I thank the gentleman.

Mr. PATMAN. And every person in authority I have asked the same question has told me that they are covered.

Mr. KAZEN. Again I thank the gentleman.

Mr. PATMAN. Mr. Speaker, I now yield to the gentleman from Illinois (Mr. ANNUNZIO).

Mr. ANNUNZIO. Mr. Speaker, I thank the distinguished chairman of the committee for yielding, and I rise in support of phase II.

I congratulate all of the Members on the conference committee for the outstanding job they did in bringing this bill before the House. Our committee has worked long and hard, and I am delighted that in the bill we are protecting those wage earners who have contracts signed, we are honoring the contracts, and in the bill we are also protecting the consumers of America. I do hope that from tonight on as we pass this bill that unemployment will decrease and America will move forward.

Mr. PATMAN. Mr. Speaker, I yield 2 minutes to the gentleman from Rhode Island (Mr. ST GERMAIN).

Mr. ST GERMAIN. Mr. Speaker, I thank the chairman of the committee for yielding to me.

Mr. Speaker, there was quite a colloquy earlier about the two separate provisions on retroactive and deferred pay. I think it should be kept in mind and made crystal clear that there are two separate provisions to take care of retroactive wage increases. The Senate version, known as the Proxmire amendment, and the House version, known as the Stephens amendment. Both bodies came out of this with the best of everything, and we have retained both provisions in the final draft of the legislation. So if a worker or teacher does not qualify under one provision, then he can go to the other provision.

And if either set of criteria are met, then fine; the pay contract or agreement must be paid.

One last thing on fringe benefits. It has been made very clear in the statement of thee managers that fringe benefits are not considered as wages. They are exempted, and do not come under the 5.5-percent guideline that is presently established. They are to be considered as items to be allowed above and beyond the pay guidelines.

Mr. PATMAN. Mr. Speaker, may I inquire as to how much time I have remaining?

The SPEAKER. The Chair will state that the gentleman from Texas has 19 minutes remaining.

Mr. PATMAN. And the minority?

The SPEAKER. The minority has 4 minutes remaining.

Mr. PATMAN. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. UDALL).

Mr. UDALL. Mr. Speaker, I want to clarify two things. The chairman stated in response to the inquiry of the gentleman from Texas (Mr. KAZEN) that where appropriations had been made, contracts had been entered into, that the teachers would be paid the contract amount, including, if necessary, retroactive amounts?

Mr. PATMAN. That is right.

Mr. UDALL. And this also applies to the teachers employed by the Defense Department who teach American dependents in our Defense Department schools overseas. Is that the gentleman's understanding?

Mr. PATMAN. That is correct, from what the gentleman understands, from what I have been told today about this situation, which I was not acquainted with. But I am impressed that he is correct on that.

Mr. UDALL. And that was with including retroactive pay, if necessary, to fulfull the contract amount.

Mr. PATMAN. That is right.

I am glad to have this clarified for these teachers who are in a unique position.

They are employed by the Department of Defense in overseas areas to teach the children of these military employees.

In 1971 pay adjustments were authorized for these teachers.

In the appropriations for the Department of Defense these adjustments were recognized and the money has been appropriated in the fiscal year 1972 DOD budget.

The language of the conference report specifically says that retroactive payments should be made if "appropriations have been made."

Since these teachers began their year on September 1971, during the midst of the 90-day freeze, their adjustments were not made.

When the freeze was lifted in November the adjustments were made and they are now being paid at the new rate.

I am pleased to know that since the money has been appropriated, and the contract was negotiated prior to the 90-day freeze period, the overseas teachers will be paid the retroactive money owed them by the Department of Defense?

Mr. UDALL. With regard to the Federal pay raise, the only change that was made in the Federal pay raise language between the conference report brought up this morning and the conference report brought up this evening is that the language Mr. GROSS objected to this morning in his point of order has been removed?

Mr. PATMAN. Absolutely. It was removed and he was correct in his point of order. It has been eliminated.

Mr. UDALL. Therefore, it is correct to say that the conference committee never discussed and never intended to legislate on next year's pay raises or the October 1972 pay raises. You were dealing only with the January 1972 Federal pay raises?

Mr. PATMAN. That is correct.

Mr. UDALL. I thank the distinguished chairman, and wish to provide for the RECORD this further background and discussion.

The Senate bill contained a provision which authorizes comparability adjustments in the rates of pay of each Federal statutory pay system as may be required under section 5305 and section 3(c) of Public Law 91–656, to be placed into effect on the first day of the first pay period that begins on or after January 1, 1972, notwithstanding the provisions of the alternative pay plan submitted by the President to the Congress on August 31, 1971. The amount of such increases may not exceed the 5.5-percent ceiling established as a guideline by the Pay Board.

The House bill contained no such provision. The conferees adopted the Senate provision.

The statutory pay systems are pay systems commonly referred to as the gen-

eral schedule, the Foreign Service pay schedule, and the Department of Medicine and Surgery, Veterans' Administration pay schedule.

Other provisions of law require that whenever the President adjusts the rates of pay of employees under the general schedule, then corresponding adjustments in pay should be made under several other pay systems. To illustrate, section 8 of Pubic Law 90–207 provides that whenever the rates of pay of the general schedule are adjusted upward, there shall immediately be placed into effect a comparable adjustment in the basic pay of members of the military services.

Section 5307 of title 5, United States Code, contains similar authority to adjust the rates of pay of employees whose rates of pay are fixed by administrative action pursuant to law. Similar authority is contained in sections 4 and 5 of the Federal Pay Comparability Act of 1970, Public Law 91–656, relating to legislative employees.

It is to be emphasized that the authority to adjust the basic pay of military personnel, and the employees under pay systems outside of the statutory pay systems, as indicated above, is contained in permanent legislation and does not depend on provisions contained in section 3 of the conference report. As I read the debates and reports, it was clearly the intention of the Senate amendment, and it is the intention of the provisions included in the conference report, that the comparability adjustment is applicable to military personnel, and to all other employees whose pay is adjusted when adjustments are made in the basic pay of the General Schedule.

Mr. PATMAN. Mr. Speaker, I yield to the gentleman from Texas (Mr. ECKHARDT) for a question.

Mr. ECKHARDT. I just have this question to ask and it is with respect to the section entitled "Injunctions and Other Relief", which provides:

"(a) Any person suffering legal wrong because of any act or practice arising out of this title, or any order or regulation issued pursuant thereto, may bring an action in a district court of the United States, without regard to the amount in controversy, for appropriate relief, including an action for a declaratory judgment, writ of injunction (subject to the limitations in section 211), and/or damages.

I assume that such an action would be based on Federal question jurisdiction and, therefore, would carry with it the full panoply of the Federal rules including rule 23.

Mr. PATMAN. I believe that is correct. That is the way I would interpret it. I am not as sure about it as I am sure the gentleman is because he has given it more study. The gentleman is asking about a class action; is he not?

Mr. ECKHARDT. Yes, that would be under Rule 23.

Mr. PATMAN. I have been asked about that before. I do not believe the statute requires class actions. Class actions are not mentioned in the law and I think it is entirely up to the court eventually.

Mr. PATMAN. Mr. Speaker, I yield to the gentleman from New York (Mr. RYAN).

Mr. RYAN. Mr. Speaker, there are several aspects of the conference report on the Economic Stabilization Act Amendments of 1971 which I would like to single out before discussing the bill as a whole.

First, I am very pleased that the conferees have accepted the language of the House bill with respect to the exemption of low-paid workers from controls on their wages during the period of economic stabilization. Title II, section 203 (d) of the bill as reported out of conference provides that—

(W)age increases to an individual whose earnings are substandard or who is amongst the working poor shall not be limited in any manner, until such time as his earnings are no longer substandard or he is no longer a member of the working poor.

The House Banking and Currency Committee report on this legislation states with respect to this language:

It is the intention of the Committee that this exemption from control apply to all persons whose earnings are at or below levels established by the Bureau of Labor Statistics in determining an income necessary to afford adequate food, clothing and shelter and similar necessities. (Report No. 92–14, p. 5).

The Bureau of Labor Statistics reports are an excellent guideline with respect to establishing what is a substandard income. The annual budgetary analyses of the Bureau of Labor Statistics are impressive because of their care and depth. In particular the BLS sets forth a minimum budget for a family of four in an urban area as $6,960 per year.

The plight of low-paid workers certainly warrants such an exemption of their wages from restraints during economic stabilization. There are, indeed, millions of families and individuals in this country whose incomes, derived from decent, steady employment, fall below the most meager estimate of what is required for an acceptable standard of living.

There is ample precedent for a low-paid worker exemption from wage restraints during a period of economic stabilization. Both the War Labor Board of World War II and the Wage Stabilization Board of the Korean war made provision for workers with substandard wages.

The section exempting low-paid workers is derived from my bill, H.R. 11406, which the gentleman from Maryland (Mr. MITCHELL) offered as an amendment in the Banking and Currency Committee, and which was adopted by the committee. I appreciate very much the successful efforts of Mr. MITCHELL and other members of the committee who supported the low-wage exemption. I particularly want to commend the Chairman (Mr. PATMAN) and the other House conferees for insisting upon the language of the House which makes it clear that substandard earnings are to be exempted.

A second provision which I am very pleased about and which also has particular importance for the people of New York City is section 203(h) of title II, which provides that States or localities with rent controls cannot solely by virtue of the existence of these controls be exempted from rent guidelines promulgated by the price commission.

It has long been my position that, due to the very difficult financial squeeze in which tenants find themselves, the freeze on rents should continue. To that end, I introduced legislation—H.R. 10945 and 10946, with cosponsors—which would continue the freeze on rents through the period of eocnomic stabilization. I testified in support of this legislation before the House Banking and Currency Committee.

Section 203(h) of title II provides that States or localities are not exempt from Federal rent guidelines because of the existence of State or local rent control laws. Of course, the amendment will not preempt local or State rent control laws which are more stringent than guidelines promulgated by the Price Commission.

This provision is necessary because of the arbitrary action of the Price Commission on November 22. On that date, the Price Commission announced that rent increases on rent-controlled units authorized by State and local rent control agencies would be allowed to go into effect.

Section 203(h) of title II will now supersede that ruling of the Price Commission, so that Federal rent guidelines will apply in areas where there is local rent control. In an earlier debate when this amendment was offered, I discussed the outrageous nature of the Price Commission's November 22 ruling, promulgated in violation of its own announced procedures—see CONGRESSIONAL RECORD, December 10, 1971, page 46014.

A third section which is of particular significance to New York City is section 215 of title II, which provides that no entity operating a mass transportation facility shall increase any fare without first obtaining Federal approval. This insures that a local authority cannot arbitrarily raise transit fares in the face of controls on the other sectors of the economy. As one who has fought to prevent a fare increase in New York City, I am very glad to see this provision which should help in our efforts to maintain the 30-cent fare.

Another provision with which many of us in the Congress have been concerned relates to retroactive wages. Title II, section 203(c)(1) of title II provides:

The authority conferred on the President by this section shall not be exercised to limit the level of any wage or salary (including any insurance or other fringe benefit offered in connection with an employment contract) scheduled to take effect after November 13, 1971, to a level below that which has been agreed to in a contract which (A) related to such wage or salary, and (B) was executed prior to August 15, 1971, unless the President determines that the increase provided in such contract is unreasonably inconsistent with the standards for wage and salary increases published under subsection (b) (relating to general fairness, and taking into account changes in productivity and other costs).

Section 203(c)(2) similarly provides for contract scheduled to take effect prior to November 14.

These sections provide a good deal of assurance that employment contracts are not impaired by Government edict.

Certainly wage increases due workers by contract should not be abrogated by Government action. Such action will not promote the smooth functioning of the economy which this legislation seeks to promote.

The legislation now assures that schoolteachers, who prior to the freeze negotiated contracts which did not take effect until the school year began in September, will be able to realize the salary and fringe benefit increases due them under their contracts.

Looking at the bill as a whole, I think it is well to point out that the adoption of this bill marks a fundamental change in the economic life of this country. The imposition of wage and price controls might be viewed as recognition of the Galbraithian notion that ours is an economy dominated by large and powerful economic organizations. Now the Government is intervening directly to control these units to achieve stability. And these controls are not likely to be a short-run phenomenon.

This legislation contemplates a grant of power to the Executive unprecedented in time of peace or at the tail end of a war. Through April 30, 1973, the President now has the power to control prices, rents, wages, and salaries. He also has the power to control interest rates and corporate dividends. In carrying out this authority—acting pursuant to title II of the Defense Production Act—the President has already appointed three commissions. The Cost of Living Council, chaired by Secretary of the Treasury Connally, has the overall authority to administer the economic stabilization program. Beneath the Cost of Living Council are two commissions, charged with the responsibility of controlling prices and wages, respectively. Within the Price Commission is a Rent Advisory Board which is supposed to advise on national rent policy. The Pay Board, chaired by Judge George Boldt, administers wage controls. Each of these commissions and boards is made up of members appointed from various sectors of the economy—public, private, business, labor.

In carrying out this authority, the President, and the agencies created pursuant to this authority, are required to set standards with respect to wages, salaries, prices, rents, interest rates and corporate dividends. These standards are required to meet certain criteria.

These standards must be generally fair. They must make such exceptions as are necessary to foster orderly economic growth. They must take into account changes in productivity and the cost of living. They must provide for reductions in prices and rents whenever warranted by lower costs, labor shortages, and other pertinent factors. And they must in general call for comparable sacrifices by business and labor as well as other segments of the economy.

As I have discussed earlier, these standards may not limit retroactive wage or fringe benefit increases agreed to by contract prior to August 15, 1971, unless the President determines that the increase is unreasonably inconsistent with the general standards set with respect to wage and salary increases.

As I have mentioned, the wage increases to any individual whose earnings are substandard shall not be limited until such time as his earnings are no longer substandard.

Also the President's authority is not to be exercised to preclude the payment of increases in wages required under the Fair Labor Standards of 1938, as amended.

The President is authorized to delegate the performance of these functions. And as I have mentioned, he has done so already, pursuant to title II of the Defense Production Act. While the present members of the agencies created by this act do not have to be confirmed by the Senate, future appointees will have to be confirmed by the Senate.

All information which is reported to any person exercising authority under this act which relates to trade secrets will be considered confidential.

The head of any agency exercising authority under this act shall have the power to issue subpenas for the attendance and testimony of witnesses and the production of relevant records.

The functions exercised under this act are excluded from the Administrative Procedure Act except that any agency authorized by the President shall establish procedures which are available to any person for the purpose of seeking an interpretation, modification, or rescission of a standard or rule. It will also be possible to seek an exception or exemption from standards or rules issued. And, further, there shall be provisions for seeking review of the denial of any such request.

Also, insofar as possible, the President or his delegate must conduct formal public hearings to acquire information bearing on a proposed change in standards for wages, salaries, prices, rents, interest rates, or corporate dividends which may have a significant impact upon the national economy.

In my testimony before the House Banking and Currency Committee on October 29 I cautioned against full scale suspension of the Administrative Procedure Act. This act is a complex and carefully drawn set of procedures to protect the rights of persons and corporations in administrative dealings with the Government. These procedures should not be lightly discarded. It may be appropriate to make some changes in these procedures to fit them to the particular tasks of the new agencies charged with carrying out the economic stablization program.

Therefore, I am glad that the conference report provides for administrative checks on these new agencies.

Whoever willfully violates any order or regulation shall be fined up to $5,000 for each violation. If such violation is not willful the violator shall be subject to a civil penalty of not more than $2,500 for each violation. Injunctive relief is also available to any person authorized by the President to exercise authority under this act to prevent any person or organization from violating this act.

Citizens, suffering a legal wrong because of any act or practice arising from this law, have a right to bring an action in a district court for appropriate relief, including injunction and/or damages. If an action in this regard is brought against a person who is found to have overcharged the plaintiff, the court may, in its discretion, award the plaintiff reasonable attorney's fees and costs, plus whichever of the following is greater: First, an amount not more than three times the amount of the overcharge, or second, not less than $100 or more than $1,000. If it is established that the overcharge was not willful, the award shall be limited to the amount of the overcharge.

The district courts of the United States shall have exclusive original jurisdiction of cases or controversies arising out of this act. In addition, a temporary emergency court of appeals is created with exclusive jurisdiction of all appeals from district courts in cases arising under this act.

As I have pointed out, the House and Senate committees and the conferees have improved the administration's original bill and have provided greater procedural safeguards, for which they are to be commended. However, this legislation still contemplates a massive grant of power over the economy to the Executive. Thus, I have grave reservations. For this power is being granted to an Executive who has not shown himself to be attuned to the plight of the workingman and the poor. I am concerned that the economic stabilization program may be administered in a manner that favors the rich and the powerful, while drowning the cries of the poor who are unjustly treated in a mass of redtape. We have already begun to see the backhanded administration of this legislation in the implementation of national rent policy which I have discussed.

I hope that my misgivings and doubts about the administration's willingness to carry out these provisions justly will be dispelled as the program unfolds. Our primary objective must be a full employment economy which makes it possible for every person to enjoy a decent standard of living.

Mr. PATMAN. Mr. Speaker, I yield to the gentlewoman from New York (Mrs. ABZUG).

Mrs. ABZUG. Mr. Speaker, I am pleased to note that the Abzug-Brasco amendment, making areas with local rent control subject to the Federal rent guidelines, has been retained by the conference committee. As you know, the Price Commission decided on November 22 to allow areas with local rent control to permit raises in rents regardless of national guidelines, retaining only general oversight powers for itself.

Our amendment was introduced in order to overrule this decision, and to require that dwellings in areas with local rent control be considered for rent increases in the same manner as those in areas without local rent control.

Under the provision, rent increases may not go into effect unless they comply with national rent guidelines and are approved in advance. There can be no auto-

matic increases just because there is local rent control; proposed increases will have to be considered on their merits and in light of controls on wages and prices.

In any case, it is the report of the conference managers who is binding with respect to legislative intent. That report states that the word "solely" was added thereby to clarify the original intent of the amendment. That intent was to make it clear that the sole fact that a State or locality has its own rent control cannot be a reason for its exemption from guidelines to which every other State and locality in the Nation is subject. To do otherwise would make a mockery of the Economic Stabilization Act and its intent to have coordinated and interrelated controls over all facets of the economy.

Mr. WIDNALL. Mr. Speaker, I yield to the gentleman from Michigan (Mr. BROWN).

Mr. BROWN of Michigan. Mr. Speaker and my colleagues, there has been much discussion about the rent provision in the Economic Stabilization Act. This provision is primarily related to the problem that exists in the East, in New York, and certain other cities where rents presently are under control of a State or other regulatory body.

The language in the Economic Stabilization Act is intended to clarify the authority of the Presidential delegate, as it this case the Price Commission as it presently exists to exercise control over all rents irrespective of the fact that some may be otherwise regulated by another authority.

This provision therefore is consonant with the regulation or memorandum issued by the Price Commission on November 22, 1971.

The problem that has been caused is a problem that arose out of a New York Times article wherein the article said that the Price Commission had exempted from its jurisdiction, rents regulated by a State or other authority.

Under the language of the conference report the Price Commission has not exempted any rents from its jurisdiction but rather in the instance at hand to which the article and the November memorandum related, the Price Commission said it would go along with the increases that the regulatory body in New York had agreed to, but it would reserve control over the question of rents even where those rents are regulated by another body.

Mr. PATMAN. Mr. Speaker, I yield to the gentleman from New York (Mr. BRASCO).

Mr. BRASCO. Mr. Speaker, let me take this time to clear up any misunderstanding that may have been created with respect to the amendment which I introduced with respect to rent control on the floor of the House the other day and which was unanimously adopted by this House.

So that it can be very clearly understood, I would like very briefly to give the reasons why I introduced the amendment.

On November 22, 1971, the Price Commission Chairman, C. Jackson Grayson, announced that rent increases on rent-controlled units authorized by State and local rent control agencies would be allowed to go into effect.

Chairman Grayson pointed out that this ruling applies only to private rentals governed by existing rent controls.

He further went on to say that the rental units which are not under State and local control remain subject to the Price Commission's general regulations on rents. It became apparent to me that Mr. Grayson in his authority as Chairman of the Price Commission used one criteria and one criteria alone in making this ruling, that rent control was being exercised by local government and the Federal Government would have nothing to do with rent increases promulgated under it.

Subsequently I introduced an amendment on the floor of the House, which was accepted, which said very simply:

No State or portion thereof shall be exempted from any application of this title with respect to rents by virtue of the fact that it regulates rents by State or local law, regulation or policy.

The Senate accepted this amendment with one change. It put in the word "solely", and it did not affect the intent of my amendment, which I elaborated very clearly on the floor. The intent of my amendment was very simply this: Since we are controlling through the Wage Board the wages of those very people who are living in rent-controlled apartments, it is only equitable and fair that the Price Control Commission pass on the rent increases, and before these rents are allowed to take effect, ascertain whether or not they conform with the Federal guidelines as promulgated by this act and also as promulgated by the Price Commission. That is my understanding.

I would ask the chairman of the Committee on Banking and Currency (Mr. PATMAN) also a conferee, whether or not that understanding is a correct understanding.

Mr. PATMAN. That is my understanding.

Mr. RYAN. Mr. Speaker, the colloquy between the gentleman from New York (Mr. BRASCO) and the distinguished Chairman of the Banking and Currency Committee (Mr. PATMAN) makes clear the intent of section 203(h) of title II of S. 2891 as set forth in the conference report. It provides:

No State or portion thereof shall be exempted from any application of this title with respect to rents solely by virtue of the fact that it regulates rents by State or local law, regulation or policy.

The purpose of the amendment to H.R. 11309 offered by Mr. BRASCO and adopted by the House on December 10 was to prevent a State or municipality from being exempted from the economic stabilization program with respect to rents because of the existence of State or local rent regulations.

The House language was:

No State or portion thereof shall be exempted from any application of this title with respect to rents by virtue of the fact that it regulates rents by State or local law, regulation or policy.

The conference inserted the word "solely" in the sentence ". . . with respect to rents solely by virtue of the fact that . . ." The addition of this word does not change the effect. This section provides that there can be no exemption from rent stabilization orders and regulations simply because a State or locality has a rent control law. The fact that this is the case is further demonstrated by the conference committee report on this legislation which provides (Report No. 92–745, pp. 18–19):

The House bill contained a provision prohibiting exceptions concerning the control of rents. The Senate version of the bill contained no such provision. The Conferees accepted the House provision with an amendment making it clear that any exception from the stabilization program could not be made solely on the basis that the rents were regulated by State or political subdivisions thereof.

As I pointed out in my remarks when this amendment was debated in the House (CONGRESSIONAL RECORD, December, 10, 1971, p. 46014), the purpose of this provision is to supersede the arbitrary ruling of the Price Commission on November 22. On that date the Price Commission announced that rent increases on rent-controlled units authorized by State and local rent control agencies would be allowed to go into effect.

It is absolutely clear that the legislative intent is to prevent the Price Commission from ruling that simply by virtue of the fact that a locality has a rent-control law, it is not subject to Price Commission rent guidelines that apply to the rest of the country.

To argue otherwise, to argue that the language of the conference bill is consonant with the Price Commission's November 22 ruling, is to say that the Congress has performed a meaningless act. To argue that the November 22 ruling can still stand in the face of the conference report is to say that in this immensely important legislation, affecting the economic life of the country, the Congress has included a meaningless and trivial provision. If this provision does not have the effect of superseding the Price Commission's ruling, it has no effect whatsoever. Otherwise, we will be in a situation in which we have adopted a provision which says that we are in exactly the same position as before it was adopted. I hardly think we are engaged in so frivolous an enterprise.

And there is very good reason for requiring rent guidelines established by the Price Commission to be applied in areas which have local rent control laws as well as in those areas which do not. To allow rent increases on rent-controlled units authorized by State and local rent control agencies to go into effect without an independent review by the Price Commission would upset the whole stabilization program. That means that, if a municipality has a rent control law which allows rental increases of 300 percent, such increases would be exempt from Federal rent stabilization. That would be a ridiculous result.

It is simply unconsciousable for the Price Commission to allow local rent-control laws, enacted before the onset of the President's economic stabilization

program, to be implemented as if there has not been a vast change in the economy because of the regulation of prices and wages. The Price Commission cannot abdicate its responsibility in the field of rents. It must deal with the merits of the rent problem as it deals with the merits of price increases in all the other sectors of the economy. This is the intent of the Congress. This is the purpose of section 203(h) of title II of S. 2891, the Economic Stabilization Act Amendments of 1971.

Mr. WIDNALL. Mr. Speaker, I yield 1 minute to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Speaker, in my opinion this legislation borders on the fantastic. In the first place, it is supposed to be a Stabilization Act for the control of wages and prices and to halt inflation. Yet it provides for a pay increase for all Federal classified employees and legislative employees. That will cost approximately $1 billion. Tied automatically to this pay boost for Federal employees is a pay increase for the military to cost approximately $1 billion. And if that is not enough, the unfunded liability to the retirement fund created by civilian employee pay increase will be some $2.6 billion. If that is stabilization, I do not know the meaning of the word. Mr. Speaker, this is legislative contradiction at its worst for in one breath in the same proposition it is stated that wage and price controls are necessary to stop inflation, and in the next breath pay increases costing some $2 billion are called for.

If there is no rollcall vote on this piece of legislative contradiction and duplicity, let the RECORD show that I am unalterably opposed to it.

Mr. BADILLO. Mr. Speaker, in a number of ways, the conference report on the Economic Stabilization Act Amendments of 1971 is a far better piece of legislation than the bill which passed this House last Friday. I want to commend the conferees for both sides for approving the following provisions:

First. Authorization for recovery of retroactive wage increases that were not paid because of the 90-day wage-price freeze that began last August 15. The compromise provision agreed upon yesterday is a definite improvement over the Stephens amendment adopted by the House and will make it easier for many workers, particularly schoolteachers, to recover the wages agreed upon in contracts made months before the wage-price freeze was announced or even contemplated. This is a matter of simple economic justice and as I said last Friday, Congress should tamper with the sanctity of contracts only under the most dire of circumstances.

Second. The section preventing unregulated mass transportation systems, such as New York's Metropolitan Transportation Authority, from raising fares without the prior approval of the Price Commission. This was an important feature of the House bill and is necessary to protect the interests of hundreds of thousands of subway riders in New York City.

Third. The provision bringing State and local rent-controlled apartments under jurisdiction of the Price Commission. This greatly increases the probability that tenants in 1.4 million New York City apartments will be subject to smaller rent increases than would be the case under local and State guidelines. Full credit for this provision must go to its author, my good friend and colleague from New York, Congresswoman BELLA ABZUG.

Fourth. The amendment authorizing a 5.5-percent pay raise for Federal civilian and military personnel effective January 1, 1972. This too, is a matter of simple economic justice. It is fine for President Nixon to call upon Federal workers and our men and women in uniform to make sacrifices and set an example for their country, but it is unreasonable and unfair to ask them to pay a higher price for our economic problems than the price being paid by other citizens. We discovered during the 1970 postal strike that the wages of many Federal workers are so low that thousands are forced to seek welfare payments just to survive. This pay raise is certainly within the guidelines and I do not believe it can be called inflationary in any sense. If it should cause Mr. Nixon some budget problems, I suggest that he postpone or cancel some of the Pentagon's billion-dollar playthings.

Unfortunately, this conference report contains the same defects that forced me to vote against the House bill last week. It fails to include a requirement for disclosure of the data submitted by corporations in support of their price increase requests, and in fact, it makes such disclosure by Federal officials or agencies a criminal violation. In addition, the conference report extends the President's sweeping and unprecedented authority to impose economic controls far beyond what I consider a reasonable point without congressional partnership. If either of these flaws had been corrected in conference, I might have found it possible to support this conference report, but on balance these omissions represent too high a price to pay for what is good in the bill.

Mr. PATMAN. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

EXTENDING THE DATES FOR TRANSMISSION OF THE ECONOMIC REPORT AND THE REPORT OF THE JOINT ECONOMIC COMMITTEE

Mr. PATMAN. Mr. Speaker, in view of the fact that the Congress will probably not return until January 18 and we must deal with the report of the President to the Joint Economic Committee, I ask unanimous consent for the immediate consideration of the Senate joint resolution (S.J. Res. 184) extending the dates for transmission of the Economic Report and the report of the Joint Economic Committee.

The Clerk read the title of the Senate joint resolution.

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

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object, will the distinguished chairman of the Committee on Banking and Currency explain what is being done and why?

Mr. PATMAN. The joint resolution would provide additional time for the President to submit his Economic Report, and for the Joint Economic Committee to file its report on the President's Economic Report not later than March 10.

Mr. GERALD F. FORD. It provides an extension of time in which the President must submit his Economic Report to the Joint Economic Committee.

Mr. PATMAN. The gentleman is correct.

Mr. GERALD R. FORD. It also extends the time for the committee to make its report, does it not?

Mr. PATMAN. That is correct. It is the customary, traditional resolution when Congress meets after January 3.

Mr. GROSS. Will the gentleman yield?

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

Mr. GROSS. That report will show that the private and public debt of this country has gone above the $2 trillion mark.

Mr. GERALD R. FORD. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 184

Joint resolution extending the dates for transmission of the Economic Report and the report of the Joint Economic Committee

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) notwithstanding the provisions of section 3 of the Act of February 20, 1946, as amended (15 U.S.C. 1022), the President shall transmit to the Congress not later than February 15, 1972, the Economic Report; and (b) notwithstanding the provisions of clause (3) of section 5(b) of the Act of February 20, 1946 (15 U.S.C. 1024(b)), the Joint Economic Committee shall file its report on the President's Economic Report with the House of Representatives and the Senate not later than March 10, 1972.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

PLAQUE PRESENTED BY THE SPEAKER TO TURNER ROBERTSON

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

Mr. BOGGS. Mr. Speaker, it is a great pleasure for me to join in paying a well deserved tribute to a man who has been our friend and coworker for three decades.

Turner Robertson, as you know, has announced his intention to retire after having served on the Hill since 1939 and

having been our majority chief page since 1947.

I think it is appropriate that we should set this time aside to express our deep appreciation for the loyal service he has rendered over the years and to convey to him our warmest best wishes for the future.

The smooth operation of the House of Representatives depends upon many, many dedicated, hardworking employees, but I know of none who have proven themselves more valuable, harder working or more dedicated than Turner.

I am certain that every Member of this body has on many occasions called upon Turner for some kind of assistance and has been impressed with how soon that assistance was on the way.

Turner Robertson has the gift of taking 50 bright young men from all over the country and helping them to learn about the daily work of Government while at the same time rendering valuable service to this institution.

In these many years that I have known Turner, I have never once seen him lose the patience, tact, and pleasant disposition for which he is renowned.

This Chamber will not be the same without Turner. He has served here under three Speakers and six Presidents. He was here in 1941 when President Roosevelt asked for a declaration of war. He was here when this Chamber was visited by Winston Churchill. And, he was here to greet the Apollo Astronauts returning from their lunar mission. That is a lot of history. Turner was here for it all, and he was part of it.

I know I speak for all of us when I express my warmest affection and best wishes to Turner, his lovely wife and daughter, as he prepares to depart this House of Representatives.

Include the following:

"A GOOD JOB—WELL DONE"—A TRIBUTE TO TURNER N. ROBERTSON

Four official House bells announcing the sine die adjournment of this historic session of our 92d Congress simultaneously closes a distinguished career of one of the friendliest, most perceptive, and best informed public servants in our Nation's legislative history.

For over a quarter of a century his capable and generous gifts in the preparation of our daily sessions, significantly enlivened the up-to-the-minute functional needs for all House Members.

One may ask, "Who is this amazing Turner N. Robertson?" The answer could be easily given by Presidents of the United States; members of our judicial and executive bodies that make up our Nation's leadership. Ask hundreds of former U.S Representatives and also the many young men who once assisted him in formulating the legislative program chores that are so capably performed in the privileged Page Service of the House.

He was ever reassuring in many spirited episodes that this famous Chamber has witnessed. He served capably and calmly resourceful under the high Speakerships of the great Rayburn, Martin, and McCormack. He steadfastly handled, with reason and dispatch, the needs of House Members whose greatness in history was later to be achieved at the highest commands of our beloved country—a Kennedy—a Johnson—and a Nixon. Each one is easily within Turner's recall as Representatives in the Congress they all loved as he did.

Turner, we pray for good health and enjoyment in the future of your well-deserved retirement. We bid heartfelt farewell to you and yours. However, we will retain a most memorable part of your being as our legacy. It is your gentle and gracious spirit, that belongs to a grateful country as well as to mankind. We in the most deliberative legislative tribunal in the world will cherish it as ours so that the loss of your physical presence will not truly reduce the vigor of the Democratic Cloakroom, while we enjoy the memory of so much of you that you have left to all who loved and admired you.

In the name of the United States House of Representatives,

CARL ALBERT,
Speaker of the House.

DECEMBER 14, 1971.

THE HONORABLE JAMES G. FULTON

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

Mr. SAYLOR. Mr. Speaker, the Senate and House of Representatives of Pennsylvania, plus two boroughs within Allegheny County have adopted resolutions to the memory of the late James G. Fulton. I ask that they be printed in the RECORD and included in the memorial address book to our departed colleague.

[In the Senate of Pennsylvania, October 12, 1971]

Whereas, Congressman James G. Fulton died Wednesday, October 6, 1971, at the age of sixty-eight. Elected to Congress in 1944, Congressman Fulton was the ranking Republican on the House Space and Aeronautics Committee. He was a former member of this Senate from Allegheny County in 1939–40. In addition to his congressional duties, Congressman Fulton served a term as a delegate to the United Nations and as a space advisor to the United States mission at the United Nations. He was also an active supporter of Pittsburgh's civic and artistic organizations, being a board member of the Pittsburgh Opera, the Pittsburgh Playhouse and the Pennsylvania Academy of Science.

Now therefore, the Senate of the Commonwealth of Pennsylvania expresses its sadness upon the death of Congressman James G. Fulton and extends its deepest sympathy to his brother, Robert Fulton, and his three sisters, Mrs. Elizabeth Krivobok, Mrs. Emilie Thomas, and Mrs. Fredonia Gephart.

And further directs that a copy of this document, sponsored by Senators Thomas F. Lamb, Robert D. Fleming, Wayne S. Ewing, Frank Mazzei, Stanley M. Noszka, Thomas M. Nolan and Edward P. Zemprelli, be transmitted to Robert Fulton.

[In the Senate of Pennsylvania, Oct. 12, 1971]

IN MEMORIAM—THE HONORABLE JAMES G. FULTON

Mr. EWING. Mr. President, I rise to speak on the resolution which was just offered to the Senate.

Last week, on Wednesday, October 6, 1971, the United States of America, the Commonwealth of Pennsylvania, and the Twenty-seventh Congressional District of Pennsylvania lost a friend, The Honorable James Grove Fulton.

The passing of Jim Fulton is a great loss to thousands of Pennsylvanians who loved him and considered Jim a good and personal friend. It was with considerable personal pride that so many of his constituents would boast, "Jim Fulton was a personal friend of mine."

This was understandable because Jim was always close to the people whom he represented in the Congress for twenty-seven years. He was always there with the people, where he could see and talk to his people, because he believed in the best kind of responsive and representative government. He believed that it was his responsibility to communicate with them, to tell them what was happening in the Congress, and to hear about their problems.

Jim Fulton believed that our great Country should be first in everything. He believed in God, Country and the American Flag. He was a man of great vision. He was a Twentieth Century pioneer. It was observed in Congress that Jim Fulton was "married" to the Congress. Although he was a bachelor, he gave all of his time and himself to the Congress. He loved the Congress of the United States and the people he represented there. His vows and allegiance were repeated every two years, when he was sworn into office for a new term. He was serving in his fourteenth term.

Jim Fulton had a history of heart trouble, and had been encouraged by many friends to slow down. Jim could not be slowed down by doctor or friend; he did not know how to take it easy. He continued on with a tremendous drive which moved him for many years.

At one time, as some of you know, Jim Fulton was a Member of this Senate, having been elected in 1939. It was interesting to note, for researching the Legislative Journal, that he participated in many spirited debates, even though he did not serve here very long before he was called into service with the United States Navy. It was interesting to note, though, in a Special Session, in 1940, called by former Governor James, that they dealt with some of the very same problems, at that time, as we are dealing with today, such as the Unemployment Compensation Law amendments, aid to financially handicapped school districts, and amendments to the Public Welfare Code to deal with public assistance payments. He also participated in the handling of legislation to authorize the eastern extension of the Pennsylvania Turnpike that year.

As a Member of the Senate, myself, for nearly four years, I have had an excellent relationship with my Congressman and with his staff. To many of our constituents, government was Jim Fulton, and, often, they failed to distinguish between local, State and Federal problems. I had the privilege to work with him on some of these problems, and I had the greatest respect for his wisdom and guidance.

Jim Fulton was a great politician and proud of it, as all of us who participate in the affairs of our government should be. Politics was his life and he lived it well. It is with pride that I tell you that Jim Fulton was "my" Congressman.

Mr. President, I thank my colleagues in the Senate, today, for their attention, and for joining me in saying "farewell" to my Congressman, The Honorable James G. Fulton.

Mr. LAMB. Mr. President, the gentleman from Allegheny, Senator Ewing, has said it so very well, and I just want to add, first, the fact that I also share the same Congressional District with the late Congressman Fulton. I think that he has been best described as "the peoples' Congressman."

Mr. President, as you are personally aware, as well as other Members of the Senate, Congressman Fulton ran in a Democratic District, with a registration edge, favoring Democrats, of over some 50,000. However, he never had any trouble getting elected. The political people will understand this: Many times, on Election Day, or in election years, we, as politicians—I am speaking of myself, as well as District Committeemen, Ward Chairmen, Borough and Township Chairmen—in trying to sell the Democratic ticket, would constantly go to people and say, "Look, I want you to vote for the Democrats." Invariably,

their answer would be, "Yes, we can be for all of the Democrats, but we also have to be for Jim Fulton." I think that pretty well exemplified what kind of a fellow he was, and I am sure the Twenty-seventh Congressional District, and all the people in that District, will miss Congressman Fulton.

Mr. R. D. FLEMING. Mr. President, Jim Fulton was a longtime personal friend of mine. I believe that all of us in Allegheny County, and in the entire Commonwealth of Pennsylvania, have lost one of our greatest leaders.

In my opinion, Jim Fulton was a statesman. He was a man of great compassion, great understanding, integrity and general knowledge on all the subjects facing our nation. Truly, those of us who live in Allegheny County and, I believe, in the entire Commonwealth of Pennsylvania, have lost a man who will be hard to replace. It is with great sorrow that we note his passing at this time.

Mr. ZEMPRELLI. Mr. President, as I sat listening to the remarks about Pennsylvania's departed Congressman, James Fulton, I am reminded of the fact that I am, perhaps, the only Senator in this Chamber who ran a campaign against the Congressman, on behalf of a tackle from the Notre Dame football team, who, we thought, had a "shot" at it; namely, Mayor Kenneth L. Stilley, acting as his campaign manager. As I reflect upon the man for whom I had a great deal of admiration, I reflect the fact that he was the only man in political life who had at least two friends in every block in his Congressional District. This is the record of a man who had served his people and for whom I had the greatest admiration. I can say with a great deal of sincerity that, as a result of an embittered campaign, when that campaign was over, there were no enemies for the want of one.

Therefore, Mr. President, I take my hat off to this fine gentleman whom I loved, because he was a public servant and he was also my Congressman. To a certain extent, after his leaving the District because of reapportionment, we always sort of thought of Jim Fulton as "our" Congressman. He never turned a person down and had a facility for service that would be exemplary of anyone in public life. We mourn his departing, independent of any political feeling or the fact of his politics, but say that western Pennsylvania has lost a truly great public servant.

RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF PENNSYLVANIA

Whereas, United States Representative James G. Fulton died October 6, 1971 at the age of sixty-eight. First elected to Congress in 1944, Representative Fulton was the senior Republican in the Pennsylvania delegation to the House of Representatives and the ranking Republican member of the House Space and Aeronautics Committee to which he gave unfailing support. He served two years in the Pennsylvania State Senate in 1939–1940, representing Allegheny County. Congressman Fulton was a man of tremendous vision and was an active supporter of patriotic and religious activities. He also made outstanding contributions to the Pittsburgh civic and artistic community; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania, extends condolences and sincere sympathy on the death of Representative James G. Fulton to his brother, Robert Fulton, and three sisters, Mrs. Elizabeth Krivobak, Mrs. Emilie Thomas, and Mrs. Fredonia Gephart; and be it further

Resolved, That a copy of this resolution be delivered to Mr. Robert Fulton, Dormont, Pennsylvania.

We hereby certify that the foregoing is an exact copy of a Resolution introduced in the House of Representatives by the Honorable K. Leroy Irvis, Robert Butera, H. Sheldon Parker, Jr., James W. Knepper, Jr., Jay R. Wells, III, Richard J. Cessar, James B. Kelly, III, H. Harrison Haskell, II, Charles N. Caputo, Richard J. Frankenburg, Roy W. Wilt, Joseph V. Zord, Jr., Robert A. Geisler, Regis R. Malady, and Andrew J. McGraw, and adopted by the House of Representatives on the 12th day of October 1971.

HEBERT FINEMAN, *Speaker.*

Attest:

VINCENT F. SCARCELLI, *Chief Clerk.*

RESOLUTION

Whereas, on October 6, 1971 we learned with great sorrow of the death of Congressman James Grove Fulton, and

Whereas, Jim Fulton was one of Dormont's most distinguished citizens, having been born in Dormont of a family which had been active in civic affairs in western Pennsylvania since the 1700's, and

Whereas, Jim Fulton devoted his entire adult life in conscientiously and faithfully serving the Borough of Dormont; he was our Pennsylvania State Senator from 1939 to 1941, he served as the Dormont Borough Solicitor from 1942 to 1944 and had been our United States Congressman from the Twenty-seventh Congressional District since 1945, and

Whereas, although Jim Fulton was the ranking member of the House Committee on Science and Astronautics, the ranking member of the House subcommittee on Manned Space Flight and a member of the House Foreign Affairs committee wherein he demonstrated his leadership, dedication and devotion to the principles and ideals of good government which deservedly earned him the accolades of the powerful and influential, his singlemost attribute may well have been his continuous personal contact with all segments of the district he represented which made him the true spokesman for his constituents, many of whom proudly said that Jim Fulton is a personal friend of mine, and

Whereas, the Borough of Dormont, the South Hills area and the country has suffered an irreparable loss, Jim Fulton's legacy of community service will always be remembered and serve as a guide light for all to follow.

Now, therefore, be it resolved by the Mayor and the Council of the Borough of Dormont, Allegheny County, Pennsylvania, in meeting assembled, and it is hereby resolved by the authority of the same, that we extend our heartfelt sympathy to the immediate members of the Fulton family.

Be it further resolved that this Resolution of respect be spread upon the minutes of this meeting and that a copy thereof be sent to the immediate members of the Fulton family, as a visual expression of our deep understanding and sincere sympathy in their time of sorrow.

I move the adoption of the foregoing Resolution.

JAMES H. SMITH.

I second the adoption of the foregoing Resolution.

WM. J. MCGALL.

Adopted in council this 1st day of November, 1971.

RESOLUTION OF THE BOROUGH OF INGRAM, ALLEGHENY COUNTY, PA.

Expressing to the family of James Grove Fulton their heartfelt sympathy upon his passing and their appreciation for his many efforts in behalf of the Borough of Ingram and its citizens and their appreciation for the long and faithful service of James Grove Fulton to the entire community

Whereas, James Grove Fulton, gave his untiring efforts on behalf of the Borough of Ingram and its citizens to create a better environment for the citizens of the Borough; and

Whereas, James Grove Fulton showed his dedication to his many constituents by his devotion to his work in serving the people of the entire nation.

Now, therefore, be it resolved by the Council of the Borough of Ingram and it is hereby resolved by and with the authority of the same;

That the Council of the Borough of Ingram, in behalf of itself and the citizens of the Borough of Ingram, spread upon the minutes and records of the Borough, an expression to the family of James Grove Fulton of its heartfelt sympathy on the death of their brother and of a devoted and untiring worker for the citizens of the Borough of Ingram over the many years of his service.

That a copy of this Resolution be delivered to the family of James Grove Fulton.

Introduced and passed at a meeting of the Council of the Borough of Ingram held the 11th day of October, 1971.

Attest:

A. P. CRAIG,
President of Council.
GLADYS A. RYSER,
Secretary to Council.
JAMES G. HELLMANN,
Mayor.

I have now obtained the transcript of the memorial service of October 11, 1971, at Mount Lebanon United Presbyterian Church, Pittsburgh, Pa., and insert it at this point:

MEMORIAL SERVICE FOR CONGRESSMAN JAMES G. FULTON

(Dr. Myles MacDonald, Minister, Mount Lebbanon United Presbyterian Church; Dr. Winston Trever, Minister, Mount Lebanon United Methodist Church)

Dr. MACDONALD. Let us worship God, Jesus said "I am the resurrection and the life. He who believes in Me though he were dead yet shall he live. And whosoever lives and believes in Me shall never die." "Come unto Me all you who labor and are heavy laden and I will give you rest." "Our help is in the name of the Lord, who made Heaven and the earth."

Let us pray. Oh God of all grace, who in Jesus Christ our Saviour brought eternal life to light, we give thee thanks that by His death He has destroyed forever the power of death and sin, and by His resurrection has opened the Kingdom of Heaven to all who receive Him by faith. Grant us to know that because He lives, we too shall live, and that neither death, nor life, nor things to come shall be able to separate us from the love of God which is in Christ Jesus, our Lord. Oh Thou before whom the generations rise and pass away, we praise thee for all thy servants who, having lived this life in faith, now live eternally with thee. Especially do we thank Thee for Thy servant Jim Fulton, for thy grace given to him, for all that in him was good and kind and faithful. We thank thee for his dedicated service, always going the second mile in his service to others. We are grateful for his cheerful and colorful character, for his conscientiousness as a Member of Congress, for his gift of the common touch. Now grant us faith to trust they love which never fails. Lift up from the weight of sorrow and give us such a good hope in Jesus Christ that we may bravely walk this earthly way, and at least be joined in glory with those who love, through Jesus Christ our Lord, who taught us all when we pray to say: "Our Father who art in Heaven, Hallowed be thy name. Thy kingdom come. Thy will be done on earth, as it is in Heaven. Give us this day our daily bread. And forgive us our debts, as we forgive our debtors. And lead us not into temptation, but deliver us from evil: For thine is the kingdom, and the power, and the glory, forever. Amen."

The family of Congressman Fulton has received many tributes in eulogy of him, and

as this time we will read excerpts from a number of these eulogies which have been sent to the family.

First from the President of the United States: "Mrs. Nixon and I want to express our deepest sympathy to you on the death of Congressman Jim Fulton. During the course of our long association, we gathered many happy memories of him which we shall always cherish. We hope that the knowledge that he was so admired by the people he represented, and so respected by his colleagues and friends brings you comfort now, and that your own remembrances of him will be a source of strength to you in the years ahead. Richard Nixon."

From Dr. James C. Fletcher, the Administrator of the National Aeronautics and Space Administration. "All of us at NASA were deeply saddened by the news of your brother's death. We have lost a good friend and an imaginative leader. The Congressional support NASA has enjoyed throughout its history is due in large part to Congressman Jim Fulton's tireless efforts. He will be missed by all of his friends in the Space Program."

From Senator Javits of New York. "Representative Fulton was one of the most generous, warm hearted, astute members with whom I have ever served, and in my judgment who ever served in the House of Representatives. Altogether he was a dear, beloved American completely devoted to the interests of our Country, and a warm hearted and generous friend whom I had the great privilege of knowing intimately for a quarter of a century. He was a true son of our Nation who devoted his life to serving his Country, and whom I know Members from his own State and throughout the Country will remember with reverence and gratitude that he spent such a fine and useful life."

From Senator Mansfield, Majority Leader of the Senate. "I want to express my deep and personal regret at the passing of Jim Fulton, an old friend with whom I have served in the House, as did the distinguished Republican Leader. Jim Fulton was a man of great talent and ability, a man whose passing we will mourn and whose presence we will miss deeply."

From former Speaker of the House, John W. McCormack. "I am deeply touched and distressed with the passing of my valued friend, Congressman Jim Fulton of Pennsylvania. He was one of the closest friends I had, not only in the Halls of Congress, but outside. I admired and respected him very much. He always fought the battle of the people, and he always fought for a firm foreign policy and strong national defense so important particularly in the world of today. He served on the Select Committee on Outer Space of which I was Chairman, and we cooperated with the other members in getting through the bill establishing NASA. He was a member of outstanding distinction on the House Foreign Affairs and House Science and Astronautics Committee. Mrs. McCormack and I extend to his brothers and sisters our deep sympathy. He was a great American—always buoyant—his personality captivating, one of the most dedicated Members of Congress I ever served with."

From Representative Gerald Ford of the House of Representatives. "Jim was a member of the House Foreign Affairs Committee, and the ranking Republican member of the Science and Astronautics Committee, and its Manned Space Flight Subcommittee. Jim was keenly interested in Space and completely absorbed by the subject. He might be called Congress' Space Man. He was a member of the original Select Committee on Science and Astronautics on which I also was privileged to serve. He was Advisor on Space to the U.S. Mission at the United Nations. In 1970 he won the Silver Quill Award for outstanding writing on science and space. He could speak for hours about the challenge of space, the need for space exploration, and the benefits of space travel. He was an expert on the subject. Jim Fulton will be sorely missed in the House of Representatives. He was one of its hardest working, most conscientious members. It was said of him that although he was a bachelor, he was married to the Congress of the United States. This House was his life."

From Vincent Leonard, the Bishop of Pittsburgh. "I extend to you my personal sympathy and that of the priests and people of the Diocese of Pittsburgh on the death of your beloved brother. He was always interested in the affairs of the Church and gave his services to help us in any way possible. His loss will be felt by all of us."

From former pastors of this Church. "We were shocked and saddened by the passing of Jim Fulton. We express deepest appreciation of his friendship and of his dedicated life as a Christian in politics, and his passing will be a loss on the local and national scene. Cary Weisiger and Clifford Smith."

From Father Scherer, the Chaplain of Holy Cross Hospital in Florida, where Jim Fulton was for a time after suffering a heart attack. "Our Nation lost a great citizen, Heaven gained a great soul. Our prayers are with you."

And finally, a portion of the tribute from Congressman Mann of Texas. "James Grove Fulton was a man whose roots ran as deep into the soil of this Nation as the history of the American dream itself. He was not a man to rest calmly on his inherited laurels, however, as are so many well born people. This surely was a man with whom one was proud to serve. With his remarkable combination of dedication and ability, he leaves this House and this Congress the poorer for his passing. But he also leaves us with an inspiration which has been put so well in an immortal poem:

"Lives of great men all remind us
We can make our lives sublime.
And, departing, leave behind us
Footprints, on the sands of time.

Footprints, that perhaps another,
Sailing o'er life's solemn main,
A forelorn and shipwrecked brother,
Seeing, shall take heart again.

Let us, then, be up and doing,
With a heart for any fate;
Still achieving, still pursuing,
Learn to labor and to wait."

Dr. TREVER. It is right and proper that we should at this time turn to the Scriptures. I read these two lessons from the Old Testament, vastly familiar words that have buoyed us up in times past, that we shall use in times to come. They seem peculiarly appropriate now. When David wrote the words we call the 23rd Psalm, scholars think he was at the end of his life, and he wrote with the introspection that God gives the aged. And with white hair and wrinkled skin comes real perception of the meaning of life. And to shape a concept of God, he had to do exactly what we have to do. He had to pick a symbol, an illustration, and he thought of his time on the Palestinian hillside, and he wrote down these words:

The Lord is my Shepherd, I shall not want.
He maketh me to lie down in green pastures.
He leadeth me beside the still waters.
He restoreth my soul.

He leadeth me in the paths of righteousness
for his name sake.
Yea, though I walk through the valley of the
shadow of death, I will fear no evil.
For thou art with me.

Thy rod and thy staff, they comfort me.
Thou preparest a table before me in the
presence of mine enemies.
Thou anointest my head with oil.
My cup runneth over.
Surely goodness and mercy shall follow me
all the days of my life, and I will dwell
in the House of the Lord forever.

Or these other words which come from Psalms and buoy us up with a sense of times and eternity and give us the strength that the company of Heaven will watch us in this hour. We have a long history and a great future. Lord, thou has been our dwelling place in all generations. Before the mountains were brought forth or ever thou hadst formed the earth and the world from everlasting to everlasting, thou art God. For a thousand years in thy sight are but as yesterday when it is passed or as a watch in the night. Thou doest sweep men away. They are like a dream, like grass, which is renewed in the morning, in the morning it flourishes, and is renewed. In the evening, it fadeth and withers. So teach us to number our days, that we may get a heart of wisdom, let thy work be manifest to thy servants, and thy glorious power to their children. Let the favor of the Lord, Our God, be upon us and establish thou the work of our hands upon us. Yea, the work of our hands establish thou it." May the word of the Lord buoy us up and give us strength in this time of sorrow.

Dr. MacDONALD: Now let us attend unto the reading of God's word as it is found in the New Testament. I will read a portion of the 21st and 22d Chapters of the Revelation, a portion from First Peter, the First Chapter, and then finally a portion of Scripture from the Third Chapter of Ephesians. "Then I saw a new heaven and a new earth, for the first heaven and the first earth had passed away; and the sea was no more. And I saw the Holy City, New Jerusalem, coming down out of heaven, prepared as a bride adorned for her husband. And I heard a great voice from the throne saying, Behold the dwelling of God is with men. He will dwell with them and they shall be his people, and God himself will be with them. He will wipe away every tear from their eyes, and death shall be no more, neither shall there be mourning nor crying nor pain any more, for the former things have passed away."

"And I saw no temple in the city, for its temple is the Lord God, the Almighty, and the Lamb. And the city has no need of sun or moon to shine upon it, for the glory of God is its light and its lamp is the Lamb."

"There shall no more be anything accursed, but the Throne of God and of the Lamb shall be in it, and His servants shall worship Him; they shall see His face, and His name shall be on their foreheads. And night shall be no more; they need no light of lamp or sun, for the Lord God will be their light, and they shall reign forever and ever."

"Blessed be the God and the Father of our Lord, Jesus Christ! By His great mercy we have been born anew to a living hope through the resurrection of Jesus Christ from the dead, and to an inheritance which is imperishable, undefiled and unfading, kept in Heaven for you, who by God's power are guarded through faith for a salvation ready to be revealed in the last time. In this you rejoice, though now for a little while you may have to suffer various trials, so that the genuineness of your faith, more precious than gold, which though perishable, is tested by fire, may redound to praise and glory and honor at the revelation of Jesus Christ. Without having seen Him, you love Him. Though you do not now see Him, you believe in Him and rejoice with unutterable and exalted joy. As the outcome of your faith, you obtain the salvation of your souls."

"For this reason, I bow my knees before the Father, from whom every family in Heaven and on earth is named, that according to the riches of his glory he may grant you to be strengthened with might through his Spirit in the inner man, and that Christ may dwell in your hearts through faith;

that you, being rooted and grounded in love, may have power to comprehend with all the saints what is the breadth and length and height and depth, and to know the love of Christ which surpasses knowledge, that you may be filled with all the fullness of God. Now to Him who by the power at work within us is able to do far more abundantly than all that we ask or think, to Him be glory in the Church and in Christ Jesus to all generations forever and ever. Amen." May God bless this reading from His Holy Word and comfort our hearts with these great truths.

Dr. MacDonald: On the occasion of the death of a great king in France, a very eloquent French priest began that funeral service with these words: "Only God is Great." It seems to me that everything that we have to say within the context of this service this afternoon, as we honor the memory of our departed and beloved friend Jim Fulton, needs to be thought of in the context of those four words, "Only God is Great."

At the same time, there are two verses of Scripture that come to my mind as I think of Jim Fulton. The first is from Ecclesiastes 9:10, which says, "Whatever your hand finds to do, do it with your might."

In the Old Testament there is a character by the name of Caleb, who is one of the most outstanding, if also one of the most neglected, characters in the Bible. He is one of the twelve spies who were sent out by the people of Israel under the leadership of Moses to spy out the land which had been promised to them, to see if they could go in and take the land. The ten spies who came back with a majority report said, "It's impossible for us to take the land, because there are giants in the land, and we seem as grasshoppers in their sight." There were two who brought in a minority report, namely Caleb and Joshua. And they said, "Let us go up at once and possess the land."

And you remember the history of the people of Israel, that they refused to trust in the Lord, and as a result of their lack of faith, they wandered for forty years in the wilderness. Thus all of those generations who had refused to go into the land perished by the time that the people came to the doors of the land again. But Joshua and Caleb were still alive. The promise of God had burned in the heart of Caleb for forty years. And he was still then as much a man of vision, a man of courage, and a man of determination, as he was forty years before. And he asked for the task of taking the hill country of the Anakim, those giants of men, so that he might go up against them, in the power of the Lord and subdue the land. So it was that he went into that land and took it.

Jim Fulton had something of the Caleb spirit. He was a man of vision, who foresaw something of the great space program in which our Nation has become the leader of the world. He was a man of great courage. He was a man of great determination. He was a man of valor. He was a man who, despite serious illness, nevertheless went back to the Halls of Congress, saying that he couldn't work on a part time basis, but rather he had to give everything that he had in the service of his Country.

The second verse of Scripture that I think about in terms of Jim Fulton is found in Acts 10:38. These words describe our Lord Jesus Christ. As it says, "He went about doing good."

I disagree very strongly with that couplet which says "The evil that men do lives after them; the good is oft interred with the bones." The good that Jim Fulton has done will live a long time after him, in the hearts of the countless people he befriended. He was a man of great sympathy, of large heart, a man who did countless deeds of service for his constituents, so that many of them knew him by name as a personal friend. One of the members of my congregation said, "I feel as though I have lost a brother." He helped many young men get their education. He sponsored many individuals. He believed in the laws of men and in the laws of God. He was a great and a good character.

But what was the motive for all this good that Jim did? What is the reason why he gave so much of himself to these tasks? It is the motive that is all important, is it not? There are those who are cynical who would say he was a politician, and that is why he did what he did. Jim was a politician, and a very good politician, as his political opponents well knew. But I like to think that the motive for which Jim did everything with all of his might, and why he did so much good, dates back to a moment some 56 years ago when on this spot in another Church, a brick building which then stood in the same place as this present Church, on February 28, 1915 to be exact, that Jim Fulton made a commitment to Jesus Christ as the Lord and Saviour of his life. I believe personally that in everything Jim did, there was that fixed reference point in his life.

On the dome of the Capitol in Washington, D.C., there are these words inscribed: "One God, One Law, One Element, One supreme event toward which the whole creation moves." I believe that Jim knew something of the implication of that statement and I pray to God that everyone who serves in the leadership responsibilities in our community and Country would recognize the truth of these words, and put them into practice.

When Lord Nelson died, his last words were, "Thank God, I have done my duty." Jim Fulton could say, "Thank God, I have done my duty." His friends, family, and all those who knew him and loved him would respond by saying, "Well done, good and faithful servant."

Dr. TREVER. The reason we cannot define death is because we cannot define life, and only John in his Gospel was able to put it in simple eternal words—"The word became flesh."

Let us pray to the Giver of life, every one of our lives, and the life of Jim Fulton. Let us pray.

Oh God of the Prophets and the Christ, our spirits are strained with joy and sorrow as we remember the life of thy servant Jim Fulton. We praise thee for his sturdy faith in thee, by which he lived out his leadership, but we are overwhelmed by his absence from that leadership today. Oh God, thou has made us and we are perishable, but an idea which thou hast made and which is lived out in a persons life is imperishable, more imperishable than steel or stone or man. Grant that we may have such magnitude of memory, that Jim's ideas may continue to guide our lives and inspire our hope. We thank thee for his willingness to welcome the future while he was revering the past. His ability to guide us in exploring outer space, while warning us of a necessity of relating to inner space of our own being. Oh thou who hast put eternity in our hearts and yet has created us mortal in a changing world, grant to us a sense of the centuries, thy steady creative force, thy invisible good will, thou love from which our brother guided himself and his people. May we so live the years ahead guided by thy love which is seminal in all wise law and government, that we may carry out our brother's hope that his Country become truly the land of the brave and the home of the free. Amen.

Dr. MACDONALD. We will sing as our closing hymn Number 350. Would you please stand for the closing hymn, for the benediction, and remain standing for the recessional.

"Onward Christian Soldiers."

Dr. MACDONALD. God bless you and keep you and cause his face to shine upon you and be gracious unto you. God lift up the light of his countenance upon you and give you peace, now and in the life to come, in Christ our Lord.

LEGISLATION TO TRANSFER THE TEACHER CORPS TO THE NEW AGENCY ACTION

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

Mr. STEIGER of Wisconsin. Mr. Speaker, I am introducing a bill today, along with Mr. BROWN of Ohio, Mr. BIESTER, Mr. COUGHLIN, Mr. FREY, Mr. FRENZEL, and Mr. RAILSBACK to transfer the Teacher Corps from the Department of Health, Education, and Welfare to the new agency Action. This legislation will fulfill the President's intention at the time he announced his first reorganization plan and the creation of Action.

In a letter transmitting this proposal, Mr. Frank Carlucci, Associate Director of the Office of Management and Budget, stated the reasons for this transfer:

The Teacher Corps was created in 1965 mainly as a teacher training program. In 1970 the Teacher Corps legislation was amended to provide administrative support and training for part-time and full-time volunteers to assist community-based education programs such as youth and parent tutoring. For the next few years, there will be a growing need for volunteer services in education, particularly in organizing and supervising projects of service-learning in which students combine their formal educational activities with service to their communities. We believe that the Teacher Corps could better perform these duties within the volunteer agency Action.

Further, the experience of the past three years indicates that many of the activities of the Peace Corps, VISTA, and the Teacher Corps complement each other and can be better managed and coordinated if combined within one agency. In 1968, the Peace Corps, VISTA and the Teacher Corps began collaboration in recruitment. In 1970, the Peace Corps and Teacher Corps joined in the development of a program in which Corps members first serve a year in a United States school while preparing for Peace Corps service abroad, and then, while serving in schools in developing nations, continue in a two-year program of training developed by a U.S. university which prepares them for jobs in U.S. schools and communities upon their return home. These joint programs have never fulfilled their potential because of problems of interagency communication and coordination.

In addition, the Economic Opportunity Amendments of 1967 called for Joint VISTA Teacher Corps programs in correctional institutions. Though the initial programs were well regarded, the problems of interagency programming led to their abandonment. Transfer of the Teacher Corps to Action should overcome these problems.

In sum, the transfer of the Teacher Corps to Action would eliminate the cumbersome interagency agreements currently required for joint recruitment, as well as eliminate overlapping activities. Most importantly, the transfer would strengthen both Action and the Teacher Corps, making it possible for each to serve the needs of our people through volunteer programs.

Mr. Speaker, I urge the House to promptly consider this bill.

KHRUSHCHEV REMEMBERED—AND FORGOT

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

Mr. DERWINSKI. Mr. Speaker, one of the most curious and also disgusting

spectacles several months ago was the rash of Western eulogies poured over the name of Nikita S. Khrushchev, who died last September. Reading these many eulogies, you would never believe that the authoritative series on "The Crimes of Khrushchev," published by the Congress in 1959, is anything but fiction. Anyone in the least familiar with the numerous crimes of the former hangman of Ukraine could not but regard these eulogies as another measure of the low political morality to which some in our society have sunk.

A very penetrating article on Khrushchev and this spectacle has been written by a person whose authorship of the Captive Nations Week resolution caused the former tyrant no end of pain and anguish over the future of the imperilist state known as the Soviet Union. In fact, the author of the article has documented carefully Khrushchev's many outbursts against the resolution which Congress passed in July, 1959, in his two recent works on "The Vulnerable Russians"—New York, 1967—and "U.S.A. and The Soviet Myth"—Devon-Adair, New York, 1971. The full historical account of this episode still is to be written, but both works provide the best account yet and furnish all the essentials concerning Khrushchev and the resolution, which to date is Public Law 86–90. Indeed, it is strange, as Dr. Lev E. Dobriansky of Georgetown University points out in his article on "Khrushchev Remembered—And Forgot," how the Russian bumpkin purposely forgot this whole irritating experience for which mountains of evidence, print and word exist to present date.

This well-documented article appears in the winter issue of the Ukrainian Quarterly, a world-renowned journal devoted to East European and Asian affairs. In integrated fashion, it deals with the Western eulogies to the tyrant, the Khrushchev as he was actually known, the book on "Khrushchev Remembers," and what the political Russian actor preferred to forget, despite his heavy involvements in the forgotten engagements. To set the historical record straight at this point, I introduce this comprehensive article into our RECORD and urge every Member to read it carefully. What appears in some of our media and what the actual facts are constitute a discrepancy that is almost unimaginable. This account shows up the discrepancy concerning Khrushchev:

KHRUSHCHEV REMEMBERED—AND FORGOT

(By Lev E. Dobriansky)

Nikita Sergeivich Khrushchev passed away, but what he was to have alleged to have said while a "state pensioner," what he purportedly offered as "memoirs," will be discussed and even controverted for many years to come. The basic source of contention among historians, Kremlinologists, scholars and analysts of the Soviet Union will undoubtedly continue to be the book *Khrushchev Remembers*. It aroused much interest and controversy while the former Russian leader was alive, and as events and developments unfold it will certainly be referred to in the years after his death. Given certain circumstances threatening the very existence of the Soviet Union as such, it is even possible for Khrushchev in his permanent stillness to be endowed with posthumous rehabilitation and the work to resurge into analyzed prominence again. Life is pregnant with the unexpected.

It is somewhat against the background of Khrushchev's death that an analysis is made here of the book along lines and perspectives which scarcely appeared in the many reviews during the remaining months of his life. The curious and naive reactions in the West to his death are worthy of an analysis in themselves. In the main, they furnish adequate clues as to how well our opinion-makers and others understood the men, his theatrics and, above all, his devious background. It is small wonder, as one views it now, that *Khrushchev Remembers*, despite all the superficial spectaculars of publicity and the like which surrounded its issue, was hardly examined critically in the light of the most fundamental issues and differences between the U.S.A. and the U.S.S.R. in particular.

A few observations concerning his death, as well as the authenticity of the work and the editorial comments, will enable us to gain a deeper perception of K's philosophical and political notions and, most of all, his disclosures about pervasive Ukrainian and non-Russian nationalism within the Soviet Union, a fundamental subject that was almost completely lost in most reviews of the book. Some other revealing aspects deserve consideration, and emphasis has to be placed on what K conveniently forgot as bits of his so-called memoirs and self-legitimating notes were assembled into book form. A careful reading of the book can incite almost endless commentary and criticism because of the variety of experiences and subject matter. The important consideration, however, is to distinguish the essential from the unessential in terms of current developments and tendencies in the USSR and beyond. In short, the pertinence and relevance of K's disclosures and experiences for the impending future. This is the orientation assumed here.

WESTERN EULOGIES TO A TYRANT

On September 11, 1971 Khrushchev died at the age of 77. For reasons of their own Moscow and its puppets virtually ignored the event. The former leader of the Soviet Russian Empire was simply buried in an obscure corner of Novodevichy convent cemetery by the Moscow River. Even the photograph on his grave, showing him originally as a leader, had to be changed a month later, now portraying the "unperson" that he was since his ouster in October 1964.[1] The news of his death was generally known in the Free World long before the populaces in the USSR were informed of it. It is likely that many in the Soviet Union are still unaware of it, so brief and skimpy was the official report.

In sharp contrast, and for reasons of short knowledge and naivete, the reports and comments on the event amounted to virtual eulogies to a man stained with the blood of millions of victims. A few examples will suffice. As one would expect, an editorial in a so-called liberal Washington organ characterized K as having been "in a peculiar sense a great man." With typical erraticism and mental confusion, it depicted him as "an authentic person, not a tyrant, not a zealot, not an automation, not a clerk."[2] In his climb to the top the wiley peasant trampled on the perished bodies of millions and while at the top sanctioned political murders and subtle arrests of countless dissidents and non-Russian nationalists, including Jews, but these evidently aren't the marks of a tyrant for some in our society who are long on high-sounding words and pitifully short in heart and vision.

To extend the comedy, in the same organ the former Russian tyrant is depicted as an impressive teacher. As the article puts it, he "had to 'teach' Americans the hardest of lessons to learn; that we were not No. 1, not invulnerable, not immune to the consequences of our acts in the way to which we had become accustomed since World War II . . ."[3] The speciousness of this observation should be self-evident if one possesses any sense of Russian propaganda and political power realities in the world, but it is noteworthy that in this and another article by the same author no single mention is made of the prime lesson taught the Russian politico by the U.S. Congress and its Captive Nations Week Resolution.[4] As the documented facts well show, the supposedly combative Russian leader suffered not only apoplexy but political diarrhea over this soundly calculated challenge. Significantly, as will be seen later, K conveniently forgot this horrifying experience in his so-called memoirs. However, in fairness to the paper's writer, it should be pointed out that in his other piece he at least states, "The Ukraine in that period put up tremendous resistance to Stalin's policies. Millions died. Khrushchev's hands were bloodied."[5]

A whole array of similar comments and reactions could be assembled. Unsurprisingly, both Cyprus Eaton and W. Averell Harriman sent their condolences on the passing of the deceptive Russian politician bent on world domination. How politically foolish one can be is clearly exemplified in Eaton's remarks: "He was trying for understanding with the United States and was content that we should pursue our own economical and political systems while his country followed its own ideas."[6] Hungary, Berlin, Cuba, Vietnam and other crises mean nothing to the American industrialist whose money alone justifies the published expression of his childish utterances. Despite his official record, Harriman fares no better with his comment that the former promoter of Soviet Russian imperio-colonialism was "willing to compete with the U.S. in world domination but ready to back down to avoid a nuclear war." Just pause to consider this comment on the part of our former ambassador to Moscow. The U.S. engaged in "world domination"? K backing down "to avoid a nuclear war" or fearful for the end of the USSR when his bluff in Cuba was called? Yet such individuals, and many like them, have played their role in the decline of American global power and leadership.

One more example is sufficient to indicate the drivel poured out by sources at the time of K's death. Another editorial unabashedly states, "And yet it is impossible to write him off as a tyrant . . . For the fact is that the shoe-pounding peasant had one overriding quality that appealed to men on both sides of the ideological curtain. He was honest."[7] Just to cite one among numerous cases, honest when he instructed Gromyko to lie into President Kennedy's face that no missiles were being planted in Cuba? The closing of the editorial is a gem of political immaturity in dealing with the Russians. It reads, "He left Russia better off than he found it. He left the world fractionally closer to the ideal of international peace. And for that, we must be thankful for his life." Again to contradicting cases, if by Russia is meant the USSR, no previous base is good enough to measure solid betterment where resources under both Stalin and Khruschchev were inordinately diverted to totalitarian and global military and political ends at the heavy real cost of the peoples in the USSR. The rapid naval expansion under K's regime has already displayed its threatening effects in the Mediterranean and elsewhere.

THE REMEMBERED KHRUSHCHEV

Fortunate for our society and our political sanity, quite a number of analysts and opinion-makers did not fancifully imbibe in these expressions of naive sympathy for a spokesman of Soviet Russian imperio-colonialism and the expansion of Moscow's empire. They at least remembered Khrushchev and have not been hoodwinked by the calculated gyrations and deviations of imperialist Russian diplomacy that stretches from

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bearish growls to smiles as the circumstances dictate. Anyone familiar with this brand of diplomacy, whose roots go back to Muscovy and the Mongolian legacy, cannot but absolutely discount the sympathetic expressions as untutored reactions on the part of amateurs in the field of Russian expansionist policy.

Here, too, a few examples will show how Khrushchev was realistically remembered and failed to pull the wool over many American eyes. A powerful editorial in an outstanding mid-west city put it bluntly, "The embodiment of a certain raw power of personality he certainly was. A friend of the United States, the West, or of mankind he was not." [8] It also rightly pointed out, "Khrushchev will be remembered for his renunciation of Stalin at the 20th party congress in 1956, but he neglected to emphasize that he had been Stalin's faithful henchman in all that oriental tyrant's bloody works." The editorial's incisive refutation of comments by Senators Hubert Humphrey and Edward M. Kennedy and so-called Kremlinologists like Harry Schwartz and Harrison E. Salisbury of *The New York Times* makes for choice reading.

Not only large organs but small suburban ones as well properly characterized the man for what he was and resisted the false sympathies exemplified earlier. For instance, a popular newspaper in a Washington suburb had this to say, "Would that we could say 'requiescat in pace,' but we cannot. For here was a man who presided over the physical or spiritual deaths of millions. This fact was, in most cases, totally ignored or just barely hinted at in the reams of material written about him this past weekend." [9] One might ask what has happened to the moral consciences of some of our opinion-moulders? Have they been paralyzed by neurotic fears stirred by nuclearitis? How would they have reacted in a similar environment to a Hitler who at least was more direct and less devious and serpent-like than a Stalin or a Khruschev and whose genocidal count was far less than that of the two?

Finally, as another prominent example of those who really remembered "the Hangman of Ukraine" is the remarkable, detailed address delivered by the Honorable John M. Ashbrook of Ohio on the floor of the House of Representatives. Under the apt caption "Good Ole Khrushchev" the Congressman cites and quotes the specific crimes of Khrushchev from the early 30's into the 60's. He clear-mindedly observes, "Reportedly Khrushchev died peacefully in his sleep. May his untold, forgotten victims who died painfully and awake, find the true peace of those who sought vainly for justice here; especially the millions of pampered peasants to whom promises of land, by Lenin were finally fulfilled when Khruschev's agents deposited on their weary bodies several shovelfulls of rich soil they so loved." [10]

No matter how long one's sophistry and casuistry may be, the clear fact is that those who chose to eulogize the Russian genocidist, can only be deemed sick both morally and politically or simply plain ignorant of the creature they were dealing with. If the Congress as a whole were alert as it should be, the described situation would justify more than ever a reprinting of the 1959 hearings on *The Crimes of Khrushchev*.[11] The re-publication and distribution of the series would mirror more than anything else the weaknesses of those who were taken in by this political actor possessed with peasant wisdom and cunning. Theologically and humanistically, penance for the worst of sins is noble and acceptable. But nowhere in the so-called memoirs or anywhere else is there any sign of penitent regret on the part of this deceitful actor for his heinous crimes.

Much, for example, is made of his tirade against Stalin's policies at the 20th party congress, but few seem to appreciate the fact that if Anastas Mikoyan in his address hadn't precipitated the alleged de-Stalinization, this shifting "pragmatist" would undoubtedly had not pursued this course. Not that it made any substantial difference with regard to the fixed objectives of Russian political ambitions and the technologic-economic requisites for enhanced social efficiency to realize the ends of imperial Russian supremacy in the world. Khrushchev was totally dedicated to these ends, and at whatever proportionate cost, as every Russian or Russianized leader in the Kremlin must necessarily be. In short, to eulogize him is tantamount to eulogizing Lenin, Stalin and those who have succeeded him within the imperial context of the Soviet Union. This is the type of reckless nonsense that many of our supposedly more enlightened opinion-makers and others were engaged in.

THE AUTHENTICITY OF K'S REMEMBRANCES

As is well known, the publication of *Khrushchev Remembers* stimulated a wide assortment of theories regarding the authenticity of the "memoirs." One theory is that the material originated with the K.G.B., filtered through the Russian agent Victor Louis who met with *Time-Life* editors in a Copenhagen hotel three months before publication date.[12] Another theory places the source of origin with the Khrushchev family, primarily Adzhubei, his son-in-law. Still another claims that neo-Stalinist groups were responsible for the publication, seeking to discredit K's followers in the CP apparatus. A final one injects the C.I.A. as the ultimate source, having infiltrated the K.G.B. and thus working with elements in it to emphasize the anti-Stalinist tones of K's material for mutual advantage. The British defector and Russian spy, H. A. R. Philby, told the Moscow correspondent of the Czech Communist Party paper *Rude Pravo* that the so-called memoirs were concocted by the C.I.A.[13]

For our purposes, to dwell on these theories and speculations would be a waste of time. The source of origin, the motives behind the publication and the intended effects would be interesting to know, but they're really not relevant here. Khrushchev himself disowned any responsibility for the publication of the work, but this did not mean denying the greater part of the material and contents that were obtained from recordings and notes and clearly bear the Khrushchevian qualitative stamps of pungency, earthiness and factual relevancy of expression. Whether some regard the memoirs as being of historical importance or not, the criteria of evidential authenticity are the high probability of the points remembered in approximate conformity with known related facts and the marked reflections of K's character and personality in the assembled material. On these two grounds the greater and substantial part of the contents in the book is unmistakably Khrushchevian.

Edward Crankshaw, the British Kremlinologist, and numerous other analysts are on safe ground in upholding the essential authenticity of the work. In his introduction of the book Crankshaw plainly states, "I did not have to read very far, however, to feel pretty well sure that these were the real thing; and by the time I had finished I was convinced." [14] Indeed, a careful reading of the book will convince anyone of its authentic qualities, given an adequate background of USSR history and familiarity with K's experiences, style and behavior. The introducer explains his position adequately and satisfactorily, and on the whole performs a real service with his commentary and notes.

However, a few criticisms can be lodged. For one, as shown in the hearings on the *Crimes of Khrushchev*, the record of K's crimes doesn't begin in 1936–37 with the treason trials but rather in 1931–32 when he made several trips from Moscow to Kiev to participate in the horrible man-made famine in Ukraine. Also, the commentator's repeated use of "the Ukraine," a provincial and demeaning term, is a bit surprising for one otherwise given to significant nuances and delicate peculiarities pertaining to the USSR and its various nations. When, with reference to 45 million Ukrainians, he writes of them as "Little Russians, dourer, more practical, harder-working than the dominant Great Russians of Muscovy," it becomes readily evident that he lacks a keen, perceptive grasp of the brittle relationships between Ukrainians and Russians as the two largest but different Slavic nations in the USSR.[15] Archaic, tsarist usages, such as "Little Russians" and "Great Russians," are scarcely adaptable for current analysis of the USSR.

Moreover, unless one is unsure of himself and his knowledge of the case, why the doubt inputed into this raised question: "How much did Khrushchev realize what he was doing when he presided over the arrest, imprisonment, or deportation to Siberia of practically the whole of the middle- and lower-middle classes of what is now called the Western Ukraine?" [16] This is like asking whether Stalin realized the same in the 30's. As the ruthless boss over the area, K knew very well what he ordered and was doing. Overlooked by the commentator and most reviewers alike, K's constant references in the book to pernicious Ukrainian nationalism supply the obvious answer to the neutralistically posed question. In addition, Crankshaw's opinion that K's greatest achievement was to break out of the Stalinist mold and make it possible "for the Western world to hope that a measure of coexistence more complete than he himself was yet ready to conceive might one day be realized" is subject to serious analytic question. The Stalinist mold was not simply indiscriminate killing, arrests and deportations. As a totalitarian, imperialist framework, it continues to this day, even after Khrushchev.

K'S THOUGHTS

If in the vein of Mao's thoughts, many of which are comical in themselves, one is seeking in this work or any other compiling the addresses of the former Russian leader for what may be called "K's Thoughts," he cannot but arrive at the conclusion that his so-called philosophical and political views are more a product of indoctrinational babbitry than of logical, thought-out processes or ideological acumen. Regarded by some as "a pragmatist," Khrushchev was clearly not a polished, educated man and far from being a thinker or statesman of any depth or profundity. The lucky peasant perforce had to rely on sheer cunning, deception, showmanship, political wiles, and an endless recitation of memorized proverbs to make his way to the top and remain there as long as he could. The crudity of his antics at the U.N., his drunken behavior on a state visit in Belgrade, his showmanship with Castro, Nasser and others, and his penchant for "administrative economics" to solve totalitarian-created problems in the USSR, not to mention numerous other compensating spates of unorthodox behavior, are enough to indicate the type of personality Khrushchev was. His peasant craftiness even allowed for extreme obeisance in dancing the Hopak at Stalin's bidding in the drunken early hour parties at the Kremlin. Briefly, a crude personality he was; a thinker or statesman he definitely was not, and many an educated Russian must have suffered psychologically to view this political bumpkin as head of the present Soviet Russian empire. His brazen craftiness is also well reflected in his obvious attempt in these so-called memoirs to moralistically remake his image from that what close stu-

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dents have known him to have on the basis of his ruthless deeds.

To eke out any rounded philosophical outlook on the part of K in this work or any other is an impossibility. To be sure, the clichés, slogans and stereotyped utterances are there, but any depth of thought is entirely lacking. If anything, he was a romantic from any charitable intellectual viewpoint. Among many examples, K relates how he listened to lectures on political economy and, as he puts it, "it seemed to me as though Karl Marx had been at the mine where my father and I had worked.

It seemed as if it were from observing our life as workers that he had deduced his laws and scientifically proved why and how the workers must liberate themselves from capitalist slavery and build a Socialist society." [17] This is indicative of K's conception of Marxism, devoid of any understanding that Marx's spurious scientific socialism the mechanical liberating force is supposedly the internal breakdown of capitalism itself and not any self-liberating workers' movement. His romanticism is exemplified further by these words: "If I may use the language of religious believers, I'd say that every participant in the Communist movement was to me an apostle, ready to sacrifice himself in the name of our common cause:" [18] K places heavy stress on truthfulness—"Only through truthfulness can we win the confidence of the people"—but nowhere can any definition or elucidation of truth be found in the work, the true presumption being that what is "truth" for the Party is truth for the people.[19]

However, as for expression of views, whether justified or not, Khrushchev is not to be found wanting. The book is studded with them, and a critical reader would not find it difficult to take issue with them. Here, too, a few examples, will suffice. In recounting his earlier years, K mentions returning from the Front to the Donbass at the beginning of 1922 and observes that "Lenin was striving to use the respite at the end of the Civil War to build up our industry, our economy, and the living standard of our people." [20] Now, here and elsewhere, K is of the conception that only a civil war was waged between the Russian whites and reds, and ignores completely, if he really understood it, the first international wars between the newly independent states of Ukraine, Byelorussia, Georgia, Armenia and others and Russian Communist imperialism. In another place, he relates his arbitration in Kiev between Vertinsky, "a Muscovite," and Dobrotko, "a Ukrainian," and goes on to state, "At that time the difference was still very significant." [21] Isn't there still the same marked difference forty years hence, as many a tourist in the USSR has acutely observed? At least it can be said that K is on solid ground when he unequivocally declares himself as being a Russian. As he puts it to to Stalin, "It hardly makes sense to send me a Russian, to the Ukraine." [22] Western analysts and writers have been notorious in misidentifying him as a Ukrainian.

It is this type of superficial comment that runs throughout the work. The writer could cover page by page and show the gross superficiality of the man himself, who had to rely on buoyant threatrical means and brute extroversion to compensate for his uneducated bearings. To cite a few more examples, the shooting of our U–2 spy plane over Central Asia the Russian bumpkin depicts as "a landmark event in the history of our struggle against the American imperialists who were waging the Cold War." [23] This propaganda drivel may impress some, even our so-called revisionist historians of the Cold War, but anyone familiar with the political warfare heritage of Russian imperio-colonialism immediately senses the established technique of accusing the victim to conceal the accused. K praises the collectives in Ukraine for contributing to victory over the Germans, but fails to mention the mass demand for decollectivization under the Germans early in the war, both in Russia and Ukraine. On the other hand, astonishingly enough for any Russian leader, for the first time he equates the crimes of Stalin with Hitler's, but fails to mention that at Nuremburg, Hitler's henchmen, in effect his counterparts, were executed for direct participation in the crimes.[24]

UKRAINE AND NON-RUSSIAN NATIONALISM

Both historically and for the future, perhaps the one single factor that is most significant in the book is Khrushchev's more than abundant disclosures regarding Ukrainian and forms of non-Russian nationalism in the USSR. The book is replete with them, and aside from complete factual accuracy, anyone carefully analyzing the work page-by-page cannot possibly leave it without a deep impression of this living and indomitable force within the USSR. Here, too, space forbids considering each example, but the several given are adequate to show K's nervous awareness of this indestructible force. Indeed, as we shall finally see, it goes a long way to explain his frenzied behavior toward the Captive Nations Week resolution. Early in the work he points out that Kiev "was notorious as a stronghold of Ukrainian nationalist elements" and he knew "that the Ukrainian nationalists in Kiev were sure to regard me as a hopeless 'Rusak.'" [25]

Though many in the West scarcely recognize them, K doesn't hesitate to mention the Kuban Cossacks' "sabotage" of the collectivization drive early in the 30's. As he describes it, "whole Cossack settlements were picked up and moved forcibly to Siberia. The same occurred in Ukraine, and with nationalist reactions. As first secretary of the party in Ukraine, in May 1938, K declared, "I pledge myself to spare no effort in seizing and annihilating all agents of fascism, Trotskyites, Bukharinites, and all those despicable bourgeois nationalists on Ukrainian soil." [26] Stalin's henchman conveniently forgets to relate the Russification program he conducted in Ukraine and the Vinnitsa genocide during his reign. But he readily admits, "Ukrainian nationalists gave us more trouble than anyone else between the signing of the treaty in 1939 and the outbreak of war in 1941." K devotes indicative space to Stepan Bandera and Ukrainian nationalists with "a pathological hatred of the Soviet regime."

In several sections of the work Khrushchev attempts to appear as an opponent of anti-Semitism, although his inclinations to the disease are well-known. In one place he quotes himself as having said, "How dare you say the word 'yid'? Don't you know it's a very offensive term, an insult to the Jewish nation?" [27] As the editor rightly points out in a footnote, the close approximation to the term in both Russian and Ukrainian is properly used by the Jews themselves, so "this seems to be yet another case of Khrushchev getting in a dig at the Jews while professing his total freedom from anti-Semitism." In this connection, too, K forgets to mention that when he resumed his role as guleiter over Ukraine following the war, a wholesale deportation of Jews was undertaken. His discussion of the proposal at that time to establish a Jewish Soviet Republic in Crimea is interesting in itself, but his view that it was unnecessary because of the existence of Birobidzhan in Siberia, an autonomous republic set up by Stalin to get rid of the Jews in the European sector of the USSR, is a further indication of K's feelings in the matter.

Actually, Khrushchev employs concepts with reckless abandon. In his secret speech as elsewhere, he talks about some mythical "Soviet nation." He evidently hopes for one in Russian substance and spirit, but the multi-national realities in the Soviet Union render it impossible. To take another example, K is well aware of Georgian nationalism when he declares "We know that there have been at times manifestations of local bourgeois nationalism in Georgia as in several other republics." His accounts on Beria, Georgian profiteering and the like appear to indicate a distaste for things Georgian. Recognizing the non-Slavic national stocks of the Baltic nations, K again shows no regard for national self-determination when he presents the forcible incorporation of the Baltic states into the USSR as simply a matter of "negotiation" and the expulsion of its bourgeois leaders.

WHAT K PRIMARILY FORGOT

This concise analysis has indicated numerous incriminating events that Khrushchev conveniently forgot. As one writer shows, he also forgot America's economic aid at the beginning of the 20's, which according to him "saved the Soviet Union." [28] In 1921 there was no Soviet Union; more accurately, then, the imperialist R.S.F.S.R. was saved. However, the one historical episode over several years and in which he was steeped is significantly omitted in his memoirs. And that is K's set-back by the Captive Nations Week resolution, passed by Congress in 1959. Private citizen Richard M. Nixon in his book *Six Crises* clearly states "The Captive Nations Resolution was the major Soviet irritant throughout my tour" and shows in detail that this troubled Khrushchev more than anything else.

It is unnecessary to dwell on the details of this episode extending down to the moment of K's ouster in 1964. All of this has been essentially documented in the writer's own work on *The Vulnerable Russians* (New York, 1967). In part relying on Nixon's testimony, it points out that "Nixon tells us that the Russian jailer developed 'a long harangue' and spoke in 'a high-pitched voice,' and frequently pounded the table." [29] Signs of an untroubled political soul? The documentation covers K's subsequent article in *Foreign Affairs*, his vehement denunciation of the resolution at Camp David, before the Supreme Soviet and in addresses to the end of his rule, and in Moscow and puppet publications during his regime. On the very eve of his ouster, K had this to say in an address in Czecho-Slovakia: "In the United States a farce entitled 'captive nations week' is held every year. The people's democratic system has been in existence for twenty years but the imperialists still ramble on with nonsensical ideas of 'liberating' the nations of Eastern Europe." [30]

To have been so deeply concerned with the substance and aim of the resolution from its very inception in 1959 to his ouster in 1964, Khrushchev surely must have suffered no lapse of memory on this score. This is another and major example of his "honesty," as some of our misguided eulogists believe. The obvious explanation for this chasmic omission is the fact that no Russian imperialist leader, former or present, would want to demonstrate in compact form his profound fear of both the essence and possible implementation of this resolution. The editors of the book note an ambivalence in K toward the force of non-Russian nationalism in the USSR, but had they criticized him for this marked omission, there would be no question of K's fearful stand on it. One need only peruse the literature on the bolt that struck him between the eyes at the time of Vice President Nixon's visit to Moscow, and irritated him down to a month before his ouster.

In this passing phase of the so-called era of negotiations Khrushchev leaves us with a perception well worth pondering. After all, being largely of the same ilk, he must have recognized his contender well. Concerning the prime totalitarian in Peking, K has this to say: "Politics is a game, and Mao Tse-Tung has played politics with Asiatic cunning, following his own rules of cajolery, treachery, savage vengeance, and deceit." [31]

Each of these rules applies to K's Moscow as well. They will be encountered when President Nixon visits both Peking and Moscow. In a world where one-third of humanity still is very much captive and the resolution remains, as K puts it, like "a black cat" across communist paths of aggression, the fundamental question is at what cost will these encounters be sustained, at what price to freedom?

FOOTNOTES

[1] UPI, Moscow, USSR, October 7, 1971.
[2] "Nikita Khrushchev," *The Washington Post*, September 12, 1971.
[3] Stephen S. Rosenfeld. "Khrushchev's Mark on the U.S.," *The Washington Post*, September 17, 1971.
[4] For this history see the writer's book *The Vulnerable Russians*, New York, 1967.
[5] Stephen S. Rosenfeld. "Khrushchev's Life: Peasant, Hero, Dishonor," *The Washington Post*, September 12, 1971.
[6] "Pragmatic, Say Eaton, Harriman." *The Washington Post*, September 12, 1971.
[7] "Nikita Khrushchev," *The Sunday Star*, Washington, D.C., September 12, 1971.
[8] "Hardly A Friend," *The Chicago Tribune*, September 14, 1971.
[9] Fred Dell, "Comment," *The Arlington News*, Arlington, Virginia, September 15, 1971.
[10] "Good Ole Khrushchev," *Congressional Record*, October 6, 1971, p. H9304.
[11] *The Crimes of Khrushchev*, Hearings. Committee on Un-American Activities, U.S. Congress, 1959.
[12] Roger Jellinek, "The Last Word: That Khrushchev Book," *The New York Times Book Review*, May 16, 1971.
[13] "Philby Surfaces," *The Washington Post*, August 21, 1971.
[14] *Khrushchev Remembers*, Boston, 1970, p. vii.
[15] *Ibid.*, p. xvi.
[16] *Ibid.*, p. xvii.
[17] *Ibid.*, p. 23.
[18] *Ibid.*, p. 62.
[19] *Ibid.*, p. 9.
[20] *Ibid.*, p. 15.
[21] *Ibid.*, p. 113.
[22] *Ibid.*, p. 106.
[23] *Ibid.*, pp. 200–202.
[24] *Ibid.*, p. 343.
[25] *Ibid.*, p. 33.
[26] *Ibid.*, p. 90.
[27] *Ibid.*, p. 145.
[28] Henry C. Wolfe. "Khrushchev Didn't Remember," *The Wall Street Journal*, May 11, 1971.
[29] "Nixon's Testimony of American Bewilderment," Chapter II, *The Vulnerable Russians*, p. 28.
[30] *Ibid.* p. 77.
[31] *Khrushchev Remembers*, p. 461.

CAMPAIGNS TOO LONG? YES!

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

Mr. MONAGAN. Mr. Speaker, for a long time I have been advocating legislation to limit the length of our presidential campaigns to 60 days. During those years, I have presented numerous reasons why Congress should act on this: To avoid the marathon that produces higher expenses, physically exhausts the candidates, and simply bores the electorate.

On November 30, I was prepared to offer an amendment for this purpose to the election reform bill but because of a point of parliamentary procedure. I found myself prevented from doing so.

I am pleased to note that the syndicated columnist William F. Buckley, Jr., also favor short campaigns. In addition, he has humorously demonstrated my point that mass communications today "can make anybody a household word in a matter of days." He points out that this was accomplished 2 years ago by a girl running for the class presidency of Stanford University, "springing from obscurity to notoriety by the simple expedient of distributing campaign posters of herself nude, or rather seminude—at Stanford they exercise a dignified moderation."

I would not suggest that candidates for the Presidency of the United States adopt a similar strategy to insure public visibility, but, nevertheless, I am certain that a candidate for the Presidency of the United States can establish public awareness by a more conventional approach—and do so within 60 days of election day.

I commend Mr. Buckley for his support of this principle and urge my colleagues read his column. I also include an editorial "Campaign Time Limit Still Good Idea," from the Danbury, Conn., News-Times of December 6, 1971.

The article and editorial follow:

TOO LONG CAMPAIGNS
(By William F. Buckley, Jr.)

The most offensive features of political campaigning via the broadcasting media are the most difficult to crack. There is the length of the campaign. I happen to like George McGovern. He is a very nice man. (Never mind that I would depart for Australia if he were elected President.) But the prospect of George McGovern (or for that matter Abraham Lincoln) night and day for maybe 24 months (yes, he launched his campaign approximately two years before the election) is more than body and soul can bear.

I had a letter the other day from a 16-year-old second cousin, advising me solemnly that he intended to become President of the United States. I wrote back wishing him all the luck in the world, pledging my support, but begging him not to announce his candidacy immediately.

But what does he do about it? Everybody agrees that the strain on the candidates themselves is inordinate, and that although it made sense in the earlier days of our republic to campaign for six months before the election, since it took that much time to familiarize themselves with voters strewn about the country in their log cabins, it is no longer the case.

HOUSEHOLD WORD

Television and radio and the national press can make anybody a household word in a matter of days, and there are all sorts of tricks available to the resourceful campaigner that are useful for getting a lot of attention. Two years ago a girl won election as class president at Stanford University, springing from obscurity to notoriety by the simple expedient of distributing campaign posters of herself nude, or rather semi-nude (at Stanford they exercise a dignified moderation).

A politician struggling for higher office can gain a great deal of attention by, say, advertising himself as having discovered a formula for world peace without any need for an army, navy, air force, or poison ivy. There are as many gullible people as there are prurient people, and it doesn't take long, in the age of instant communication, to engage their attention; and, every now and then, George McGoverns are elected presidents of their class.

The question is: how long before it cloys? It won't be too long before there won't be anyone left who will bother to ask Jane Fonda to disrobe. But when will the public tune out the politician who keeps telling us that we can have peace for nothing?

SHORTER CAMPAIGNS

On the other hand, there isn't very much that can be done about it. Something, yes. For instance, the two major parties could agree to schedule their conventions on the first and second weekends in September, and that would shorten the campaign itself. And the states might agree to hold their primaries on the same day, let us say three weeks before the conventions.

If the candidates wanted to campaign a whole year ahead of time, well: perhaps the broadcasters and the newspapers would find them less than exciting, so far away from the critical days, and treat them accordingly, or else leave them mostly to the mercies of Johnny Carson.

As regards quality, and honesty, that is a real problem, and I doubt that in our time we are going to lick it. It was only seven years ago that Lyndon Johnson authorized a television commercial that showed a little girl, while engaged in picking daisies, interrupted by an atomic bomb, which the viewer was all but shown candidate Goldwater personally detonating. Pat Brown, running against Ronald Reagan, had one television spot featuring a little Negro shoeshine boy professing his gratitude at the emancipation of his forefathers by Abraham Lincoln, at which point Governor Brown said, "You remember who killed Abraham Lincoln, don't you son? It was an actor."

HIGH RATING

That kind of thing can't be curbed by public or private regulation. Certainly Congress is not going to come up with a Pure Campaign Commission, which will pass on politicians' television commercials. That is up to the public: to assert itself in resentment against those politicians who have hitched their wagon to the voters' ignorance or gullibility. At this moment, that ignorance and gullibility are being given a very high rating, and the politicians often give the impression that they are returning the favors of the Beverly Hillbillies: but any attempt to work it up into an enforceable code is doomed to failure, and probably should be.

So that Congress will have to abide by the fact that they seek to control through inexact mechanisms that which goes into the making or unmaking of decisive results. So don't look for major improvements.

CAMPAIGN TIME LIMIT STILL GOOD IDEA

The House and Senate have adopted bills which limit the amount of money which can be spent in campaigns for president, vice president, senator and congressman.

A conference committee will seek to resolve the minor differences in the two bills.

The legislation, besides imposing limits on the amount any candidate or his party could spend in a campaign, also establishes for the first time a mandatory national requirement for reporting of campaign contributions and spending.

Candidates now file a variety of state reports, in addition to reports filed with the clerks of the House and Senate.

Because committees operate in different states and state rules vary so widely, it is often impossible to determine just what total contributions and expenditures amounted to.

One amendment which would have made the bill much better got left out of the House version through a parliamentary maneuver which limited debate.

Congressman John S. Monagan of the Connecticut Fifth District was trying to offer his amendment to limit presidential campaigning to 60 days. However, he was blocked from doing so.

It's still a good idea. We hope the time comes when Congress recognize it as such and incorporates it into the laws governing political campaigning.

TRIAL OF DEFECTING RUSSIAN SEAMAN

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

Mr. MONAGAN. Mr. Speaker, in view of the current interest in the plight of minorities within the Soviet Union and the opportunities which members of such groups have to leave that country, I wish to insert in the CONGRESSIONAL RECORD an article from the International Herald Tribune of August 7–8, 1971, by Anatole Shub. This article describes the trial of Simas Kudirka, the Lithuanian sailor who attempted to obtain political asylum last year by boarding a U.S. Coast Guard vessel off Martha's Vineyard.

This transcript of the trial includes a moving plea on the part of the accused and also provides a revealing insight into the restrictions upon the movement of Soviet citizens:

KUDIRKA AT TRIAL

(By Anatole Shub

PARIS, August 6.—Simas Kudirka, the Lithuanian sailor who attempted unsuccessfully to obtain political asylum by jumping ship and boarding a U.S. Coast Guard vessel last fall, defied a Soviet court and made powerful appeals for Lithuanian independence before he was sentenced to ten years at forced labor last May.

A summary of Mr. Kudirka's trial, prepared by friends in the Soviet Union, reached the West this week. The document provides striking details on the Soviet aftermath of an incident which President Nixon branded "outrageous."

Last Nov. 23, the 32-year-old Lithuanian jumped from the vessel Sovietskaya Litva, which was moored beside the U.S. Coast Guard cutter Vigilant off Martha's Vineyard, Mass.

After eight hours on the Vigilant pleading for freedom, Mr. Kudirka was forcibly returned, struggling, to the Soviet authorities. As a result, two high Coast Guard officers were retired and another reprimanded.

Mr. Kudirka's trial took place last May 17–20 before the Supreme Court of the Lithuanian Republic—one of 16 nominally autonomous republics comprising the Soviet Union—in the city of Vilnius.

According to the document, the chairman of the court was named Nisiunas and the prosecutor was Petrauskas. The lawyer assigned for the defense was named Gavronskis, but Mr. Kudirka declined counsel. Asked why, he said:

"If Gayronskis is an honest man and defends me according to his conscience, then it can only do him harm. But if he is dishonest and plays the role of a second prosecutor, as often happens in political trials in Lithuania, then I think that my case is already complex enough and one prosecutor is enough."

Asked whether he considered himself guilty, Mr. Kudirka answered: "I do not consider myself guilty since I did not betray my homeland, Lithuania. I do not consider Russia, called the Soviet Union today, as my homeland."

In explaining the reasons which motivated his attempt to flee to the West Mr. Kudirka spoke for more than four hours. He said he had grown up in a very poor family and was familiar with social injustice. In 1940, when the Red Army occupied Lithuania, Mr. Kudirka said, social injustice increased because national injustice was added to it. He recalled that in June, 1941, people were sent to Siberia whom he considered the most patriotic of Lithuanians, including the majority of the nationalist teachers whom Soviet propaganda branded as "bourgeois". In 1941, German occupation replaced Soviet rule. In 1944, before the return of the Red Army, Mr. Kudirka said, rumors began that the Soviet system had changed. However, in the summer of that same year, he realized that if it had changed it was for the worse. He again saw how innocent people were sent to Siberia. Mass killings also were common.

Many of his comrades joined the anti-Communist partisans; almost all of them died. He didn't have the courage to follow their example, Mr. Kudirka told the court. He tried to continue his studies in Vilnius, finishing the eighth grade, and then decided to become a sailor.

"My grandfather was a sailor", Mr. Kudirka told the court, "and I've been drawn to faraway countries. There was the wish to see the world. Besides, I thought that at sea I would forget the tragedy of my people. I wanted to flee from the strange scene; not a week went by that in various Lithuanian towns the disfigured bodies of Lithuanian partisans weren't stacked up in the marketplace. I wanted to flee the hunger which reigned in the kolkhozes (collective farms) at that time, the total lack of rights . . . reminiscent of the serfdom in Lithuania 100 years ago.

"It's a shame, but even in the fleet I found this kind of injustice and national discrimination. In the [Soviet] press, I read about the great Lithuanian fleet, but in reality there is no Lithuanian fleet. It's Lithuanian only insofar as the ordinary sailors are Lithuanian.

"Lithuanians command this fleet only in exceptional cases; the majority don't even know the Lithuanian language. The top leadership of the so-called Lithuanian fleet lives in Moscow and doesn't trust us Lithuanians. Permission to sail abroad and go ashore is, in *general,* not granted to Lithuanians . . ."

The chief judge then asked Mr. Kudirka the following question: "You maintain that you wanted to find freedom in the U.S.A. which, in your view, doesn't exist in the Soviet Union. How do you explain that they turned you back?"

Mr. Kudirka replied that "the ordinary Americans received me very well. Seeing that I was cold, they gave me warm clothing, while the Russian sailors afterward beat me until I was unconscious, and they crippled my knee when I lay in prison for several months. I don't consider [the Americans'] turning me back as a great tragedy. By the decisions of the Teheran, Yalta and Potsdam conferences, whole nations found themselves in slavery. In the eyes of the American military administraiton, I, as a Lithuanian, was the legal property of [Soviet Communist Party Secretary Leonid I.] Brezhnev, the heir to Stalin, and should be returned to him."

On May 18, during the cross-examination of witnesses, sailors acknowledged that they had beaten Mr. Kudirka.

The chairman asked the second witness, who knew Mr. Kudirka well, why he had sought to flee the Soviet Union. When the witness answered that Mr. Kudirka was driven to it, the chairman immediately prevented him from continuing.

A political commissar of the Sovietskaya Litva asked Mr. Kudirka whether he would have sought asylum in the United States if he had known that "you wouldn't find work there, and if you did, it would have been cleaning toilets?" Mr. Kudirka replied: "The job isn't important. There is no dishonorable work, and if I had cleaned toilets, it would have been with a clear conscience, which is not the way you carry out your work. Your party membership is only a ration card."

On May 19, the prosecutor made his final plea, expressing indignation over Mr. Kudirka's treachery. He demanded as punishment 15 years in a strict regime labor camp as well as the confiscation of all personal belongings.

Mr. Kudirka spoke in his own defense, citing Herzen, Marx and Lenin to explain the difference between Socialist theory and practice in Lithuania. In Mr. Kudirka's view, Socialism does not exist in Lithuania, but there does exist an almost inexplicable type of "parody" of Socialism.

NOT A CRIMINAL

"From the standpoint of international law", Mr. Kudirka said, "I am not a criminal. My decision to go abroad does not contradict the United Nations Declaration of Human Rights or even the Soviet Constitution. Therefore, I consider myself completely innocent. However, I know very well that my fate has already been decided by the security organs."

Mr. Kudirka described how Senior Lt. Urbonas, Director of the Investigatory Section Kismen, KGB Maj. Gen. Petkiavichius and many other secret-police officials, some of whom had come especially from Moscow, had tried to re-educate him while he was in prison.

They had suggested that he condemn "bourgeois nationalism" in Lithuania and abroad, which they said had ideologically prepared his treachery, hinting at a lighter sentence if he cooperated. But Mr. Kudirka stated that he was relinquishing his own personal freedom for the sake of his real homeland, *Lithuania.* Six months in solitary confinement had given him sufficient time for deep reflection, he said.

Mr. Kudirka continued: "I remember that when I studied in Vilnius, instead of the two prisons which were there under the Germans, there were seven under Soviet rule, and there were about 20,000 prisoners. They were overfilled until 1955. Already in 1950, waves of Lithuanians with their young went to the concentration camps. . . . The death of Stalin saved my people from physical extermination. However, the essence of the policy remained the same.

"Now", Mr. Kudirka continued "we are destined to die a much slower death—assimilation. However, we don't want to die. For ten years, our 'brothers in the woods' [the Lithuanian partisans] fought, believing that in the West our struggle was known and supported, even if only morally. Those who died in battle or in the concentration camps believed it as well. [Even the state security officials admit that 50,000 Lithuanian partisans died.]

"The Atlantic Charter, which promised the enslaved nations freedom, was an empty promise costing my people 50,000 dead and 400,000 deported, of whom 150,000 found their graves in the earth of Siberia. . . . The bravest and most resolute patriots of Lithuania were physically annihilated.

"But a new young generation has grown up which intends to go the road of their fathers. When I refused to fulfill the wishes of the state security organs, they threatened me with the death sentence. I believe that this promise will be fulfilled. I am a devout Catholic. Therefore, if the Supreme Court sentences me to death, I would request it to invite a priest to give me the last rites of the Catholic Church."

At this point the chairman interrupted Mr. Kudirka and said "I don't understand what you are talking about."

Mr. Kudirka: "I ask the Supreme Court not to persecute my mother, my wife and my children. I ask you not to harm them."

Chairman: "Your own conduct brings hardship to your family."

Mr. Kudirka: "Not me, but you. I hoped from America to help my family more than with the slave wages I receive here. Besides I hoped to bring them abroad."

The chairman read from a newspaper: "In the U.S., a committee has been created for aiding the Kudirka family." From another newspaper: "The U.S. intends to help the family of Kudirka, although many Americans families whose breadwinners died in Vietnam are left to the mercy of fate."

Mr. Kudirka: "Evidently, this committee is in the hands of those who are on the side of peace."

Before sentencing on May 20, Mr. Kudirka declared: "I have nothing to add to what I have already said, only one wish, more specifically, a request both to the Supreme Court and the government of the Soviet Union. I ask that you grant my homeland, Lithuania, independence."

Chairman: "How do you picture an independent Lithuania?"

Mr. Kudirka: "An independent Lithuania, in my opinion, has a sovereign government and is not occupied by any army. The government has a national administration, its own legal system, and a free democratic system of elections.

"The law of other countries are not binding on this government, as the laws of Russia are *here* today. An independent Lithuania wouldn't be dominated by the Russian language as it is today. I would like there to be no more trials such as mine in Lithuania."

Chairman: "Are you perhaps saying that the present court was not democratic and was illegal?"

Mr. Kudirka: "Of course, inasmuch as it takes place behind carefully screened windows and closed doors with Russian soldiers on guard. In a democratic trial, anyone who wishes would be permitted to attend. If I betrayed my homeland, then why are you afraid to show the public a traitor? Let the public itself judge me. Unfortunately, the courtroom is empty. Besides my wife and a few Checkists (security police), I see no one. There are also a few guards, but they don't know the Lithuanian language and don't know what we are arguing about."

After a short consultation, the chairman pronounced the sentence: "Ten years labor in a strict regime camp with confiscation of personal property."

When he heard the sentence, Mr. Kudirka couldn't conceal his pleasure. He had thought he would be shot.

Soon after the trial, state security employees took from his apartment a set of "Kaunas" furniture, a rug and a radio set, amounting in value to about 700 rubles ($770 at the official rate of exchange).

The compilers of the summary of Mr. Kudirka's trial concluded their report with the following postscript: "To this day, Kudirka does not know that he had been living under the menace of internment in a psychiatric hospital. However, his relatives and acquaintances refused to yield to the threats of the Checkists and sign statements that he was psychologically abnormal. Doctors of the city of Vilnius, headed by the chief psychiatrist Gutman, also resisted Chekist pressure. They pronounced Kudirka completely healthy."

Soviet dissidents with personal experience have long considered internment in a psychiatric hospital far more horrible than forced labor or prison.

JUDGE SMITH RETIRES

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

Mr. MONAGAN. Mr. Speaker, on November 6 Judge J. Joseph Smith, the senior judge of the U.S. Circuit Court for the Second Circuit, retired after 30 years on the bench.

Judge Smith is a close family friend and I have known him since my earliest years and I am, therefore, well qualified to testify to the service which he has rendered to the people of Connecticut and of the United States.

An outstanding student at Yale Law School, Judge Smith served as a graduate fellow at that institution before returning to our hometown of Waterbury to practice law. He was a candidate for Congress in 1934 and after his election in that year, served through 1941 when he was appointed to the Federal district court by President Franklin Roosevelt. Serving the district which I now represent, Judge Smith was a member of what is now known as the Armed Services Committee and did outstanding work on that committee to prepare the country for the war which came in 1941. His legislative ability is still spoken of respectfully in the House by those who served when Judge Smith was a Member. Lew Deschler, the Parliamentarian of the House, rates highly Judge Smith's contributions during his term of service.

The character of Judge Smith's service in the Federal court has been outstanding. He has been sensitive to the needs of the times and has taken a liberal point of view in questions of civil rights and criminal justice. Although conservative in desiring to maintain our national institutions, he has helped to mold them to the needs of today.

Above all he has carried on his duties with dignity and with a rare and puckish wit which has endeared him to his fellow justices and with a sympathy and understanding that have earned him the appreciation of litigants and those accused of crime. As a roundup article on Judge Smith's career I insert in the RECORD an article entitled, "Judge Smith Looks Back on Long Career," by Thomas D. Williams which appeared recently in the Hartford Courant.

JUDGE SMITH LOOKS BACK ON LONG CAREER

(By Thomas D. Williams)

Senior U.S. Circuit Court Judge J. Joseph Smith is known by his colleagues as a liberal judge, but a man who has played cards with him says that as a poker player he is a conservative.

A whimsical man with a shock of white hair and John L. Lewis eyebrows, Judge Smith, 67, of West Hartford is now officially retired from his seat at the courthouse on Folley Square, New York, N.Y. His retirement from the 2nd U.S. Circuit Court of Appeals became effective Nov. 6, and the U.S. Senate still has not confirmed his successor.

A fellow judge who has known Judge Smith throughout his entire career said, "There is a tendency to classify judges as liberal, conservative and reactionary. Without pinning any label of that sort on Judge Smith, all of those who are familiar with his work can assure you that he has always been abreast of the most recent wave of changes in the law. And that involves some tremendous changes."

In his 30 years as a U.S. District Court judge for Connecticut and a New York appellate judge, Smith has been known for his quiet, sly sense of humor and an avid interest in football—especially football played at Yale Bowl (he was graduated from Yale College in 1925 and from Yale Law School two years later).

CAREER NOT ENDED

The judge's sense of humor extends quite freely into various duties on the bench which he will continue in spite of his formal retirement as senior U.S. Circuit Court judge. He will, as always, sit on three-Judge courts to decide the constitutionality of Connecticut's laws, and when the federal courts are pressed he may even sit on civil and criminal trials.

Asked about his more amusing experiences as an appellate judge—a position which because of the lack of trial work tends to be rather dry—the judge cited the case of Carlton E. Achilles vs. The New England Tree Expert Co.

This was a Vermont suit complaining of a threat to the health of a herd of cows. Achilles, a name Vermonters pronounce 'Akills,' is the farmer who charged his freshwater spring, a watering hole for his cows, was poisoned by road men doing business defoliating brush under power lines.

"I can't remember how many cows died (he immediately looked up the case and found that two cows had passed away). But I do remember some of them lost their interest in the bulls," Judge Smith said.

One of his colleagues on the appeals court classified Judge Smith as "one of the court's strong members" and as on the "so-called liberal side of the court in matters of criminal justice and civil rights." The judge quickly added that Judge Smith was also "very well liked, even-tempered, considerate and courteous."

"He may think you're all wrong, but such disagreement never affected his relations with the other judges," said the judge.

Judge Smith's view of the court is dispassionate: "The court is to provide a civilized method of resolving disputes between persons and the state."

Asked if the courts sometimes seem forced into positions of settling petty disputes some of them almost humorous, the judge replied: "Some people have spent all their lives battling their neighbors in court."

RECURRING DISPUTES

He said it was his experience over the years in federal court that similar disputes were always arising and that only changes in some laws, an increase in the population and some improvements in the court's mechanical handling of cases had changed the temper of litigation.

The judge said new types of cases involve environmental and inner-city problems. And he added that civil rights actions had paralleled the growth in interpretations of the law.

During the 11 years Judge Smith spent on the appeals court, the caseload increased 111 per cent. In 1960, there were 135 appeals for six judges, while today there are 246 appeals for nine judges.

Judge Smith began his career as a lawyer in Waterbury in 1927, but, according to his own evaluation, he had very little experience in private practice before entering politics. At the age of 30 he was elected to Congress from the 5th District.

As a Democrat, U.S. Rep. Smith ran three other successful campaigns in 1936, 1938 and 1940. During his period in Congress, he became known for his contributions to national defense and was a member of the Armed Services Committee.

Then in 1941, a federal judgeship opened up for Connecticut, and Rep. Smith became Judge Smith. It was not quite that simple, however. The representative, was forced to wait two years for his nomination as judge to come through because then U.S. Atty. Gen. Homer Cummings blocked approval.

OPPOSED COURT-PACKING

Some said Cummings objected to Rep. Smith's earlier opposition to a bill that would have packed the U.S. Supreme Court with six new justices to sustain New Deal legislation. In looking back on the situation himself, Judge Smith told one reporter the delay resulted from Cummings' desire to put his own man into the vacancy.

It is because of this delay perhaps, that Judge Smith doesn't seem too surprised about similar delays in appointing both a new U.S. District Court Judge for Connecticut and his successor on the court of appeals.

During his tours of duty (from 1941 to 1953 as a district judge, from 1953 to 1960 as a chief district judge and from 1960 to the present as an appeals judge), Judge Smith has seen a myriad of disputes, and new ones don't seem to surprise him.

Said one of his long-time associates: "Judge Smith writes vivid opinions. He's never found it necessary to resort to flamboyant phrases in order to make decisions clearly understood. He's an outstanding example of the patient and unflappable judge."

CIVIL AVIATION RESEARCH AND DEVELOPMENT

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

Mr. MILLER of California. Mr. Speaker, as a result of congressional recommendations, a joint study by the National Aeronautics and Space Administration and the Department of Transportation has produced a report entitled, "Civil Aviation Research and Development," which focuses on specific critical areas of aeronautics.

These include noise abatement, airways and airport congestion, and the lack of adequate low and high density short-haul aircraft and systems.

That study is a very meaningful effort in the right direction—the establishment of national goals and policies for aeronautics and aviation.

In achieving these goals much work needs to be done in order to build on our past accomplishments.

As an example of noise abatement, for some 3 years NASA has been conducting an important research program at Lewis Research Laboratory in Cleveland to achieve the technology that will result in jet engines which are truly quiet.

The center is working with the General Electric Co., and I am happy to report that the technology is in sight.

It is based on two principal elements: The first is an acoustically treated nacelle that has been tested on a conventional jet engine and has achieved very significant reductions in turbine and fan noise, the source of the most annoying sounds to most people.

The other principal element is an innovatively designed fan jet engine on which considerable ground testing has been accomplished.

Testing will require about another year or two to complete.

Then the technology should be available for use in developing new classes of quiet engines for future aircraft.

What about the present fleet jet aircraft? The new DC–10's and the 747's are already substantially quieter than the 707/DC–8 transports, mainly because of the very large fans used in the 40,000-pound thrust engines.

But there still remains the noisy aircraft to be considered.

NASA has proved by using the new insulated nacelles that these can be significantly quieted.

The only question is the problem of retrofitting the aircraft. The nacelles are relatively expensive.

Who is to bear the burden of cost? The operators? The Government? The passengers? Or jointly?

It is a problem that eventually will have to be solved on a basis that takes into account private and public interests.

In short, it appears that we can confidently predict that quiet aircraft engines can be developed and produced.

The big question remaining is cost and how the Nation will pay to obtain these engines.

NASA

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

Mr. MILLER of California. Mr. Speaker, when the National Advisory Commission on Aeronautics—NACA—was transformed in 1958 to the National Aeronautics and Space Administration the outstanding scientists and engineers of the former NACA took on the enormous technological challenge of exploring space. The unique talents of many hundreds of people began to be applied to the development of the machines and tools that have culminated in Americans exploring the moon and sending spacecraft out to Venus and to Mars. The result was that aeronautical research became heavily overshadowed by the enormous tasks that are inherent in space research and technology.

However, it is a fact of life that results of aeronautical research achieved by this country both in the NACA, the Department of Defense, and in industry in the late 1920's and early 1930's made possible the dominance in aviation throughout the world the United States enjoys today. The great stimulus of war also contributed much to the extension of our aviation products to every corner of the globe.

The net result is that 74 percent of all the commercial aircraft in operation today in the non-Communist world are American made. Last year the sale of aeronautical and aerospace products returned to our country almost $3 billion in foreign currencies. All this was the benefit of research in aeronautics done over the past years, a very enviable record.

But, what about today, and tomorrow? Are we likely to maintain our commanding advantage? If the present trend in the support that is being given to aeronautical research continues, I can almost categorically say, definitely not. Our competitors across the world have not been idle despite our lead. They are producing excellent, highly efficient aircraft that are becoming more and more attractive to our present customers. Governments are supporting their aviation industries and they are investing relatively more funds in aviation research than we are. They are building many more aircraft prototypes of equal or greater sophistication than we are. In fact, we have already notified the world that we have abdicated a very promising area of aeronautical research and aviation operations by the rejection by Congress of the challenge to build the supersonic transport.

At this time, the country is significantly behind other nations, especially in Europe, in experimenting with vertical and short take-off and landing aircraft. Already, the United Kingdom is producing its operational fighter, the Harrier, which is presently being used by our Marine Corps.

The Committee on Science and Astronautics has long been accutely aware of these increasing deficiencies in our aeronautical research effort. Time after time the committee has heard witnesses from government and industry testify that the lack of research over the past 10 years has imposed significant difficulties on the development of new generations of aircraft; these difficulties are growing more serious every year.

The committee has urged additional funds for aeronautical R. & D. and found support for its position from within several agencies of the executive department and from top executives in the private sector. It finds support in the fact that aviation provides the largest major national resource in public transportation over long distances today.

I am at present cautiously optimistic that this lack of proper emphasis on aeronautical research is beginning to change. And I have confidence in saying that the Congress has had much to do with creating that change.

As a result of congressional recommendations, a joint study by the National Aeronautics and Space Administration and the Department of Transportation has produced a report, entitled "Civil Aviation Research and Development," which focuses on specific critical areas of aeronautics. These include noise abatement, airways and airport congestion, and the lack of adequate low- and high-density short-haul aircraft and systems. That study is a very meaningful effort in the right direction—the establishment of national goals and policies for aeronautics and aviation. In achieving these goals much work needs to be done, in order to build on our past accomplishments.

With regard to the development and the creation of a new generation of aircraft, NASA research has resulted in an innovative wing design for commercial transports. This is called the supercritical wing that will enable jet aircraft to cruise at significantly higher speeds without penalty of increased operating costs and reduced performance and control. NASA is currently flight testing the new design. Present 707's cruise at about Mach 0.85. With the new wing and in conjunction with the area rule or "coke bottle" shaped fuselage, new aircraft will be able to cruise at between Mach 0.95 to Mach 1.2. Thus, lower costs at higher speeds will be achieved. Performance such as that will cut an hour off the present time it takes to fly across the country. This is an arch example of the research that America must conduct on a continuing basis.

For some 3 years, NASA has been conducting an important research program at Lewis Research Laboratory in Cleveland to achieve the technology that will result in jet engines which are truly quiet. The Center is working with the General Electric Co., and I am happy to report that the technology is in sight.

It is based on two principal elements: The first is an acoustically treated nacelle that has been tested on a conventional jet engine and has achieved very significant reductions in turbine and fan noise, the source of the most annoying sounds to most people. The other principal element is an innovatively designed fan jet engine on which considerable ground testing has been accomplished.

Present jet aircraft produce a maximum level of noise at takeoff that ranges between 95 and 120 effective perceived noise in decibels—EPNdb. The objective of NASA's program is to reduce that upper level of 120 EPNdb to below the present Federal aviation regulation level of 102–108 EPNdb. Each lowering by 3 decibels reduces a noise level by one-half. NASA and its contractors confidently expect to lower the perceived noise down to as low as 95 EPNdb. Significantly lower noise levels will be necessary when the short takeoff and landing aircraft become operational in and out of city environments. A level of 88 to 90 EPNdb is representative of the noise level at a busy New York City street intersection.

These lower noise level goals will be achieved by acoustically treated engine nacelle inlets and new blade designs and configurations of the fans, compressors and turbines. Testing will require about another year or two to complete. Then the technology should be available for use in developing new classes of quiet engines for future aircraft.

What about the present fleet jet aircraft? The new DC–10's and the 747's are already substantially quieter than the 707/DC–8 transports, mainly because of the very large fans used in the 40,000-pound thrust engines. But there still remains the noisy aircraft to be considered. NASA has proved by using the new insulated nacelles that these can be significantly quieted. The only question is the problem of retrofitting the existing fleet of aircraft. The nacelles are relatively expensive. Who is to bear the burden of cost? The operators? The Government? The passengers? Or jointly? It is a problem that eventually will have to be solved on a basis that takes into account private and public interests. In short, it appears that we can confidently predict that quiet aircraft engines can be developed and produced. The big question remaining is cost and how the Nation will pay to obtain these engines.

As far as air pollution is concerned, there is presently underway a retrofitting program on the engines in the present fleet of commercial jet aircraft that is eliminating the visible black exhaust that has been a nuisance for years. The scheme is to retrofit at the time when a complete engine overhaul takes place, after about 6,000 hours of operating time.

However, eliminating the visible portion does not eliminate the other by-products: oxides of nitrogen and others. NASA is presently working very hard to produce the technology that will eliminate those pollutants. It is focusing on an approach to the problem that will, in addition, result in greater efficiencies in fuel consumption and thus lower operating costs.

Another program NASA is vigorously attacking is the determination of the proper designs for short takeoff and landing aircraft, which offer great promise to the solution of transportation in areas of high density population such as the Northeast Corridor and the west coast. Contracts have already been let to various companies to derive on a competitive basis the optimum design for efficient and economical STOL airplane.

All such research requires extremely innovative people. It is fortunate indeed that NASA has the talents to undertake such national problems. Of course, aeronautics has received great benefit from space research, benefits in avionics, materials, structures, controls, computer applications—a legion of advances. But we in the Congress must continue to insist, as we have in the Committee on Science and Astronautics, that advanced research in aeronautics must continue to receive the full support and attention that it requires if we as a Nation are to remain the leaders we believe ourselves to be. To do less would indeed place us in great peril, and would constitute a default on our future security and prosperity.

DR. RALPH J. BUNCHE

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

Mr. EVANS of Colorado. Mr. Speaker, it is with a sense of loss that I rise today. The United States has lost a valuable and dedicated citizen. The world has lost an able and concerned diplomat, and the cause of peace has lost an eloquent spokesman.

The passing of Dr. Ralph J. Bunche will leave a void for all who are concerned with making understanding and peace a part of the world scene. Dr. Bunche was concerned with the principle of peace and with the use of the United Nations to make that principle a reality. From its inception, Dr. Bunche had been trying to make the United Nations an organization that was worthwhile and effective. His efforts to that end earned him a Nobel Peace Prize, a choice well made.

Secretary-General U Thant said of Dr. Bunche:

> He was the most effective and best known of international civil servants, and his record of achievement as an individual member of the Secretariat was unsurpassed.

Well known as an international leader, Dr. Bunche was also a respected leader in his own country. He knew of the hardships of prejudice from firsthand experience, and yet he never wavered from his conviction in the brotherhood of man. His efforts on the behalf of the black man in the United States will be recorded by history as some of the noblest efforts in the 20th century.

Mr. Speaker, no tribute will be able to replace Ralph Bunche. Mrs. Evans joins me in the deep feeling of loss and in our sympathies to Dr. Bunche's family.

GIFTED AND TALENTED CHILDREN NEED HELP

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

Mr. THOMSON of Wisconsin. Mr. Speaker, the failure of our programs to help gifted and talented children suggests that we reevaluate our Federal education priorities to put greater emphasis on this group which is now almost completely ignored in Federal, State, and local educational spending decisionmaking.

The Federal Government plans to spend only $1.9 million to assist gifted children this year as opposed to $1.8 billion for all other categories of disadvantaged children in elementary and secondary schools.

I suggest that additional money from the budget of the Office of Education be earmarked for programs of education for gifted children, demonstration projects, and inservice training for teachers of gifted childen. Between 1.5 million and 2.5 million of the Nation's 51.6 million schoolchildren can be classified as "gifted and talented."

These gifted children are "underachievers." Studies show that most gifted children work far below their capacity, many more than four full grade levels below their potential. Other studies indicate that at least 15 percent of all gifted children give up on our school system entirely and become dropouts.

The record of the present school system as regards education of gifted children should be condemned for its unconcern which has unfairly handicapped the lives of millions of developing children, wasting their best intellectual resources. Schools have ignored the gifted in their efforts to achieve a uniform standard of attainment.

Diverting more educational money to gifted children would be the very best educational investment we could make. The increased productivity and the additional taxes these children would pay during their lifetimes would offset the investment in their education many times over.

I must add, Mr. Speaker, that recent reports of interest in gifted children from the Office of Education are encouraging. I certainly wish Commissioner Marland success toward the goal of increasing Federal assistance to gifted and talented children.

TAKE PRIDE IN AMERICA

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

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

The world air record for speed over a straight course is held by an American pilot. Col. R. L. Stephens, U.S. Air Force, reached a maximum speed of 2,070.101 miles per hour in a Lockheed YF–12A jet on May 1, 1965.

OUR INCREDIBLY INCOMPETENT POLICY TOWARD INDIA AND PAKISTAN

(Mr. LEGGETT asked and was given permission to extend his remarks at this

point in the RECORD and to include extraneous matter.)

Mr. LEGGETT. Mr. Speaker, by any reasonable standard the policies of Yahya Khan, the West Pakistan military dictator, have been disastrous. By any objective standard our own Government's policies in that part of the world have also been disastrous.

To understand the error of our own policy we must first understand the error of Yahya Khan's policy.

Pakistan is a divided country, in which the western section has dominated and exploited the more populous eastern section since the country was founded. As a result, most East Pakistanis, or Bengalis as they are sometimes called, have come to the conclusion that they would be better off as an independent nation. In an election held last winter, a party called the Awami League, which is Bengali-based and dedicated to Bengal independence, won an outright majority of the seats in the national assembly.

This point is critical. The Yahya Khan group is frequently referred to as the "Government of Pakistan" or as the "Pakistanis." This is completely inaccurate. The legitimate, freely elected government of all Pakistan, East as well as West, is the Awami League. The Yahya Khan group is nothing more than a bunch of thugs who occupy the seats of power, because they have the guns. The legal head of the Pakistan Government is Sheik Mujibur Rahman, who is presently on trial for treason before a secret military court appointed by Yahya Khan, who is himself guilty of treason in that he has overthrown the Government of Pakistan by force.

So let us hear no more talk of how "the Government of Pakistan has a right to protect itself," and therefore repression of the Bengali "insurgents" was necessary if regrettable. Yahya Khan's bandits are not the Government of Pakistan, and have no legitimate claim to control the West, let alone the East.

If Yahya Khan's morality has been nonexistent, his pragmatism has been even worse.

Presumably his objective has been to keep East Pakistan under his control, but he has followed a course guaranteed to produce the opposite effect.

In March, he sent thousands of troops into East Pakistan, where they committed atrocities on a scale unheard of since the days of Adolph Hitler. According to reliable news reports from literally dozens of correspondents, the viciousness of Yahya's troops has been simply unbelievable. They have looted and mass-raped. They have forced young Bengalis to act as "blood donors" by draining them until they died. They have performed public castrations. They have killed out of hand anyone even suspected of being a student, a Hindu, or a member of the Awami League. This in a country where the Awami League is the majority party, and where Hindus constitute 17 percent of the population.

When guerrilla resistance began to form, Yahya's army reacted with the same tactics which proved to be absolutely counterproductive when we used them in Vietnam. Quite openly, they went into the villages where resistance had been reported, burned the village to the ground, rounded up all the young men and shot them out of hand. As some kind of proof that stupidity seeks its own level, they even described this process as "pacification."

In this way, Yahya Khan created an implacably hostlie population in the country he was trying to occupy. Add to this the fact that the people of his larger and more powerful neighbor, India, feel a kinship with the Bengalis and a chronic hostility toward Pakistan; they are always looking for a chance to destroy Pakistan. Add the fact that Yahya's troops in the East cannot be supplied except across a thousand miles of Indian territory. Add finally that Pakistan is a desperately poor nation and cannot afford sustained military activity of any kind. Yahya Khan is going to lose.

As I said a minute ago, it is plain that Yahya has neither morality nor pragmatism. With the greatest dedication and energy, he has placed himself in a position in which he is a sure loser, and in which history will say it could not have happened to a more deserving fellow. East Pakistan is going to set itself up as an independent country, presumably called Bangla Desh, it will probably be more prosperous than West Pakistan, and it will harbor deep bitterness toward West Pakistan for a very long time.

In light of all this, our own Governments' policy is impossible to understand in either moral or pragmatic terms.

We began by saying we were "neutral." But this neutrality consisted of standing by with barely a raised eyebrow while the atrocities of last spring were being committed. Perhaps standing by while a gang of hoods beats a defenseless individual to death is Mr. Nixon's idea of neutrality; it is not mine.

I do not mean to suggest under any circumstances that we should have sent troops into South Asia. Absolutely not. We have had much more than enough of meddling in other people's affairs. But we should have denounced Yahya Khan with the same vigor with which we denounced the Russians for invading Hungary and Czechoslovakia. And of course we should have cut off all aid immediately.

Instead, we played credibility-gap games. The State Department announced that—

> No military items have been provided to the Government of Pakistan since the outbreak of fighting in East Pakistan March 25 and nothing is now scheduled for delivery.

But in fact we sent a shipload of arms to Pakistan on May 8, and another one on June 22. The explanation was that the term "provided" did not include items already in the pipeline, although, of course, this was not explained until enterprising reporters had ferreted out the story of the two shiploads.

Why did we do this? On May 6, the State Department told Senator FULBRIGHT that—

> The continuing military supply program continues to be an important part in our overall bilateral relationship with Pakistan.

Do we wish to have an overall bilateral relationship in which we supply the guns with which an illegal government kills its own people? I do not, and I do not think the American people do either.

The State Department letter to Senator FULBRIGHT continued:

> It would . . . appear desirable for the U.S. to be able to continue to supply limited quantities of military items to Pakistan to enable us both to maintain a constructive bilateral dialogue and to help insure that Pakistan is not compelled to rely increasingly on other sources of supply.

Let us take these two rationales one at a time. First, there is the matter of the "constructive bilateral dialog." Considering the fact that Sheik Mujibur remains in jail, and that the atrocities continued full blast right up to the recent outbreak of open war, it is difficult to see what this "dialog" accomplished. This is the same rationale we hear with regard to General Thieu, and with regard to the Greek dictators. I know of no case where this device has worked.

The "other sources of supply" the State Department referred to are, of course, Communist China. We wanted to minimize Chinese influence in Pakistan. We have had no success on that front either. Yahya regards us as a shaky, uncertain, and distant friend, while he regards China, which has given him the bulk of his military supplies, as his dependable and close friend.

The most amazing thing about this whole affair, even if we consider it in cold Machiavellian terms, is that in trying to keep on the good side of Yahya Khan we have alienated India. Even assuming Pakistan to continue as a single country, which it will not, and even assuming Yahya to represent the Pakistani people, which he does not, which is more important: India or Pakistan? Obviously, India is more important; it is impossible to understand why we should jeopardize our relations with India even for the sake of a good and stable Pakistani Government.

When war broke out last week, as it was bound to do considering the tremendous strain the refugees were placing on India, our United Nations Ambassador George Bush described India as the "aggressor." This makes about as much sense as calling the United States an aggressor, because we attacked Germany when they did not attack us. Fortunately, the accusation has been disowned as not representing official policy, although parenthetically it seems unlikely that Mr. Bush would make such a statement without first consulting Washington.

Anthony Lewis of the New York Times discussed this in an excellent article on December 6, which I insert in the RECORD at this point:

THE WRINGING OF HANDS

(By Anthony Lewis)

LONDON, December 5.—Suppose that Britain, in the 1930's, had responded to Hitler's savagery by the early threat or use of military force instead of appeasement. If the Nixon Administration had been in power in Washington at the time, it would presumably have sent some official out to wring his hands in public and charge Britain with "major responsibility for the broader hostilities which have ensued."

So one must think after the American statement over the weekend blaming India for the hostilities with Pakistan. Few things said in the name of the United States lately have been quite so indecent. The anonymous state department official who made the comment matched Uriah Heep in sheer oleaginous

cynicism about the facts of the situation and about our own moral position.

Consider first the immediate origins of this dispute. They are exceptionally clear as international relations go.

The military junta that rules Pakistan under President Yahya Kahn held an election. The largest number of seats was won, democratically, by a Bengali party that favored effective self-government for East Pakistan. Yahya thereupon decided to wipe out the result of the election by force.

Last March West Pakistan troops flew into the East in large numbers and began a policy of slaughter. They murdered selected politicians, intellectuals and professionals, then indiscriminate masses. They burned villages. They held public castrations.

To compare Yahya Kahn with Hitler is of course inexact. Yahya is not a man with a racist mission but a spokesman for xenophobic forces in West Pakistan. But in terms of results—in terms of human beings killed, brutalized or made refugees—Yahya's record compares quite favorably with Hitler's early years.

The West Pakistanis have killed several hundred thousand civilians in the East, and an estimated ten million have fled to India. The oppression has been specifically on lines of race or religion. The victims are Bengalis or Hindus, not Czechs or Poles or Jews, and perhaps therefore less meaningful to us in the West. But to the victims the crime is the same.

This record has been no secret to the world. First-hand accounts of the horror inside East Pakistan were published months ago. The refugees were there in India to be photographed in all their pitiful misery.

But President Nixon and his foreign policy aides seemed to close their eyes to what everyone else could see. Month after month the President said not a word about the most appalling refugee situation of modern times. Private diplomacy was doubtless going on, but there was no visible sign of American pressure of Yahya Khan for the only step that could conceivably bring the refugees back—a political accommodation with the Bengalis.

Pakistan's argument was that it was all an internal affair. Yes, like the Nazi's treatment of German Jews. But even if one accepts as one must that Pakistan was bound to defend its territorial integrity, this issue had spilled beyond its borders. The refugee impact on India very soon made it clear that the peace of the whole subcontinent was threatened.

It was as if the entire population of New York City had suddenly been dumped on New Jersey to feed and clothe—only infinitely worse in terms of resources available. Yet when Indira Gandhi went to the capitals of the West for help in arranging a political solution in East Pakistan, she got nothing.

The Indians can be sanctimonious. Mrs. Gandhi acts for political reasons, not out of purity of heart. India has helped the Bangla Desh guerrillas and, in recent weeks, put provocative pressure on East Pakistan. All true. But given the extent of her interest and the intolerable pressure upon her, India has shown great restraint.

After all, India has not intervened in a civil conflict thousands of miles from her own border. She has not destroyed one-third of a distant country's forests, or bombed that land to such a point of saturation that it is marked by ten million craters. The United States has done those things and is still doing them; it is in a poor position to read moral lectures to India.

American policy toward the Indian subcontinent is as much of a disaster by standards of hard-nosed common sense as of compassion. India may be annoying and difficult, but she does happen to be the largest nation in the world following our notions of political freedom. In position and population she is by far the most important country of Asia apart from China. To alienate India—worse yet, to act so as to undermine her political stability—is a policy that defies rational explanation.

Let us summarize what we have done. In an attempt to remain in the good graces of Yahya Khan, we have:

First. Antagonized the people of Bengla Desh, which will probably emerge as an independent country that will be more populous and wealthier than Pakistan.

Second. We have brought our relations with India, the world's largest democracy, to an all-time low.

Third. We have associated ourselves with one of the greatest atrocities is history.

I do not mean to imply that other nations are without blame.

China has disgraced itself by its heavy support of Yahya Kahn. I hope this episode has removed and delusions our young people may have about China being the center of world revolution. China has proven it can be as counter-revolutionary as anybody else when it feels it is in its interest to do so.

India can be faulted for prohibiting the presence of United Nations observers along the border, and certainly India is always eager to grab a piece of Pakistan if it can.

But our primary concern must always be for our own actions. I suggest that we take the following steps:

First. Issue an official and strongly worded condemnation of the behavior of Yahya Khan and his troops.

Second. Halt all the economic development aid we are now giving to Pakistan and rechannel the money into humanitarian aid for the refugees. Announce that this policy will continue until the refugees are returned home or resettled.

In both moral and pragmatic terms, these two steps are our only hope of compensating for the incredibly incompetent policy we have followed in the past.

ANTILITTERING BILL

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

Mr. QUIE. Mr. Speaker, I am today introducing a bill providing civil penalties for the operation within the recreational lands operated by the Federal Government of vehicles which are not equipped with litter bags.

Littering the landscape is the quickest way to spoil the beauty of an area. It is also one of the most easily remedied of our environmental problems. The cooperation of visitors to national recreational areas will correct this situation.

The vast majority of citizens voluntarily throw trash in proper receptacles, but a few litterers spoil the vistas for all. I hope this bill, by requiring vehicles entering national recreational areas to be equipped with litter bags, will solve the littering problem.

The text of the bill follows:

A bill to provide a civil penalty for persons owning any vehicles which are on Federal recreational properties without having any litter bags

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any vehicle which is within the national park system or the national forest system, or on any other Federal property administered by the Secretary of the Interior, the Secretary of Agriculture, the Secretary of the Army, acting through the Corps of Engineers, or the Tennessee Valley Authority, which is used primarily for outdoor recreational purposes, other than a vehicle used to service any such property, must have a litter bag (as defined by the head of the agency having jurisdiction over the property upon which such vehicle is situated) attached to the inside of such vehicle.

SEC. 2. Any owner or operator of any vehicle which is in violation of the first section of this Act shall be assessed a civil penalty by the head of the agency concerned of not more than $500 for each offense. Each violation is a separate offense. Any such civil penalty may be compromised by the head of the agency concerned. In determining the amount of the penalty, or the amount agreed upon in compromise, the appropriateness of such penalty to the gravity of the violation shall be considered by the head of the agency concerned.

FORCES OF CHANGE IN LATIN AMERICA—DR. ORTIZ MENA, PRESIDENT, INTER-AMERICAN DEVELOPMENT BANK

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

Mr. FASCELL. Mr. Speaker, one of the most perceptive and active proponents of hemisphere cooperation and development is the distinguished president of the Inter-American Development Bank, Dr. Ortiz Mena. Last month, Dr. Mena addressed the prestigious Council on Foreign Relations on the subject of "Forces of Change in Latin America and Their Relevance to Latin American Relations."

In his speech, Dr. Mena remarks that we are now at the crossroads where both the Americas, North, and South, must either give up the gigantic task of political, economic, and social development because it is hopeless or as Dr. Mena suggests—

Apply our energy and imagination in a common effort to find practical solutions, and if not solutions, at least mechanisms and concepts, which will help us to cross the very difficult decade that lies ahead of us.

Amidst the difficulties confronting the United States in various countries in Latin America, Dr. Mena's carefully reasoned analysis focuses not on the negative but on the positive aspects of the future of United States-Latin American relations. Indeed, he characterizes the underlying trends in Inter-American relations as "potentially quite promising, and future perspectives are not nearly so gloomy as commonly supposed." Dr. Mena describes his thesis as hopefully provocative and stimulating. It is both.

I am sure that everyone interested in our hemisphere relations will agree that Dr. Mena's speech makes a significant contribution to understanding the present state of those relations and I ask

that it be printed at this point in the RECORD.

FORCES OF CHANGE IN LATIN AMERICA AND THEIR RELEVANCE TO UNITED STATES-LATIN AMERICAN RELATIONS

(Remarks of Mr. Antonio Ortiz Mena, President of the Inter-American Development Bank, Before the Council on Foreign Relations, New York, Nov. 17, 1971)

I. INTRODUCTION

You have asked me to initiate the discussion tonight with my reflections on the forces of change in Latin America and their relevance to U.S.-Latin American relations. Rather than attempt a weighty speech loaded with statistics and scholarly quotations, I would like to put to you a simple, but I hope, provocative and stimulating thesis, which will establish a basis for the discussion that is to follow. The thesis is that those of us who are concerned with United States and Latin American relations and the prospects for economic and social development in Latin America are faced with a paradox: the surface impression is one of failure, failure in Inter-American relations, failure in economic cooperation and failure in progress in development. Yet, if I am right in my perception, the underlying trends are potentially quite promising, and future perspectives are not nearly so gloomy as commonly supposed. Because the surface impression obscures this reality we, Latin American and the United States, could well miss an opportunity which may not soon arise again. Let me be more explicit.

II. THE FORCES OF CHANGE

What do I mean when I say that the underlying trends are potentially quite promising? First, I am referring to a change in development consciousness in the Hemisphere. In the course of the past decade development as a conscious policy of government has become so common that we now take it for granted. Left and right as designations of government are virtually obsolete. The uniform standard of measurement is that of a government's commitment to economic and social development and how effective it is in carrying out this objective. No government, regardless of how it comes to power, whether it is civilian or military, democratically elected or a result of insurrection, can ignore this basic fact. No longer is it enough to vaguely characterize oneself as for or against the status quo. One must pose specific questions: who is to be in charge of the development process; how is it to be carried out; what is to be the division of burden and benefit among groups within society? In the course of the decade the language and substance of politics has undergone a fundamental transformation. This is a change of the first magnitude.

Secondly, this development consciousness is no longer an elitest concept confined to a select, highly educated segment of the population, arguing esoteric points among themselves in a closed world comfortably isolated from the masses. Modern communications—the transistor radio, the written word, satellites, television, the movies—have transformed development consciousness into a mass phenomenon. Expectations have been awakened; the genie of awareness cannot be put back in the bottle. Whether we like it or not this is today a part of the Latin American reality and it must be dealt with by political leadership. This, too, is a change in the most fundamental sense of the term.

Thirdly, there has emerged in the Hemisphere a human infrastructure of technically trained personnel which increasingly pervades public and private sector institutions. At the beginning of the decade there were few economic planning units in Latin America worthy of their name. One of the problems faced in the early years of the Alliance for Progress, for example, was the absence of well-conceived economic and social development projects, and economic development plans. Today there is hardly a country in the continent which to a greater or lesser degree does not have a competent planning unit.

This development consciousness, this human infrastructure, is reflected in dramatic and tangible results. Latin America's growth rates in the 1966–69 period, for example, were higher than those registered in industrialized countries as a whole. In this period gross domestic product showed an average annual rate of growth of 5.5 per cent. This was substantially higher than the 1961–65 period. Obviously there are important variations among individual countries, but the important fact is that the trend is clearly in a positive direction. In the 1966–69 period, moreover, domestic savings accounted for the major share of capital formation, financing more than 91 per cent of total investment; net external financing accounted for the remaining 9 per cent. The Alliance for Progress, as you know, originally contemplated 80 per cent domestic financing and 20 per cent from external sources. I should like to particularly emphasize that the results achieved are a consequence primarily of conscious policy decisions to improve the administration and structure of tax collections. In Latin America today the fiscal budget has become an instrument to achieve program objectives.

Progress is equally dramatic in another important area: the diversification of export earnings. The decade has witnessed a significant increase in non-traditional exports involving processed and manufactured goods.

Between 1960 and 1964 and 1965–68 the relative importance of manufactured and semi-manufactured products in the total rose from 9.8 to 14.3 per cent, and reached 16.7 per cent in 1968, while the relative importance of basic commodities declined proportionately. This development reflects the birth, and in some cases, the maturation of an emerging industrial plant; this industrial base constitutes an impetus for integration in the region, an impetus which I am certain will become increasingly important in the coming decade.

The Decade of the 60s also witnessed the establishment of a well conceived institutional structure through which external assistance could be channeled. The more traditional institutions, such as the International Monetary Fund, the World Bank and the Export-Import Bank, were supplemented by the formation of the institution which I head. The doubts which existed over the need for, and justification of, a regional finance institution have been laid to rest: the IDB has emerged as the primary development lender in the Hemisphere.

The Inter-American Committee on the Alliance for Progress, CIAP as it is more popularly known, provided the framework for reviewing development plans as an integrated whole and relating technical and financial assistance to such plans. Indeed, CIAP is a unique concept. Nowhere else in the developing world does one find a similar multinational forum for discussion of national development objectives. The flowering of this institutional structure is startling when compared to what existed at the beginning of the decade.

There are also significant advances in achieving the social objectives of the Alliance for Progress. Adult illiteracy has been reduced. Access to university and secondary education for lower income groups is on the increase. Land reform, perhaps the most difficult objective to achieve and a controversial subject, is an accepted part of the development scheme. Infant mortality has been reduced and the availability of potable water has been extended beyond the major urban centers into rural areas. Population issues, virtually a forbidden subject for discussion when the Decade of the 60s began, are now openly debated.

I do not mean to give the impression of progress without problems. Obviously the rate of progress in many of these areas has not been all that we would like. And the agenda for the 70s is formidable. But placed in perspective and viewed objectively I believe that the record of accomplishment of the 60s is impressive. How then does one explain the pessimism which at times seems to dominate our view of the development process in Latin America and inter-American relations?

III. THE PARADOX

I would suggest to you that the tensions which we now see in inter-American relations and within Latin American society are a direct consequence of the successes which I have outlined above. The higher level of development consciousness, for example, has brought in its wake a strong sense of national identification. This in turn has led to a determination within Latin America to control a nation's major economic decisions. Basic natural resources, for perfectly understandable historic reasons, have been in the hands of foreign companies; the determination to assert national control over such resources may result in conflict between the country and the company or companies, and in some cases with the Government of the United States. We Mexicans understand this process very well. In 1938 we ourselves went through a similar experience with the expropriation of the properties of several foreign-owned oil companies and the formation of PEMEX, our national oil company. On that occasion both governments kept in perspective the following priorities: first, their willingness to maintain their mutual friendship over and above the conflict created by the expropriation, secondly, to deal with the point of compensation from the standpoint of ex-post-facto evaluation seeking the relative satisfaction of all parties concerned. And because of the civil climate maintained during the whole period of the negotiation, after the inevitable first, bitter shock, there were no recriminations, and no lasting injuries to the respective pride and prestige of the parties; but rather a consolidation of their friendship that at a mutually convenient moment led to a reasonable conclusion of the conflict through a just and equitable arrangement for eventual payment on the part of Mexico.

We can see another aspect of this phenomenon of national identification in the very strong Latin American reaction to the 10 per cent import surcharge imposed as a part of President Nixon's New Economic Policy. Your Government has rightly pointed out that primary export commodities which still make up the largest part of Latin America's exports to the United States are exempt from the surcharge. Why then the apparently exagggerated Latin American reaction to this measure?

Aside from individual cases where the surcharge does hit very hard at particular countries the Latin American reaction must be understood in a broader context. Industrialization in Latin America is of course economically significant, and industrial exports, in percentage terms have been rising fastest. But for economies which have traditionally been primary commodity exporters, industrialization and diversification of exports have also come to symbolize a degree of independence, which in political and psychological terms is essential in Latin America today. To many Latin Americans it appears that just as its industrial plant is emerging from adolescence into maturity, the United States strikes at it through the import surcharge. We know that this is not the intention but the reaction is understandable. In a sense, then, the very success in the Decade of the 60s in accelerating the creation of new

industries and entrepreneurs is in part responsible for the aggressive Latin American response to the imposition of the surcharge.

Perhaps the most dramatic example of this central paradox of success feeding the illusion of failure is to be seen in the political ferment which pervades the Hemisphere. Within Latin America, segments of the population previously at the edge of society are now vigorous actors, organized and demanding to participate in political life and the distribution of economic benefits. Responding to new pressures, the balance of political forces in society may be completely reversed or at the very least radically changed. Traditional institutions such as the Church and the military are assuming new roles. Political coalitions which would have been unthinkabel a decade ago, emerge now as a matter of course.

Within this panorama of change, there is no unitary political model, much less one based on external experiences. What is taking place is a search for political solutions rooted in national realities and this process will take time to work itself out. One can be sure of only one thing: change, sometimes startling, often upsetting, change whose direction is frequently not discernible at this time, is likely to be the one constant we can look forward to in the coming decade. It is like the rock that appears so solid and indestructible, but subject to the relentless pounding of the onrushing stream, gradually erodes until the only thing that remains is the stream itself. So it is with the stream of change pounding against the rock of Latin American society. We cannot tell what direction the stream will take, whether it will jump the river bed or remain within it, or change its course, but we know that it is running and will continue to run.

But it would be a mistake to view this process of change as effecting only Latin America. It is clear that here in the United States profound changes are also taking place. The assumptions which have governed the post-World War II policies of the United States in the world are being challenged. The intellectual moorings to which we have been comfortably attached for the past 25 years have been loosened if not shattered and we know not where they will come to rest. If there was any doubt about this, it must surely have been removed by President Nixon's New Economic Policy and the stunning negative vote of the United States Senate with respect to foreign aid. It is thus clear that we have entered a new phase of world economic and political affairs and if the content of that phase is not completely clear, nevertheless, at least as far as the United States and Latin America are concerned, I believe that we can dimly perceive the outlines of an emerging relationship.

IV. THE NEW RELATIONSHIP

First, economic relationships—aid and trade—are likely to continue to occupy a central place in the United States-Latin American dialogue, but the terms of that relationship will change. On the United States part, it is evident that it is the United States intention to seek far greater participation of other developed countries in the foreign economic assistance effort and that the United States is no longer to be considered the sole guardian of the non-communist world's economic and security system.

Unlike the conditions which existed in the immediate aftermath of the Second World War, the United States no longer is the exclusive repository of development capital, technology and the source of international financial liquidity. This change in economic and financial conditions has led to the present great debate in the United States on the proper financial and economic role for it to play in the world. This redefinition of the U.S. role, now in the process of being worked out, is complemented on the Latin American side by a wish to diversify its dependence upon the United States as the nearly exclusive source of assistance on concessional terms. Such dependence is neither health politically or economically. The desire to diversify sources of financing is a natural concomitant of the drive for national identification to which I have previously referred. The two tendencies are thus complementary, not conflicting. The question is one of balance, arriving at new proportions by a process of steady, reasoned and firm negotiations, rather than as a result of emotional or irrational considerations. In pursuit of this goal, the IDB is actively pursuing conversations with Canada and Western European Nations for the purpose of defining new financial relationships with these nations.

But it is not enough to diversify sources of financing. If the mobilization of external resources to complement the internal development effort is to be effective, it will also be necessary to revise the terms of economic assistance. I would hope that as the United States balance of payments attains a more even equilibrium the United States would take the lead with its friends and allies in the developed world in proposing a general untying of foreign assistance. I would also hope that the United States would vigorously urge the adoption of more flexible terms of payment to take account of the enormous debt burden being carried by the developing world, a burden which increasingly threatens to nullify the benefits of existing economic and financial relationships.

I have already alluded to the complexity of the considerations which surround the subject of foreign investment. Let me here only suggest that in the Decade of the 70s, the acceptability of foreign investment as a development tool will be related not so much to its capital contribution as to its technological importance. It follows from this, that new foreign investment should concentrate in areas where technology is more innovative, and gradually abandon to local initiative those industries where existing technology is known and readily available.

Finally, I would suggest to you that in the coming decade it is most important that the developed countries offer a fair and equitable opportunity for non-traditional Latin American exports to enter into their markets. For the willingness of the developed world to accommodate the industrialization which has taken place in the past decade in Latin America will be interpreted there as an indication of its willingness to accept Latin America as a full and not a junior partner in the economic and monetary system which must replace the existing one.

In summary, there are essentially two approaches to the process of change I have attempted to outline: The first approach sees Latin America as a sick continent, reflecting deep, perhaps insoluble conflicts. The best course, in this view, is for the United States to withdraw, insulating itself as best it can from the coming turbulence. In practical terms, this means a reduction, if not elimination of economic assistance, and little interest in seeking solutions to difficult economic and political dilemmas.

The other approach is to view the ferment, even the turbulence, as a sign of vitality, to see in it experimentation and innovation, a coming to grips with the consequences of change which gathered tremendous velocity in the past decade. In this case, the tendency would be to seek out affinities and look for accommodation with this process. In terms of the inter-American system, this means adapting institutions and concepts to a system capable of absorbing individual shocks without breaking. In other words, it means designing a system which will permit us to supersede momentary conflicts and play for the long term.

I suggest to you that we are today precisely at a crossroads where we must choose between these two approaches. We can throw up our hands in despair and say that the situation is hopeless. Or, we can apply our energy and imagination in a common effort to find practical solutions, and if not solutions, at least mechanisms and concepts, which will help us to cross the very difficult decade that lies ahead of us.

AN INTERVIEW WITH FORMER CHILEAN PRESIDENT FREI

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

Mr. FASCELL. Mr. Speaker, this week's issue of U.S. News & World Report carries in its pages an interview with one of Latin America's most distinguished citizens, Dr. Eduardo Frei Montalva, former President of the Republic of Chile.

In the interview, Dr. Frei paints one of the most precise yet comprehensive pictures I have yet seen of the vast changes sweeping Latin America and of the profound effect which those changes are having on United States-Latin relations. Because of the importance of what President Frei says, I want to call the interview to the attention of my colleagues.

"LATIN AMERICA—NO LONGER A U.S. SPHERE OF INFLUENCE"

Interview With Eduardo Frei Montalva, Former President of Chile.

Why are Hemisphere relations getting worse? Will seizure of American business properties continue? How dangerous is the Communist threat? Answers come from a leading Latin-American figure, on a visit to the U.S., in this interview with "U.S. News & World Report."

Q. Dr. Frei, are the ties between Latin America and the United States changing, away from the "special relationship" of the past?

A. That relationship has undergone a profound change. In my opinion, relations between the United States and Latin America have reached their lowest point in recent history.

In part, this is a consequence of a new and widely accepted definition in some sectors of the U.S. of what those ties should now be: namely, that the best policy for the United States toward Latin America really is to have no policy toward Latin America.

The prevailing approach of the United States does appear in our countries to be one of letting things develop as they may, but avoiding involvement at all costs.

Of course, there are other factors in this situation. Latin America has been changing—profoundly and rapidly—the United States has been changing, the world has been changing. Clearly, however, the days of "business as usual" in our relationship are gone.

Q. Do you feel there is reason to worry over the turn of events in the Hemisphere—the changes you have described?

A. Certainly a vacuum has developed—one that many are trying to fill. But I prefer to describe the present period as one of a transition in the Americas—an interregnum. I do not think it is necessarily a bad moment for inter-American relations, because when both the United States and Latin America are in the throes of change, it is best not to be committed to fixed policies.

Even so, this transition period can be a healthy one, in my opinion, only if it can

be used to open a real dialogue between the two parts of the Hemisphere—one that can bring about, within a reasonable time, a workable new relationship between us.

Q. What is needed to put U.S. relations with Latin America on an improved footing?

A. It is time that we face up to a number of fundamental realities. The United States, for its part, no longer can expect to base its policies on the Big Stick, the Monroe Doctrine, the Good Neighbor Policy or the Alliance for Progress. These have passed into history, outmoded by developments.

Just as the United States has emerged as a superpower, with world responsibilities, Latin America also has been on the move, both internally and internationally. The region is developing new relationships with Western Europe, the socialist republics, other developing nations, and Japan and China.

As a result, Latin America no longer can be described simply as a U.S. sphere of influence—"America's back yard."

Q. Recently one U.S.-owned company after another has lost its properties to government take-overs in Latin America. Does this mean that U.S. and other foreign private investment is no longer welcome there?

A. No—but it does mean that Latin-American governments are exercising as never before a right to pick and choose among such investments, and to lay down new ground rules for them. The reason: One of the most fundamental changes that have taken place in Latin America is an upsurge in nationalism. This nationalism is reflected in the official attitude of each and every country. And it emerges, in one form or another, as a definite movement toward nationalization of basic industries in these countries. Of course, the countries pursue nationalization in different ways. But it is a fact.

Many years ago, foreign investments in Latin America were principally in public utilities and in transportation. Such investments were among the first targets of the nationalization drive—and have all but disappeared. The second major target has been investment in natural resources—oil and mineral ores. With the growth of new ideas in Latin America has come the conviction that a company owned abroad, and controlling the basic resources upon which the entire life of the nation depends, is not compatible with the best interests of that nation. The result is evident in recent oil and mining-firm take-overs.

Q. What fields are left for future foreign investment in Latin America?

A. Oh, there is a long list of such fields in almost every country. As a matter of fact, many U.S.-owned private companies remain and are prospering throughout Latin America. The leaders in these countries are well aware of their need for both foreign capital and foreign technological know-how.

Q. Yet, as things stand, we hear there is a lot of uncertainty among U.S. and other foreign businessmen over what they can do and where they can do it. Do you think there is any way to clarify the situation?

A. I recognize that it is a difficult situation. Here I am in agreement with a proposal made by Governor Nelson Rockefeller [of New York] after his tour of Latin America two years ago. In a report to the White House, he recommended that all governments involved join in establishing general statutes to regulate foreign investment in Latin America.

When I was President of Chile, I proposed a statute along the same lines. Since then, one important step in that direction has been made by a group of nations joined together in what is known as the Andean Pact. These countries include Colombia, Ecuador, Peru, Bolivia and Chile. They agreed to a set of regulations covering foreign investments in very specific terms. These cover the different fields of investment open to outsiders, the forms of capital participation permitted, and the types of controls.

I think this statute is a first step and a good basis for further discussion.

I can assure you that businessmen are not the only ones who stand to benefit from an agreement covering the treatment they can expect in different countries. In recent years, many of our governments have taken part in a form of competition over which country could offer most-favorable investment conditions. These conditions kept changing so much, however, that sometimes the country that had offered the best climate, say, three years ago, turned out to offer the worst climate at the present moment.

For this reason, I believe that a uniform investment code covering many countries would be welcome to government officials as well as to businessmen, because it would provide equal treatment in each country even if it were not the most favorable treatment.

"OUTSIDE CAPITAL IS ESSENTIAL"

Q. Just how essential is outside capital to the development of Latin America?

A. I consider that outside capital is absolutely essential to us. Most of the countries in the world are looking for foreign capital. Internal savings in the countries of Latin America simply are not sufficient for the rate of development those countries require—that is, unless the government submit their people to enormous sacrifices over prolonged periods, which is hardly practical politically in free societies in this day and age.

Just to maintain the present level of employment throughout the region, the gross national product in Latin America must rise at a rate of 8 per cent a year, according to recent economic surveys. And if we want to create new employment, we need to increase that growth rate. Yet our present rate of economic growth is only slightly more than 6 per cent. That shows our immense need for additional capital in the years ahead.

Between now and the year 2000, our population is expected to grow from 300 million people to more than 600 million. Naturally, the problem which is perhaps the most important is that of acquiring the new technologies which can satisfy the needs of our growing countries.

"MANY PROBLEMS ARE INTERRELATED"

Q. Dr. Frei, Latin America now ranks as the region with the highest rate of population growth in the world. In your view, is this problem getting enough attention?

A. I believe that in Latin America, as in many other parts of the world, the problems of population growth must be brought under control. In my Government, we did start work in the field of family planning. But any such effort in a free society must respect the individual decisions of each family. And it cannot go far without educational efforts, as well. So many of our problems are interrelated.

Q. Can you explain that further?

A. I mean that there is no one problem in Latin America that is really much more serious than any other. Each must take its priority or place within the over-all framework, rather than be treated as an isolated problem. Take education, for example. What do we gain with our efforts in education if we do not create the opportunities for those whom we have educated?

However, among the major problems of Latin America, I would certainly list first the population explosion, with all of its consequences—the need for providing more schools, more hospitals, more housing and, above all, more jobs. But a close second is the equally explosive migration from rural areas into the cities. Third, arising out of that migration, is the rapidly expanding marginal world in every city—the shacks and slums. And fourth is the fact that two thirds of the population of Latin America today is less than 25 years of age.

Q. How do you rate the prospect for solving such big problems?

A. While the task will be enormously difficult, I think there are a number of reasons why we can find solutions. Let me list some of these reasons:

First, I believe that Latin America has more land available with less population on it than many other regions of the world.

Second, the area has enormous natural resources, and geologists say many of these are not only untapped but as yet undiscovered.

Third, Latin America has a tradition of self-government that is older than that of many other developing areas of the world.

Fourth, the per capita income in Latin America already is higher than that of most other developing regions.

These points make clear, I think, not only that Latin Americans have many advantages in their favor, but that they have the potential to keep moving ahead.

Q. What are the countries of Latin America doing to meet their problems?

A. In the field of education, many important gains have been made in recent years. Schooling has been extended to a vastly increased number of children, while educational systems have undergone reform at all levels.

At the same time, tax reforms are proving effective in some countries in terms of redistribution of income. Agrarian-reform programs are resettling large numbers of peasant farmers. In the cities, technical training is helping to make up for a shortage of skilled workers as well as executives and government administrators.

Different countries, of course, are concentrating their efforts in different ways. Over all, however, I do feel there is a greater consciousness of what must be done in Latin America than there was in the past—plus a health movement of self-criticism.

Q. Three out of every four people in South America now live under military rule. Do you think that system of government is here to stay, as one that provides the solutions to the problems that people are looking for?

A. I do not believe so. These military regimes can be only transitional systems. It is a fact, however, that the characteristics of military movements in Latin America have changed. At one time, they basically held to the objective of maintaining the status quo and protecting the established order, which generally was to the benefit of groups to the political right. Now, the big difference is that the military officers are no longer the instruments of civilian groups.

Today these military movements have in common an entirely new set of characteristics. They have a more advanced or progressive social orientation. They are strongly nationalistic. And they are what we call in Latin America "developmental minded"—that is, they think in terms of economic growth and expansion.

But I see no evidence that ordinary people in the countries run by the generals look upon them as the permanent answer to their problems. To the contrary, I believe that with every day that passes it will prove more difficult to impose dictatorships, as people demand greater and greater participation in national life. The increased level of education and technological progress in our societies make these more complex, causing people to want to get increasingly involved.

"WE CAN EXPECT MORE UPHEAVALS"

Q. In this situation, do you foresee an increase in violence in Latin America?

A. I think we can expect more upheavals in countries of the region. But I do not know whether or not these will be violent upheavals, because the extremists groups who believe in violence are not representative of the process of change now under way in

Latin America. These extremists do produce most of the news with their riots, bombings, kidnapings and murders, but they are not really supported by the broad masses of people.

Q. Just how serious is the threat posed by Communism and other types of Marxism?

A. I have no doubt that the influence of Marxism, in one form or another, is important and growing. This influence is especially strong among intellectual groups, in the universities, in the cultural world of Latin America, in the communications media and among certain groups of skilled industrial workers.

The problem of Communism and Marxism, I believe, is not one that can be resolved by force. It is part of an ideological war that is taking place in the minds of Latin Americans.

My conviction is that the democratic way will definitely prevail, but with one condition: We cannot defeat Communism by talking of the need to preserve an old form of democracy that only paid lip service to human rights and social justice. In the ideological war with Communism-Marxism, there is only one road for governments in Latin America to take, in my opinion. That is to carry out while there is still time the fundamental reforms that will lead to effective economic and social development. And the people in each country must be allowed to play a real part in this transformation—not only in carrying it out but in the distribution of its benefits.

It is not only a problem of economic development but also, and fundamentally, of social justice.

Q. It is said that the Latin America of tomorrow will be determined in the universities of today. What is going on in those universities?

A. In recent years, many of the universities have been in a process of reform so as to adapt to the changing needs of our societies. Where once the emphasis was on law or medicine, more attention is being given to scientific research and the application of new technology.

Unfortunately, this reform movement has resulted in many cases in an extreme political polarization of the universities and an uncontrolled struggle for power. The influence of Marxist ideology has grown among the faculty and students alike. This has provoked a response from other groups, among them the Christian Democrats. And in many places the university, as such, has been in danger of being destroyed.

I fear this situation could have very grave consequences for Latin America unless it can be remedied. But there does appear to be a constructive reaction setting in to certain excesses that have taken place in the process of carrying out university reforms. My latest information is that many professors, and a growing number of students, are working hard to save the situation.

LACKING: "THE GENIUS TO UNITE"

Q. On another subject: Do you feel there is a need for the countries of Latin America to group together so as to mount a joint attack on their problems?

A. Absolutely. I think the fact that the United States came into being as a unified nation, while Latin America at its moment of independence became divided, has had profound effects in both parts of the Hemisphere. The United States moved ahead rapidly. Divided, Latin America has not. And despite all the speeches in favor of Latin-American ties over 150 years, we have lacked the necessary political genius to unite or integrate our countries.

In my opinion, the integration of Latin America is today an essential condition for the solution of our problems, and if we are not capable of doing so it will be very difficult for us to find satisfactory solutions. Not one of our nations, with the possible exception of Brazil, has the material capability of solving its many difficulties alone. None has the means to support a program of science and technology that is so necessary to the whole industrialization process.

Q. What is being done to remedy that situation?

A. In recent years, we have taken some steps toward integration. The Central American countries formed a common market for their region. Then there is the Andean Pact of five South American nations, which I have referred to as reaching an agreement on common treatment of foreign investments.

But the Latin-American Free Trade Association, formed in the early 1960s as a forerunner of a common market for all of Latin America, has fallen short of fulfilling its promise. Narrow political considerations and special interests blocked its progress in a number of ways.

Now our hopes are based on still another organization in the process of formation. It is called the Special Commission for Latin American Co-ordination (CECLA). If the governments of the region give CECLA the necessary support, it could provide a long-awaited answer to our need for dealing as a region with the United States, the European Common Market and other major entities.

We Latin Americans have a lot at stake in forming this organization at this time. If we again prove incapable of unifying ourselves, so that we cannot speak with one voice in presenting our views, then a dialogue such as I have suggested between the two parts of the Hemisphere would be very difficult—if not impossible.

IF THE HEMISPHERE IS TO THRIVE

Q. What is it that the Latin Americans want most from the United States at this time?

A. Without much question, our greatest concern is in the field of trade.

We ask that certain concessions be made for exports to the United States so as to alleviate a situation which is causing us more and more difficulty.

As things stand, the money that Latin-American countries must pay out each year, in remittance of profits from foreign investments and in debt servicing, is greater than the total of new investment and credits that our countries receive.

On top of this, the terms of trade continue to run unfavorably for Latin America. The value of the products our countries export—principally raw materials and semiprocessed goods—is lower than the cost of what we import, whether in capital goods, hard consumer goods or other products and services. Making matters more difficult, these finished goods and the services that we import keep rising in price faster than the world-market prices for our exports of raw materials.

Q. What has been the effect on this situation of President Nixon's new economic policies?

A. Mr. Nixon's recent measures on trade and the dollar have only served to make things worse for us. Not only are we getting less for our exports, but the 10 per cent surtax on any of our processed goods that enter the United States in itself works against a raise in what we can sell to you. Unless some adjustments can be made, we may be forced to cut back on such imports as the capital equipment we buy from the United States to maintain our development programs.

Of course, I realize that the United States has big problems of its own. And I also realize the tendency in relations between the United States and Latin America for political passions to cause one side to cast guilt on the other. If the United States moves to our assistance, it is sometimes accused of interfering. If it doesn't, it is accused of neglecting Latin America.

But the fact is that the two parts of this Hemisphere are bound together by our geography and history. Isolationism on the part of the United States is impossible. The days when Latin America could be dismissed as simply a security problem are gone.

At the end of this century, Latin America will have a population equal to that of China today. This will constitute a great political challenge. The future will not turn solely on problems of military security and force. It will require a great amount of reflection and imagination. Unilateral positions will not be sufficient. The answer must come from a cooperative effort.

There is a need now to seek a new basis of understanding in the Americas. It would be tragic for the Americas—and, I believe, for the entire world—not to find it.

THE PENSION PROGRAM

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

Mr. BETTS. Mr. Speaker, the pension program which we have just received from the President is a landmark piece of legislation for every working American. The President has shown himself to be committed to the rights of the working man, and to the enhancement of the retirement years of all Americans. It is a masterpiece of equity and justice.

With so many Americans not even covered by any kind of pension plan, and so many others constantly in danger of losing their pension rights, the legislation reaching us today is of compelling importance. The newspapers are filled with stories of great misfortune in this area. We hear of thousands of men and women who have worked, diligently for the better part of their adult lives, retiring penniless and pensionless. Some lose out because of company or pension fund bankruptcies, others because of a change in employment or other unavoidable circumstances.

In each and every case it is the worker who loses. It is his family that suffers and it is the American dream that is diminished. No other area is of more vital concern, yet further beyond the control of the working man than pension reform. That is why the President's package is so important.

I call upon my colleagues to give it their immediate attention and to follow the President's lead in insuring a better break for the working man and woman. The time has come to do something for those who work—we have already devoted much attention to those who do not.

A VALUE ADDED TAX NEXT?

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

Mr. GIBBONS. Mr. Speaker, there have been increasing reports that the Nixon administration is considering adoption of a value added tax, in effect a national sales tax. The revenues from this tax would help make up for the fiscal imbalance caused by the $7.5 billion annual revenue loss which occurred when the Revenue Act of 1971 cut corporate taxes by 20 percent.

Some reports indicate that the administration's value added tax proposal will be tied to revenue sharing so as to give this regressive tax a better chance

of survival in Congress. Of course, we must withhold final judgment until the administration submits its finished proposal. However, I would like to introduce into the record at this time a perceptive speech by former Treasury Assistant Secretary Stanley Surrey. As Professor Surrey makes clear, the value added tax should be given careful scrutiny regardless of the form in which it might be proposed to Congress.

The text of the speech follows:

THE CASE AGAINST THE VALUE-ADDED TAX

(By Stanley S. Surrey)

(Presented at the Value-Added Tax Luncheon, 59th Annual Meeting of the Chamber of Commerce of the United States, April 27, 1971.)

The question posed is whether the United States should adopt a value-added tax. For many people the question is almost meaningless, since they do not know what a value-added tax is. Let us therefore add the explanation that a value-added tax is just a general retail sales tax collected in a somewhat different way. We can then rephrase the question: Should the United States adopt a national sales tax?

DOMESTIC CONSIDERATIONS

Proponents of this tax have followed two courses. One is to argue that we should have a sales tax right away, and it should be substituted for part of the present income tax, usually the corporation income tax. The other course is to assert that if, as a nation, we decide to increase our tax payments, the sales tax should be utilized to raise the additional revenues.

While in the eyes of sales tax proponents these two courses of action embody the view that the VA tax is clearly superior to all other taxes, in part the courses raise separate issues. Let us first consider the substitution of a sales tax for part of the corporate tax.

SUBSTITUTING A SALES TAX

A 1% national retail sales tax would yield about $3–4 billion. Similarly, four percentage points of the corporate income tax would yield about the same revenue. Hence should we, for example, reduce our 48% corporate income tax to about 30%—proponents of a value-added tax do not say how much of a substitution they desire—and make up the $15 billion loss of revenue through a 4–5% sales tax? What would the United States gain through this change?

DETRACTORS' OBJECTIONS

There are a number of persuasive reasons against a shift from the corporate tax to a sales tax. It would mean the substitution of a regressive tax for a progressive tax, and on equity grounds this would be a distinct step backward. A Bureau of Labor Statistics Study contrasts the distribution of consumer expenditures as a percentage of income with the distribution of corporate dividends, also as a percentage of income. Consider:

The consumer expenditures range downward from over 100% of income in the lowest brackets to 80% at the $10,000-to-$15,000 level, and 62% in the brackets over $15,000.

The dividends hover around 0.6% to 0.7% of income until the $10,000-to-$15,000 bracket, where they are 1.9%, while in the over-$15,000 bracket they are 6.7%.

The groups under $10,000 accounted for 82.5% of overall consumer expenditures, but only 29.3% of the total dividends.

The groups over $15,000, which included only 2% of the consumer units in the country, made 5.7% of the expenditures but received 41.6% of the dividends.

The value-added tax is levied on the consumer expenditures, whereas the corporate tax, in effect, reaches the dividends. If one believes in progressivity in our federal tax system, one would oppose the substitution of the VA tax for the corporate tax.

The proponents of a VA tax may seek to minimize the regressivity effect, either by raising personal income tax exemptions and increasing welfare payments, or by granting exemptions from the sales tax—say, for food. Perhaps the burden of a VA tax on the very poor can be moderated in this way. But the VA tax, including the added load of the increased welfare payments, must be paid—and it will be paid—through a shift of the tax burden from the upper to middle and lower brackets.

ADVOCATES ARGUMENTS

Some supporters of a VA tax say that the United States should derive a larger portion of its revenue from indirect taxes—that is, from sales taxes. This argument is usually associated with the idea that substituting a tax on sales to raise part of the revenue now provided by the corporate income tax would stimulate economic growth through enhancement of investment in corporate equity. Foreign tax systems are often cited as evidence to support this view.

But if one looks at the components of the tax systems of various industrialized nations over a period of time and relates them to the growth rate of their economies, there seems to be no observable relationship between the two. We had been doing pretty well in the United States in the last decade, and we do not have a national sales tax.

The history of corporate income taxation in this and other industrialized nations has shown that there is a significant tax-paying capability inherent in the corporate structure. Moreover, many approve of the distribution of the corporate tax by income classes. And the taxation of corporations and their dividends hardly seems to put a damper on the long-run advantages that investors find in corporate equities.

If we desire to adjust our income tax structure to tilt it, or rebalance it, or what you will, so as to favor investment, there are ways to accomplish this (e.g., investment credit) without having to resort to an entirely new tax.

Inasmuch as proponents of a VA tax for the United States so often refer to the tax systems of foreign countries as a model for the use of direct taxes, I wonder why, if they are so worried about the level of our corporate tax, they so conveniently ignore the corporate tax rates in those countries. Heavy reliance of a country on indirect taxation does not mean low corporate rates.

For example, both Germany and France have a rate of over 50% on undistributed corporate profits, and the United Kingdom's rate is in the 40% bracket. The experience of U.S. companies with international operations and U.S. Treasury data on the foreign tax credit indicate that the effective rate of European corporate income taxes generally is quite comparable to that of the United States.

Moreover, it is on top of these high corporate rates that European countries have their value-added taxes, also at high rates. Thus the top French rate is 23%; the Swedish rate, 15%; and the German rate, 11%. No European country has reduced its corporate tax as a result of having adopted a value-added tax.

A corporate income tax of course has its problem, and these are stressed by advocates of a sales tax who point to the "unneutralities" of the corporate tax. For example, the corporate tax reaches only the corporate sector and not the unincorporated sectors such as farming and residential housing; it taxes differently debt-financed and equity financed companies; it taxes more heavily the more profitable and—presumably therefore—the more efficient enterprises. But a sales tax has its own discriminatory aspects and its own unneutralities—it probably would exempt housing, food for home consumption, medical expenses, education, foreign travel, domestic services, financial institutions, local transportation and so on. And a lowered corporate tax would bring about a strong bias in favor of the corporate form of operation, since retained corporate earnings would have a preferential rate vis-a-vis noncorporate income.

Moreover, the economic cost to the country of the "inefficiencies" economists find in the corporate income tax is not large, and in any event must be weighed against the economic cost of the inefficiencies of a sales tax plus the economic cost of administering a new mass tax. Further, if we are really to get so concerned about the economic inefficiencies of the corporate income tax, many economists would urge that the proper approach is to integrate that tax with the individual income tax so that the corporate tax in effect becomes a withholding tax on an individual's share of corporate earnings. Finally, overshadowing these compairisons between the inefficiencies of the one tax as against the other is the serious loss of progressivity and consequent fairness involved in shifting from the corporate income tax to a sales tax.

Ithus can find no persuasive reasons to shift from the corporate tax—or any other existing tax—to a national sales tax. In the end, the rguments come down to the fact that most of those who advocate a VA tax simply have a distinctly lower regard for progressivity and tax equity as factors in shaping a tax system.

The substitution of a sales tax would cause prices of consumer goods to rise, which is the underlying purpose of the tax. This rise in price would, in all likelihood, set off a round of wage increases as the price index rose, and thus the substitution of the tax would have an inflationary potential. The addition of a new mass federal tax also would have its costs in taxpayer compliance and IRS administration. A proposal for a value-added tax would involve a political and legislative battle of the first order. The country would not be well served by provoking such a battle for a tax that has so little to offer to our tax system.

RAISING ADDITIONAL REVENUE

Let us turn to the question of what should be done *if* the country decides that additional revenue should be raised—certainly not the present set of conditions. The previous discussion indicates that a national sales tax should not be the first measure to turn to for the additional funds. Recently, $10 billion in additional taxes was raised by a 10% income tax surcharge without any adverse consequences or administrative problems. This indicates that, if additional revenue is needed, the first course should be to raise income tax rates to higher levels.

Along with this should come further steps toward reforming the income tax. Target areas could include a stronger minimum income tax, income taxation of appreciated capital assets at death, withholding on dividends and interest, elimination of the maximum tax on earned income, wringing out the "tax water" in our tax preference subsidies (state and local bonds, real estate, oil exploration, timber, farm losses), and strengthening the estate and gift tax laws.

Thus, given the revenue increase likely to be voted by Congress for expenditure purposes, with these revenue-raising changes in the income tax available we would not be faced with the question of whether we were using our existing tax system beyond safe limits, and a new mass tax would thus not be required. Moreover, and I shall consider this later, if such a new tax becomes necessary, a retail sales tax is preferable to a value-added tax.

INTERNATIONAL ASPECTS

The preceding discussion states the view that, on the basis of domestic considerations,

the adoption of a national sales tax is not desirable. If one accepts this conclusion, the next question is: Should the answer nevertheless be altered because of international considerations?

Many proponents of a value-added tax would reply in the affirmative, and indeed rely on international considerations to differentiate the latest discussion of the need for a sales tax from the previous debates on that subject in this country.

But the conclusion of most economists on this aspect is that if the United States were to decide, on domestic considerations, that it should not adopt a national sales tax, it should not change that decision because of international considerations. The international considerations are either neutral or so minor in their effect that the final decision should rest on domestic policy considerations alone.

RETAIL SALES TAX IS PREFERABLE TO VALUE-ADDED TAX

In regard to the major question of whether the United States should adopt a national sales tax, my answer is *no*, at least in the foreseeable future, whether the sales tax would be offered as a substitute for an existing tax or as a method of raising any additional revenues needed. But even if the answer were yes, why should the value-added tax be chosen by the United States? Why not the familiar retail sales tax?

In the United States, with 48 states having retail sales taxes (only Alaska and Oregon have no such tax and Alaska has local sales taxes), almost 100% of our population live in states with retail sales taxes, and almost 100% of our retail establishments are located in states having such taxes. The usual rate is around 4–5%, with some combined state-local rates as high as 7%, and of course the rates are steadily increasing. Thus, today, a retail sales tax is being successfully administered in the United States. Therefore, if the federal tax system is to have a national sales tax, why not simply use the retail tax structure we already have functioning and adopt a national retail sales tax?

What is to be gained by having a VA tax rather than a retail sales tax? As far as I can see, the answer is more paper work and administrative chores, and greater temptations for exemptions and special rates. There is no need for the United States with an already effectively functioning retail sales tax structure at the state level, to have at he federal level a value-added structure that collects, in more complex fashion, the amounts which could otherwise be collected under a retail sales tax.

Our federal system adds a special reason to have the same structure for the national tax as that used in our states. Clearly, our states are not going to give up their retail sales taxes as a revenue factor; more likely, they would oppose a national sales tax as an encroachment on their tax preserves.

But *if* we are to have a national sales tax, we should at least use it to work in the direction of uniformity and administrative efficiency in the sales tax field. This could best be achieved by letting the states "ride" the federal tax—that is, add their rates to the federal rate, with retailers in each state collecing only one total tax, and have he federal government pay over to each state the amounts collected on its behalf.

The states cannot, however, without a great deal of confusion, ride a VA tax and end up with the same revenue allocations among them as exist today.

The prudent course, *if* we are to have a national sales tax in the United States, would be to build on our already functioning retail sales tax structure and to see if any difficulties turn up which cannot adequately be coped with under that structure. We should explore the known, rather than the unknown of whether a value-added tax offers any expectation of better meeting those difficulties without incurring new problems.

CONCLUSION

I therefore reach these conclusions:

Viewed from the standpoint of domestic considerations, the addition of a national sales tax would clearly not improve our present federal tax system; rather it would make it distinctly worse.

On the international side, a national sales tax would not bring the United States any advantages which would alter a policy decision against the tax made for domestic reasons.

Finally, *if* a national sales tax were ever deemed desirable in the United States, it should take the form of a retail sales tax and not a value-added tax.

In this light, the case against a value-added tax for the United States is very strong.

THE QUESTION OF TEXTILE QUOTAS

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

Mr. GIBBONS. Mr. Speaker, in the barrage of propaganda accompanying the recent campaign by the Nixon administration and the U.S. textile industry for quota protection, much attention was devoted to depressed profits, plant closings and job losses in U.S. textile and apparel industries.

The depressed conditions, we were told, were due primarily, if not wholly, to a "flood" of imports from Far Eastern countries. Under the threat of unilateral U.S. action, "voluntary export quotas" were extracted from those countries at great cost to American consumers and to our foreign relations in the Far East.

An article in the November 13 issue of Business Week has provided quite a realistic assessment of textile industry problems in a perceptive analysis of the economic difficulties of one of America's textile giants—the J. P. Stevens Co.

J. P. Stevens, like other major textile manufacturers, has been forced to close several plants, particularly those producing woolen and worsted fabrics, over the past 2 years. However, as the Business Week article points out, the primary cause for these plant closings was not imports but the company's belated recognition of the "technology explosion in which conventional weaving facilities have been increasingly displaced by high speed knitting equipment," its inability to enter the knitting market by way of acquisitions because of the antitrust laws, and the long order backlogs to obtain modern knitting equipment from Europe. The inherent difficulties of transition to new product lines were further complicated by the business recession and virtually unprecedented confusion concerning the direction of fashion trends.

At the present time, while J. P. Stevens is in the midst of a rapid expansion of its knitting capacity, industry analysts are predicting substantial excess capacity in the knitting industry in the near future and J. P. Stevens' own president warns of a "shakeout" among knit manufacturers beginning in 1972.

If these predictions are accurate, we can reasonably expect a new round of plant closings in 1972, which undoubtedly will be accompanied by a renewed clamor for even more stringent controls on imports. Already textile executives are arguing that the so-called voluntary export restraints by the principal Asian suppliers are not the solution to their problems and that a worldwide textile pact—that is, a comprehensive international quota scheme—represents the only true solution to their problems.

The point, of course, is that imports are not the only cause or even a major cause of the economic difficulties of most U.S. textile and apparel industries. Thus, voluntary or involuntary quotas cannot be expected to provide the solution to the economic difficulties of those industries. The textile and apparel industries, like all U.S. industries, have entered an era of rapid change and their economic problems are basically a result of changes in styles, changes from the natural to man-made fibers, and changes from woven to knit fabrics.

Unfortunately, layoffs, plant closings, and adverse financial experiences may accompany the industries' adjustment to these changing circumstances.

I do not want to minimize the difficulties for the workers, companies, or communities involved in this kind of adjustment. Nor do I want to rule out the possibility that appropriate kinds of Government assistance should be provided in these cases.

I would caution, however, that if the adjustment problems of the textile industry are to be solved, the true causes of those problems must be recognized and dealt with squarely.

In my view, the Business Week portrayal of J. P. Stevens' economic difficulties clearly illustrates why quotas are not likely to be a panacea for U.S. textile industry problems.

The article follows:

THE FLAW IN THE FABRIC AT J. P. STEVENS

"When you walk through the building, you can see something has happened," says J. P. Stevens & Co.'s Chairman James D. Finley, describing the strange emptiness in his handsome corporate headquarters building on Manhattan's Avenue of the Americas.

What has happened is that the proud old textile company has fallen on bad times. Over the past two years, sales have tumbled, the company has gone into the red, its dividend has been slashed, 10 plants have been shut down, and 7,000 employees—including headquarters staff people—have been lopped from the payroll.

Stevens executives are quick to lay the blame for their troubles to imports, fashion fickleness, and government anti-merger policies. To be sure, these factors have hurt. But more significant, Stevens is a prime example of a company that has been slow to change in an industry that is in ferment.

The industry has been rocked by a technology explosion in which conventional weaving facilities have been increasingly displaced by high-speed knitting equipment. Smaller, specialized textile makers quickly latched on to the new technology, while big, oldline companies such as Steven- have been stuck with antiquated plants. The industry has also been hit by skyrocketing imports, although the new agreement limiting the growth of Asian imports should provide relief.

The textile makers that jumped quickly into knitted goods have been hurt less than

Stevens by the import competition. So have those that branched out early into apparel and other consumer products, while Stevens remained overly dependent on low-margin sales to the garment trade.

BELOW AVERAGE

The industry's tribulations show up in its lackluster profits record for 1970: an average 1.9% margin on sales and an average 7% return on equity. Stevens did even worse, netting 0.7% and 1.6%.

Stevens' woes have been accentuated by a preoccupation with volume expansion, much of it misdirected. While the smart money was being invested in knitting machines, Stevens' looms produced increasing amounts of woven goods. All this production was aimed at getting Stevens to the $1-billion sales mark by 1969, a goal that the company's former chief executive, Robert T. Stevens, had set years earlier.

Stevens reached the sales goal, but its net income dropped 12% that year. Since 1969 the company, which had worked overtime to change its image as a "sleeping giant," has suddenly began to shrink. In 1970 sales slipped to $893-million, as profits plunged 76% to $6.3-million. This year the situation is even bleaker: Sales were down 6.8% in the last nine months and the company showed a $3.1-million deficit. In two weeks, Stevens will report its figures for the year ending Oct. 31, 1971. Finley declines to say if fourth-quarter earnings were sufficient to pull the company out of the red for the year.

DYNASTIC BREAK

Finley, who is 57, is the first non-Stevens family member to become chief executive of the 158-year-old company. Yet in Finley, the Stevens family has a man who, despite his lingering Georgia drawl, reflects closely the New England founders' congenital conservatism. Trained as a textile engineer, Finley joined the company as a salesman in 1945 and was named chairman in 1965. Indeed, the family, which controls 20% of the stock, is much in evidence in the corporate hierarchy. Under Finley, as president, is Whitney Stevens, 45, a Princeton graduate known as Whit. Two of Whit's relatives are on the board—Horace N. Stevens, Jr., a distant cousin, who is vice-president, and John P. Stevens, Jr., former president and chairman, and Whit's uncle.

But the real power at Stevens is still 72-year-old Robert Stevens, Whit's father. To understand the company's present woes, it helps to know something of Robert Stevens. As Secretary of the Army in the Eisenhower Administration, he became well known to television viewers as the butt of the tirades of the late Senator Joseph McCarthy. For 14 interminable days, McCarthy relentlessly hectored Stevens in an effort to prove Communist infiltration of the Army. Always taciturn, Stevens reportedly grew even more insular after his bitter Washington experience. And right up to the present, the company has followed his lead by shying from publicity and flashy advertising campaigns.

"Mr. R. T." technically stepped out of active management in 1969 at 70, five years over the mandatory retirement age, which he himself had instituted. But he is still a director and chairman of the executive committee, whose members include Finley, Whit Stevens, and three other executives.

TURNING POINT

When Robert Stevens turned over the chief executive's reins to Finley in 1969, J. P. Stevens was beginning to suffer from its failure to recognize the dramatic technological changes in textiles. Indeed, among the industry's Big Three, only privately owned Deering Milliken, Inc. had reacted in time. Milliken spotted the coming demand for double-knits at least 10 years before Stevens or Burlington. By late 1968 Milliken was virtually out of woolens and worsteds and had a full line of knitting machines pumping out textured polyester double-knits.

In 1969, woolens and worsteds were Stevens' biggest producers of profits. But other mills were reducing woolen and worsted output, and imports of woolen textiles were following suit. Charles Reichman, editor of *Knitting Times*, sums up what happened to Stevens: "While the big textile companies debated and wrote reports, specialty knitters took all the business."

The specialty knitters in the early 1950s had laid the groundwork by meeting the demand from the women's wear market. When knitted outerwear started to catch on in the men's market, companies such as Texfi Industries, Inc., and Duplan Corp. were able to cash in big—even before the importers could take a bite. As a result, while Stevens struggles, Texfi (formerly Textured Yarn Corp.) earned $8-million in the first nine months this year, compared with $3.2-million a year earlier. Its sales were $119-million, nearly twice the 1970 figure.

Stevens found itself barred from quickly acquiring an established double-knit company. A Federal Trade Commission ruling prohibited any textile merger that resulted in a company with annual sales of more than $300-million. Thus, Stevens had to go to Europe and Japan, where most of the knitting machines are made, to buy equipment and build a knitting operation from scratch. But it ran into a tremendous backlog of orders, which delayed even longer its entry into the knitted goods market.

Now Stevens is busily converting plants to knits and shutting down the 10 plants. One bright prospect for Stevens is warp knits, which it produces for bonding in women's undergarments and which are being adapted to outerwear.

Ironically, while Stevens is chasing knits with abandon, it is joining Burlington in loudly warning the industry that there will be a knit surplus by 1972. If industry analysts are correct, chances are there will be overproduction of knits by next year—about the time when Burlington and Stevens will be approaching full production. This will mean, in Whit Stevens' words, that "Beginning in 1972, there will be a shake-out." Stevens' management believes that the real victims will be the smaller companies, but experience shows these companies have been quickest to adapt to new trends.

To strengthen Stevens' basic posture in this period, Finley wants some shifts in the company's product mix. Nearly 70% of sales now is to be unpredictable garment industry, a notoriously low-margin market. Finley wants to cut back in this area. Industrial sales—to auto companies, for example—account for 13%, and Finley expects this area to become more profitable.

CONSUMER PRODUCTS

But his primary goal is to boost sales of apparel and other high-margin consumer products, which currently make up only 26% of sales. Toward this end, J. P. Stevens, which has always been regarded as a "plant-oriented" company, is now emphasizing marketing. The company's operating units were expanded in 1970 from 3 to 12 divisions, each headed by what Finley calls a "marketing-oriented" president. These divisions, in turn, are overseen by the Chairman's Office, which includes Finley, Whit Stevens, and three executive vice-presidents.

"We've got to make our face known to the public," Finley says. But industry people are not impressed, calling the organizational changes simply reshuffling. Stevens' advertising is as uninspired as ever, compared with the exciting multimedia campaigns of Burlington and Collins & Aikman Corp., for example. To critics, a nagging problem is the aloofness in Stevens' executive suite. Inevitably, Stevens men—clubby Wall Street types—are compared with Ely R. Callaway, Jr., Burlington Industries' president, who likes to rub shoulders with the Seventh Avenue garment crowd.

What change Stevens is making in its marketing attitudes shows up largely in the Domestics & Allied Products Div. Boasting a dazzling line of sheets, towels, blankets, kitchen supplies, and the like, under the Utica label, the division combines fashion leadership with tough-minded selling. It is a real departure for Stevens, and it is producing increased sales and profits.

OTHER HOLES

But it takes more than sheets and pillowcases to support Stevens. In most other divisions the performance is still spotty. The hosiery division, which was set up in 1965, ran into early trouble when it tried to sell three grades of stockings to retailers on an all-or-nothing basis. Then came a flood of cheap imports, and over-production by domestic mills. By 1970 there was a complete reorganization of the division, but, like the whole industry, the division has not recovered.

Another ailing division that was reorganized in 1970 was Gulistan Carpeting, acquired six years before. Gulistan's performance has been disappointing, but the boost in housing starts is expected to bolster profits.

United Elastic Co., bought in 1968, also points up Stevens' bad luck with acquisitions. United Elastic, which makes elastic fabrics, molded products, and rubber thread, has been hurt by a market decline, particularly in demand for women's girdles.

Similarly, Stevens failed in another diversification move—a joint venture with Kimberly-Clark Corp. to produce nonwoven, disposable products. The venture folded in 1969 after 10 years. A former Stevens executive says the operation never got off the ground with a great sense of urgency. Stevens has continued modestly in nonwovens, in partnership with a Finnish company

In diversifying, Stevens has been typically unaggressive overseas. But Whit Stevens contends: "We have not given up our ambition and hope some day to be truly internationally oriented. We don't regret the opportunities that we passed up thus far."

Industry sources claim, however, that Stevens lost chances to acquire technology that foreign operations would have offered. Its belated purchase of knitting machines abroad is cited as one example.

LABOR TROUBLE

Amid all its problems in marketing and production, Stevens has been up to its neck in eight years of litigation over union organizing. Stevens has been brought before the National Labor Relations Board repeatedly, and has been found guilty of discriminating against employees who took part in organizing efforts by the Textile Workers Union of America. Just last month, the U.S. Supreme Court finally upheld a lower court in ordering Stevens to negotiate with 400 workers at the company's Gulistan carpet plant at Statesboro, Ga.

In corporate planning, just as in labor relations, Stevens is being forced to look hard at its past policies. This summer it cut its quarterly dividend from 60 cents to 37½ cents, indicating that Stevens' directors had finally lost confidence in the company's ability to latch on to an economic upturn.

More changes will have to be made. Though he was speaking of the big companies in general, John Figh, the respected textile analyst at Chase Manhattan Bank, seemed to summarize Stevens' problems in a recent speech. "There are going to have to be some very costly management decisions which must be made now if they are going to survive." Figh said. "If they don't watch out,

different American companies are going to make up our textile . . . industry."

NOVEMBER 11—VETERANS DAY

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

Mr. MAYNE. Mr. Speaker, I am sure I am not the only Member of Congress who has received numerous letters from constituents protesting against the change of Veterans Day from November 11 to the fourth Monday in October, which first became effective this fall.

I have heard from many veterans of World War I, World War II, the Korean war, and the conflict in Vietnam, as well as from many nonveterans who feel strongly much of the true meaning and traditional significance of Veterans Day, or Armistice Day as many of us still know it, has been lost by shifting it from its actual historic date. I share their concern that Veterans Day could become just another Monday holiday, only 2 weeks following still another Monday holiday, Columbus Day.

November 11 is a date of great historic significance, a date which automatically stirs the memories of this Nation and reminds it of the tremendous debt it owes to those who have served and are serving in its defense. It makes as much sense to commemorate our veterans on the fourth Monday in October as it would to commemorate our Nation's birthdate of independence on the fourth Monday of June rather than on July 4.

It is not too late to restore Veterans Day to its appropriate date on the calendar. I strongly urge my colleagues to support such action, proposed in the bill which I introduced yesterday.

NICOLET PAPER CO. WASTE TREATMENT FACILITY

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

Mr. BYRNES of Wisconsin. Mr. Speaker, the Nicolet Paper Co. of De Pere, Wis., in my district, has recently taken a step which should serve as an example to other businesses as to how an industry can demonstrate responsible citizenship and leadership. The company has put into operation a new water treatment facility which greatly exceeds legal requirements. When the $1 million facility returns mill water to the Fox River, it is four times cleaner than State and Federal water pollution control standards require.

Water used in making paper at Nicolet is now collected in sumps under the company's papermaking machines. From these sumps, all the mill's process water is pumped into two large clarifiers—each holding 250,000 gallons of water—which can purify more than 3 million gallons of water daily. The paper fibers in the used water settle to the bottom of the clarifiers and are siphoned off to be either recycled, or pressed into "fiber cakes" and disposed of as refuse.

The Common Council of the City of De Pere adopted a resolution on October 19 commending Nicolet Co. and its parent company Philip Morris Inc. I join with the city of De Pere in congratulating the Nicolet Paper Co. on their fine efforts to serve the public interest in combating pollution of our Nation's waterways.

Following is the text of the resolution:

RESOLUTION No. 71–68

Whereas, the Nicolet Paper Company, of De Pere, Wisconsin, an affiliate of Philip Morris Incorporated has recently completed construction of a major waste water treatment plant, at cost of nearly One Million Dollars for recycling and cleaning the water it uses in its paper making process before returning it to the Fox River.

And Whereas, the waste treatment facility constructed returns waste water to the Fox River at a quality content level several times that required by both state and federal water pollution control standards.

Now therefore be it hereby resolved, by the Common Council of the City of De Pere, Wisconsin, as follows: That the Common Council of the City of De Pere, on behalf of the City of De Pere, its government and citizenry, commends and congratulates Nicolet Paper Company and its parent company Philip Morris Incorporated for their interest and continued desire in effectively serving the public good in the De Pere area; that the Common Council recognizes that the issue of industrial, commercial and residential pollution of our nation's waterways is indeed an important and difficult problem facing this nation; that the Common Council further acknowledges that Nicolet Paper Company and Philip Morris Incorporated are one of the few users of water from the Fox River to be concerned enough regarding pollution of that waterway to take positive action to minimize or eliminate the discharge of effluent or pollutants from their paper making process into such river; that therefore the Common Council sincerely expresses, its appreciation to such companies for their foresight and public interest in the planning and construction of their new waste water treatment plant in De Pere which far exceeds state and federal control standards, which will benefit De Pere and area residents for many years to come, and which will serve as a prime example to all other users of this waterway; and further expresses its appreciation for the continued growth and expansion of its industrial facilities and its obvious interest in contributing to the public good of the community.

MISS MERTHA FULKERSON

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

Mr. BYRNES of Wisconsin. Mr. Speaker, early this year a most remarkable and inspiring woman, Miss Mertha Fulkerson, died. She helped found "The Clearing," a retreat for study and contemplation located in Ellison Bay, Wis., and the she managed that renowned and unique institution for 18 years until her retirement in 1969.

For 26 years she was an aide to the nationally-famous landscape architect, Jens Jensen, who established The Clearing in 1935 as a place "where man can go to breathe and to feel his kinship with the earth, to have a chance to clear his mind and to take soundings of where he is going." Jensen believed that "happiness and full-expression can only be found by spreading one's roots in the soil." Upon Mr. Jensen's death in 1951, Miss Fulkerson succeeded him to carry on his work and ideas at The Clearing.

To The Clearing's scenic and wooded 130-acre site on the rocky shores of the northern Door County Peninsula come young and old students from throughout the Nation to take week-long courses each summer on art, crafts, nature, literature, philosophy and many other subjects. Teachers are chosen carefully from various colleges and universities.

Since 1953, the school has been financed by the Wisconsin Farm Bureau, an organization which has so much in common with the philosophy of The Clearing. The Bureau has established a scholarship fund in memory of Miss Fulkerson to enable young people to attend classes at The Clearing.

In July 24, 1971, a special memorial service was conducted at The Clearing to pay special tribute to Miss Fulkerson's accomplishments. I include a newspaper article about the memorial service which appeared in the Door County Advocate and the texts of remarks made on that occasion by two faculty members of The Clearing which illustrate the impact and influence Miss Fulkerson had on those who knew her. One talk is by Dr. Leo Paul de Alvarez, professor of politics, the University of Dallas. The second talk is by Dr. George Anastaplo, lecturer in the liberal arts, the University of Chicago, and professor of political science and of philosophy, Rosary College, Ill.

[From the Door County Advocate, Sturgeon Bay, Wis., July 27, 1971]

FITTING TRIBUTE PAID MERTHA FULKERSON

(By Jane Shea)

ELLISON BAY.—"She came. She saw work to be done. She did it. And then she left."

In this basic way, Dr. George Anastaplo summed up the life of the late Miss Mertha Fulkerson and set the tone for a unique memorial service Saturday night at the Clearing, an institution she managed from 1951 to 1969. Miss Fulkerson died in Green Bay last Jan. 25.

It was appropriate that the tributes were respectful, affectionate, free of excessive sentiment. There was agreement with Dr. Anastaplo, who said "It is difficult to feel the sorrow one would for lesser men or women."

Mertha Fulkerson seldom permitted direct quotations during her lifetime, preferring to perpetuate the philosophies of mentor Jen Jensen in his own remembered words.

But this self effacement was not enough. She was variously described during the evening as high minded, ethereal, a noble woman, innocently shrewd, one capable of a piercing anger for a worthy cause. It was obvious that this diminutive lady had not only succeeded in carrying on founder Jensen's work, but had personally, perhaps unwittingly, emerged to influence the lives of many people.

Dr. Anastaplo, faculty member at the University of Chicago, spoke of his close connections with The Clearing, stating, "One cannot reasonably hope for the immortality of an institution. Its purpose is to provide a model of life for others to follow." He, as well as others, referred to Jensen's concept that The Clearing is not only here, but in men's minds as well.

Referring specifically to Miss Fulkerson, he said, "Mertha wouldn't approve of any personal tributes. She'd probably suggest a work party. There's always a fence to be mended, a wall to be built."

Responding for The Clearing, present manager Claire Johnson said that for Mertha,

"the institution was her sole purpose, her self fulfillment."

William KasaKaitas, representing the parent Wisconsin Farm Bureau, announced that this group has established The Clearing Memorial Scholarship Fund. Gifts, in memory of Miss Fulkerson and others, will be used to help young people attend classes here. "Mertha would want it this way," he declared.

KasaKaitas said the Farm Bureau felt deeply indebted to Miss Fulkerson for "the rich heritage with which she endowed us." He described her as a woman comfortably at home with all types of people and especially appreciative of farmers, those close to the soil. He stressed Miss Fulkerson's awareness of nature and its great power.

Dr. Leo Paul deAlvarez, Dallas University, who represented The Clearing faculty, advised guarding its major purpose. "Let us be wary that it does not become an escape," he warned. "It represents reason and nature working together to make something truly human."

Referring to Mertha Fulkerson's talent as a weaver, Mrs. Liese Rickett's message on behalf of the students described the late manager as "a beautiful weaver of human beings and a beautifully woven human."

Miss Virginia Booth showed movies of Miss Fulkerson enjoying this area with relatives and friends.

Vocal selections with dulcimer accompaniment were presented by Mrs. Dolores Reppert and Mrs. June Ohm, Janesville. Night birds provided an outside obligato and through cathedral windows, sunset bowed to darkness.

Services concluded, the group returned through forest paths, where Mertha Fulkerson had walked and talked with students; paths well marked for others to follow.

She wasn't there. Her work was done.

MERTHA FULKERSON: A MEMORIAL

(By Leo Paul de Alvarez)

I met Mertha Fulkerson in her last year at The Clearing. I am sorry to say that I never saw her again, so that my entire acquaintance with her was limited to five days. Yet in that short time I learned enough to see something of what she was and what she stood for. My wife, Helen, has, I think, put our impression of Miss Fulkerson into a nicely succinct sentence: When you were with her, you always felt that you wanted to reform yourself. For there was something in her that called us to leave our sluggardly ways and *do* something.

I am called upon to say something tonight about teaching at The Clearing. For it is in terms of what she has done for the students and teachers who come here that we learn fully to appreciate what Miss Fulkerson was.

The teacher usually faces the difficulty of having to cope with the constant and perpetual distractions of circumstance and necessity. He is distracted and the students are distracted by the demands and temptations of a thousand petty things. Teacher and student alike seek not a flight from reality, as is commonly supposed, but to be rescued from the doing of a thousand things that in the end add up to nothing. There are few or no distractions here. We abandon the necessities that plague us and for a brief time each year come to understand what leisure truly is.

Jens Jensen and Mertha Fulkerson out of many years of thought and labor built The Clearing. These two remarkable persons made a unique place for study and contemplation. What they wanted us to study and to understand was, first of all, the order of non-human things, the ways and the rhythms of nature. For they believed that in the understanding of natural things, one came to understand the human things—what was essential and inessential to being human.

We all know, I believe, how easily we may lose what they have founded here. Many have come to love The Clearing for many reasons. But it shall always be difficult to maintain the understanding that made The Clearing what it is. I believe that it is The Clearing's purpose to rescue us from the mundane and the utilitarian so that we may be free to pursue the highest things. Let us all see to it then that it may continue to be understood that The Clearing does not provide an escape into divertissement, diverting amusements, but rather an opportunity to use those faculties that make us fully ourselves. Let us be wary of permitting any infection by the spirit of the vacationer, who seeks not an understanding of the nature of things, but an escape into a world of contrived amusements.

Mertha Fulkerson helped Jens Jensen to build a place which gave us an opportunity to expand our souls to the highest stretch that we are capable of. In this place that they built, nature and art are so cunningly combined that a truly human dwelling is the result. When Jens Jensen died, necessity threatened to destroy that which man had so carefully brought to a kind of completion. Mertha Fulkerson knew that such a place could not be built again. Here, wisdom and intellect had found the right materials to make a proper and fitting home for the human soul. Being a craftsman, she knew that it is a rare and precious thing when reason and nature work together to make something excellent. She determined to save The Clearing and she has.

There are a few men and women in this world who seem to have a capacity, a faculty, for doing the right thing. Whatever the circumstances are, whatever obstacles nature or man places in their way, they seem always to be able to find a path that makes of circumstance and necessity a way to the end that they know is right and good. I do not mean to say that they do not suffer frustration and heart-ache. But I do mean to say that they do not seem to fail. And what is remarkable is that the end they desire is that which indeed belongs to the genus of the best and the highest. What they do has the stamp of nobility upon it—a simple and pure nobility that cannot be mistaken. Such men and women seem to have a natural inclination to the noble. Mertha Fulkerson was a noble woman.

We are here to honor her and to express our gratitude for what she has done for us. Let us pray that we shall be able to maintain for at least a little while what she and Jensen have founded. We have all the goodwill in the world. What we shall need is her power of soul and her wisdom.

MERTHA FULKERSON: GUARDIAN OF THE CLEARING

(By George Anastaplo)

'Tis the gift to be simple, tis the gift to be free,
'Tis the gift to come down where we ought to be,
And when we find ourselves in the place just right,
'Twill be in the valley of love and delight.
When true simplicity is gained,
To bow and to bend we will not be ashamed.
To turn, to turn, will be our delight,
Till by turning, turning we come round right.

—"Simple Gifts" (a Shaker hymn).

I do not know how many times I received in letters from Mertha Fulkerson the message, "Another season has passed and I am again in Madison preparing for another year." There was about Miss Fulkerson's annual cycle something natural and solid, so much so that it was difficult not to take it for granted. But such things cannot last forever—and, indeed, perhaps should not. The wonder is that her recurring cycles ran as long as they did, that they could endure long enough to show, and show in a manner conclusive for all with eyes to see and hearts to feel, that something remarkable and rare had taken root and been sustained in our midst.

Another season has indeed passed and Miss Fulkerson has passed with it. It is difficult to feel about her death, six months later, the sorrow associated with the death of lesser men and women. She had worked hard, accomplished much, tired herself to the bone—and then died. It is as simple, as decisive and as complex as that: death came when she could no longer work, when the prospects before her were of a hobbled existence. She did not need more time to do, and do well, what she had set out to do. She did enough, much more than enough, to teach us what she had learned, to teach us through the life she lived and the institution she perpetuated. What more—unless one surrenders to sentimentality—can one ask of oneself or ask for another?

Miss Fulkerson knew how tough, even ruthless, life can be. The woods taught her that—the woods with their constant struggle for existence and fulfillment between bush and bush, between animal and animal, between tree and tree. But her sense of realism did not dampen either her respect for goodness or her spirit in its pursuit. Her anger in a good cause could be piercing: one knew this even if one was never subjected to it; one did not want to deserve her reproach.

Miss Fulkerson was a woman of action in whose service speech was well used. In fact, I suspect she would have been tempted to suggest (had she anticipated this memorial service) that much better than all this talk about her this evening would be still another "work party"; there must be *somewhere* in the Clearing, she might have pointed out, a wall to be mended or a path to be marked. Yet she knew that talk was vital; for it was with talk that she wove us all together in our weeks of fellowship and study; it was in talk that the classes lived for which the Clearing was designed.

Something must be said on this occasion about the Clearing itself. But that in turn means that something more must be said about Miss Fulkerson *and* the Clearing.

Permit me to return for this purpose to something I said here two summers ago, on the occasion of my last visit at the Clearing with Miss Fulkerson. (She was not in residence here last summer, thinking it best to allow her successor to begin his tour of duty without her looking over his shoulder.) My remarks in 1969 were at the conclusion of the traditional Friday night festivities, those gatherings at which students seize the opportunity to instruct (all too often irreverently, I regret to say) the teachers who have been holding forth all week. It was my opportunity to say, under the immunity granted by the Friday night license, a few things about one of my teachers, Miss Fulkerson herself—an opportunity to say things which needed saying publicy and which, I have been told, it was good that she heard before she died. That these things could be said tells us much about both her and the Clearing: I believe it fitting that a discourse about so innovative a traditionalist as Mertha Fulkerson should contain something both old and new.

What was said by me two years ago went something like this:

"Our festivities this evening celebrate the end of still another week of study at the Clearing. These festivities happen to coincide this year with the Fourth of July, an Independence Day which has been for us distinctively American. For we have witnessed in our work here this week and in our program here this evening that which has distinguished the American experiment: repeated cooperation among strangers, in which the resources of all are employed and a general good-naturedness is drawn on to serve a common purpose. The result is, as we have come to expect again and again in our country, a

remarkably successful joint effort, particularly remarkable when we consider the divergent ways that liberty and the pursuit of self-interest have taken other peoples on this earth.

"How does one celebrate properly on such an occasion as this? By acknowledging the benefactors who have founded and sustained our institutions, and by renewing our dedication to the institutions which have nurtured our ability to work together for the common good and hence for our own. The Clearing—a tranquil opening where a man can take his bearings in this crowded world—is truly American in tone and purpose: to talk about it is to talk about our country and its aspirations.

"For the good week we have just had at the Clearing, discussing John Stuart Mill's *On Liberty* and Edwin Muir's poetry, thanks are due to the Wisconsin Farm Bureau, which has had the civic-mindedness and the good sense to maintain for so many years something as good as the Clearing, and to maintain it in the face of conventional pressure for a balanced budget and in the face of demands for conventional 'improvements' which would really be desecrations. Thanks are due as well to the Clearing staff which has made us reasonably comfortable in our quarters and at our meals. Thanks are due to you students, whose good will and talent and effort have been so evident in the program this evening. Thanks are due to my colleague, Harry Kalven, an old law school teacher of mine from whom I always expect to learn something new, who has gallantly said this week what can be said for John Stuart Mill. And, first and last, thanks are due to Jens Jensen, the founder of the Clearing.

"The greatest tribute to Jens Jensen is found not in the woods he has preserved, magnificent as they are, nor in the vision he transmitted, lofty as that may be. Rather, it is found in the calibre of the people he moved during his long career as landscape architect and naturalist. One of these is Mertha Fulkerson, his colleague of many years and thereafter his successor, who is observing (after more than three decades here of service and adventure) her last Fourth of July as guardian of the Clearing.

"I presume to say a few words about Miss Fulkerson, even to her face, since this is my last opportunity to do so on such an occasion. I am emboldened to do so when I recall that she let me know (with her great talent for the apt word and deed) what she really thought of me the first time I taught here some years ago. This took place as she drove my wife and me after the early Saturday breakfast to Sister Bay where we were to catch the bus which would carry us out of Door County and back to the city. She was, as she raced against the clock, more than courteous in her thanks for the course on Tocqueville I had conducted and evidently sincere in her invitation that I return to teach again at the Clearing. It was only after she had pulled into a driveway to let us off ('Well, here we are!' she said in her most buoyant voice) that I was astonished to learn that she had delivered us to the local funeral home rather than to the bus stop. She expressed astonishment also—but I could not help but wonder, her embarrassed reassurances notwithstanding, what this 'error' revealed.

"I did survive, despite this premature burial, to return many times to the Clearing and to confirm again and again what all of you no doubt realize as well, that Miss Fulkerson is that rare human being of whom it can be said that she has truly lived. One sees in her life a dignified and beneficial covenant with nature. It should be obvious to all who know her that she has been one of the most successful American women of her generation.

"One does not thank someone for being a vital human being of character and devotion, for being and doing what is fitting. One needs only to acknowledge this and thereby to help perpetuate the life she stands for. For to acknowledge publicly her life is not only to show what it can mean to be a genuine human being but also to show that it is still possible to become and remain human and humane in a hectic world beset by the problems ours faces.

"The Clearing is the frame within which this remarkable life has been set, each thereby doing honour to the other. This we are entitled, and even obliged, to celebrate, thus encouraging men to learn and to teach others to believe that a life fitly lived 'is like apples of gold in settings of silver.' "

This is what could be said publicly two years ago. Perhaps there may now be made explicit in my appraisal of Mertha Fulkerson a sentiment which Edwin Muir put this way, "And yet sometimes we still, as through a dream that comes and goes, know what we are, remembering what we were." It may now be said as well that one cannot help but be impressed by the variety of the people who came to love Miss Fulkerson. With love came respect: familiarity did not in this case breed contempt but rather a deepened respect for someone who was whole and wholesome, shrewdly innocent, gracious and, in some ways, even sanctified.

We owe it to the memory and hence to the mission of Miss Fulkerson to observe—two summers later and on a different kind of occasion—that just as the Clearing reassures us of the best in America, it should also remind us of what is shortsighted and vulnerable about America and indeed about modernity itself. We should, that is, face up to the significance of the fact that something as fine as the Clearing should have required the struggle we have witnessed the past quarter century to preserve in its integrity, a struggle which has become even more critical since Miss Fulkerson's retirement and which foreshadows the disintegration of Jens Jensen's Clearing within a generation. Of course, one cannot reasonably hope for immortality for one's institutions. Miss Fulkerson was tough-minded enough to recognize this. But one *can* hope so to establish, extoll and use one's institutions as to provide ever after—so long as there are women and men with eyes to feel and hearts to see—the memory and hence the model of what *can* be nurtured in the everyday world.

Miss Fulkerson was strong and valiant, yet compassionate, highminded and even ethereal. The integrity of her strength was protected by her awareness of the corruption which most threatens the strong in our time: not the corruption of a tyrannical misuse of power, although the temptation to use one's strength to control and exploit the weak can be serious. Rather, she sensed that the truly serious temptation for the strong man today comes in the form of a desire to use himself up ministering to the weak. That is, she sensed that it does not really help either the strong or the weak for the strong to surrender to the weak, for *everyone* to be dominated by the weak and their shortcomings, by their appetites, their delusions and their fears. Miss Fulkerson had the justified self-confidence of the truly strong: she *was* aware of her virtues and accomplishments and of the limitations of others. She usually insisted upon having her way because she sensed that she knew what she was doing.

Miss Fulkerson's toughminded sensitivity may be seen in still another letter—one which she wrote at the end of another memorable season: "The last class left yesterday so again the Clearing is quiet, and in spite of a terrific blow that came during the night, the woodlands are still brilliant in autumn's gold." She goes on in this letter to inquire about course offerings for the coming year (for what was to be her final year at the Clearing): each ending was a new beginning; each beginning carried within it the seeds of its ending. This is a vision of the everyday world which few are perceptive enough to recognize or resolute enough to contemplate.

It is with joy and gratitude and a sense of rededication to what human life can mean that one dares read from Mertha Fulkerson's career some such epitaph as this, *"She came. She saw work to be done. She did it. And then she left."*

NADER LAYS AN EGG

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

Mr. GROSS. Mr. Speaker, the self-promoting, so-called crusader, Ralph Nader, recently went bear hunting with an air rifle when he had the effrontery to criticize former U.S. Senator John J. Williams of Delaware.

Senator Williams needs no defense by me or anyone else, but the groundless and totally irresponsible attack on him by Nader should not go unanswered.

Mr. Speaker, Columnist Clark Mollenhoff has answered Nader in an article in the Chicago Sun Times and I include it for insertion in the RECORD at this point:

WILLIAMS ATTACK A NADER ERROR?

(By Clark Mollenhoff)

WASHINGTON.—Consumer advocate Ralph Nader has made a serious error in permitting one of his study groups to attack former Delaware Sen. John J. Williams, who was busy crusading for the taxpayers for nearly 20 years before Nader arrived on the Washington scene.

It's possible the Nader group was trying for "shock impact" with its charges that Williams had engaged in activities on behalf of some members of the Du Pont family that are "essentially what he has been castigating Bobby Baker for."

The attack on Williams was included in a lengthy report that accused the Du Pont family and its chemical company—the world's largest—with creating a "company state" in Delaware. One part of the report said Williams inserted into a 1964 tax bill a special provision permitting a deduction for property owned by a Du Pont that was seized in Cuba.

Williams was credited with pressing the investigation that led to the conviction of Bobby Baker, the former aide to then Sen. Lyndon B. Johnson. It is absurd to contend that Williams was engaged in the same things that put Baker in prison.

Baker is serving time in federal prison upon conviction of income tax fraud, larceny of political campaign money and conspiracy to defraud the government. It involved charges that Baker had stolen $99,600 in campaign money he had obtained from California savings and loan firms.

LACK OF DOCUMENTATION

There is nothing in the Nader study group report that even remotely tries to document the charge that Williams misused any campaign money, conspired to defraud the government or was engaged in evasion of his federal taxes. But, by innuendo, Nader has managed to leave the impression that Williams was involved in some dishonest activity that amounted to doing special favors for the Du Pont interests of Delaware.

In actual fact, Williams was a symbol of independence from the Du Pont interests. If Nader is really interested in making the government operate in a more honest fashion,

he should be seeking to point out the example of Williams.

That part of the over-all report that deals with Williams reached a new low in irresponsibility when it sought to discredit Williams by leaving the impression there was some secret deal with Du Pont lawyers that meant a $1.6-million tax break to a member of the Du Pont family.

There were only these facts established. General legislation was introduced by Williams that resulted in a tax advantage for one member of the Du Pont family. What wasn't said was that Williams introduced the legislation with the support of the Treasury in a Democratic administration. The bill also had the unanimous backing of the Senate Finance Committee. It was the normal kind of legislation to provide for reasonable tax write-offs when property is confiscated by a foreign government.

In this instance, the Du Pont claim was only one of 7,659 individual claims, with a total value of $490,413,000. The Du Pont claim amounted to less than one-half of 1 per cent of the total. Williams pointed out the same type of legislation is being handled today on the same basis on U.S. property seized by Chile.

SUPPORTED BY RECORDS

While that legislation gave one member of the Du Pont family a tax break of about $1.6 million on Cuba property, Williams had opposed the whole Du Pont empire on legislation that involved billions of dollars after the U.S. Supreme Court ordered Du Pont to divest itself of its General Motors holdings.

The explanation by Williams of the 1964 tax bill is fully supported by the records of the Senate Finance Committee and the Congressional Record for that time. There is no justification for the irresponsible charge against Williams, who for more than 20 years in Congress, was a symbol of aggressive honesty.

Williams didn't view public office as an opportunity to become wealthier. He regarded public office as a public trust. Although he had farmland that made him eligible for farm subsidies, he rejected them.

If Nader is looking for a pattern for rules of conduct to boost his own credibility, he will have a difficult time of finding a better example than the cautious Delaware Republican. Williams might even suggest that Nader's "public citizens" campaign fund is getting off to a questionable start with the following printed statement:

"Here's my $15, please don't waste any of it sending me a thank-you letter, a membership card or literature, I know what's wrong. What I want is to see something done about it."

This statement on the Nader subscription blank is an open invitation to the sloppy political bookkeeping that leads even well-motivated men into financial troubles. Williams could tell Nader something about the kind of clever characters who so often attach themselves to the highest-flying kite and bring it crushing to earth.

ELECTION REFORM

(Mr. SMITH of Iowa asked and was given permission to extend his remarks at this point in the RECORD and to include a table.)

Mr. SMITH of Iowa. Mr. Speaker, on yesterday, I submitted a report on the first session of the 92d Congress. Some last minute actions in the House today make it appropriate to amend the report as follows:

ELECTION REFORM

The Congress passed the first major legislation in 46 years designed to hold down campaign costs and reveal the source and use of contributions. It imposes a ceiling on the amounts candidates for president and congress can spend on T.V. and other costly advertising.

I believe action is needed and that it is very bad to have so many campaigns financed primarily by specal interests or by candidates who have enormous wealth and can finance their own campaign. In one case it gives an opportunity to expect undue attention to be paid to their points of view while in the other case it permits "buying" an offer to the extent that persons of average means cannot effectively compete.

I believe it is average citizens who pay dearly when persons can no longer be elected or afford to serve unless they are personally wealthy or beholden to some special interest. We have been drifting in that direction. No one has suggested a fool-proof way to fully protect against this but at least an effort is being made to improve the situation.

APPROPRIATIONS BILLS PASSED BY 1ST SESS., 92D CONG., FOR FISCAL YEAR 1972 (JULY 1971 TO JULY 1972)

Departments or agencies	Total approved	Over or under last year	Over or under President Nixon's request
1. Education	$5,146,311,000	+$563,104,500	−$6,875,000
2. Legislative	557,029,264	+114,124,945	−3,242,858
3. Treasury-Postal Service-General Government	4,528,986,690	−1,038,472,210	−280,229,310
4. Agriculture-Environmental and Consumer Protection	13,276,900,050	+3,727,992,500	+1,172,086,200
5. State-Justice-Commerce-Judiciary	4,067,116,000	+243,763,700	−149,686,000
6. Interior	2,250,056,035	215,835,135	+24,612,000
7. HUD-Space-Science-Veterans	18,341,325,000	+1,342,850,000	+882,721,000
8. Transportation	2,730,989,997	−253,630,608	+44,983,000
9. Social Security and trust funds	60,273,840,000	+6,275,853,000	
Labor-HEW (not including Social Security)	23,389,317,000	+5,834,638,500	+735,160,000
10. Public Works-AEC	$4,675,125,000	+$210,140,000	+$59,043,000
11. Military construction	2,037,097,000	+333,023,000	−92,708,000
12. Defense	[1] 70,849,113,000	+1,268,411,750	−2,694,716,000
13. District of Columbia (Federal funds)	[1] 285,597,000	+150,334,000	−3,600,000
14. Foreign assistance	[1] 3,003,461,000	−808,796,000	−1,339,174,000
15. Emergency employment assistance (H.J. Res. 833)	1,000,000,000	+1,000,000,000	
16. Summer feeding programs for children (H.J. Res. 744)	17,000,000	+17,000,000	+17,000,000
17. Federal unemployment benefits and allowances (H.J. Res. 915)	270,500,000	+270,500,000	
Net total	216,699,764,036	19,466,672,212	−1,634,625,968

[1] Estimate.

PRESIDENT'S MESSAGE ON PENSION LEGISLATION

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

Mr. GERALD R. FORD. Mr. Speaker, President Nixon has moved dramatically forward in the area of pension security for the American workingman with his recommendations in this field.

I have today introduced the Individual Retirement Benefits Act of 1971, which President Nixon has recommended to the Congress. This legislation is a trailblazer in retirement reform which should be acted upon as quickly as possible by my colleagues.

One of the recurring tragedies in contemporary America, Mr. Speaker, is the loss of pension rights. For a man to work 30 or 40 years and then to lose out on his pension at retirement is the worst form of injustice.

An equally onerous shortcoming in the pension area is the absence of any tax incentives for the half of the American work force not now covered by corporate or self-employment retirement plans. This large group of workers is given no tax break to assist in building a retirement fund, and thus the majority of them reach the senior years of their lives with no income other than social security.

President Nixon's pension reform package addresses itself to these important problems and many others. It is about time we did something to alleviate the injustices in the pension area, and the administration's program is a welcome beginning. I endorse it and I urge the Congress to act favorably on it as expeditiously as possible.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. STRATTON, for December 14 through December 22, on account of official committee business.

Mr. VEYSEY (at the request of Mr. GERALD R. FORD), for today and the balance of the week, on account of official business.

Mr. RANDALL, for himself and for Mr. STRATTON, Mr. GUBSER, and Mr. PIRNIE as members of subcommittee for on and after 5:30 p.m., Tuesday, December 14, and for all subsequent days the House may be in session during the remainder of the week on account of official business—briefings at Saceur, Brussels, and Headquarters 7th Army, Federal Republic of Germany—and other committee investigations.

Mr. KASTENMEIER (at the request of Mr. MCFALL), for today, on account of illness in the family.

Mr. GAYDOS (at the request of Mr. MCFALL), for Monday, December 13, Tuesday, December 14, and Wednesday, December 15, on account of illness.

Mr. O'HARA (at the request of Mr. VANIK), for today, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legisla-

tive program and any special orders heretofore entered, was granted to:

Mr. VANIK, for 20 minutes, today, and to revise and extend his remarks.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. SAYLOR in the body of the RECORD today and to include two resolutions and that they appear in the memorial book of the late Congressman James Fulton of Pennsylvania.

Mrs. GREEN of Oregon in five instances and to include extraneous matter.

Mr. DINGELL, to revise and extend his remarks on the Alaska Native Claims Settlement Act conference report today.

Mr. RYAN to extend his remarks following remarks of Mr. BRASCO prior to passage of conference report.

ENROLLED BILLS SIGNED

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 701. An act to amend the Migratory Bird Hunting Stamp Act to authorize the Secretary of the Interior to establish the fee for stamps issued thereunder, and for other purposes; and

H.R. 8856. An act to authorize an additional Assistant Secretary of Defense.

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. 176. Joint resolution to extend the authority of the Secretary of Housing and Urban Development with respect to interest rates on insured mortgages, to extend and modify certain provisions of the National Flood Insurance Act of 1968, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. HAYS, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 701. A bill to amend the Migratory Bird Hunting Stamp Act to authorize the Secretary of the Interior to establish the fee for stamps issued thereunder, and for other purposes.

H.R. 8856. A bill to authorize an additional Assistant Secretary of Defense; and

H.R. 9961. A bill to provide Federal credit unions with 2 additional years to meet the requirements for insurance, and for other purposes.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair wishes to make an announcement.

The chairman of the Committee on Appropriations has advised he would like to call up the conference report on the Defense Department appropriation bill. The report has been agreed to.

RECESS

The SPEAKER. Under the circumstances, the Chair declares a recess until 6:45 p.m.

Accordingly (at 6 o'clock and 15 minutes p.m.) the House stood in recess until 6:45 p.m.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 7 o'clock and 35 minutes p.m.

HOUR OF MEETING TOMORROW

Mr. BRADEMAS. Mr. Speaker, I ask unanimous consent that when the House adjourns tonight it adjourn to meet at 11 o'clock a.m. tomorrow.

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

There was no objection.

CONFERENCE REPORT ON H.R. 11731, DEPARTMENT OF DEFENSE APPROPRIATIONS, 1972

Mr. MAHON submitted the following conference report and statement on the bill (H.R. 11731) making appropriations for the Department of Defense for the fiscal year ending June 30, 1972, and for other purposes:

CONFERENCE REPORT (H. REPT. NO. 92–754)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11731) "making appropriations for the Department of Defense for the fiscal year ending June 30, 1972, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows: That the Senate recede from its amendments numbered 1, 6, 9, 10, 11, 12, 15, 16, 18, 20, 24, 27, 31, 34, 38, 39, 40, 43, 46, 49, 51, 58, 66, and 70.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 13, 14, 17, 21, 22, 23, 26, 29, 30, 32, 33, 35, 36, 37, 41, 42, 44, 45, 48, 50, 55, 59, 61, 62, 63, 64, 65, 67, 68, and 69, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2 and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$4,558,571,000"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$6,661,212,000"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$5,021,740,000"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$6,224,881,000"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,202,465,000"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$512,300,000"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$3,005,200,000"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,641,603,000"; and the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,787,656,000"; and the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,887,944,000"; and the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$441,143,000"; and the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment amended to read as follows: "; (1) until March 31, 1972, under regulations approved by the Secretary of Defense, for transportation from their homes to rest and recuperation centers in the Pacific area and return, plus per diem payments of not to exceed $30 per day for each dependent for periods not over two weeks, for dependents of military personnel assigned as province or district senior advisers in Vietnam on voluntarily extended tours of duty totaling not less than eighteen months, during periods when such military personnel are granted special incentive leaves at such rest and recuperation centers"; and the Senate agree to the same.

Amendment numbered 56: That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "Such regulations (1) may not require such flying except that required to maintain proficiency in anticipation of a member's assignment to combat operations and (2) such flying may not be permitted in cases of members who have been assigned to a course of instruction of 90 days or more."; and the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment amended to read as follows: ", or (4) costs (not to exceed an aggregate total for all contracts of $1,250,000) of participation in the United States International Aeronautical Exposition"; and the Senate agree to the same.

Amendment numbered 60: That the House recede from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$750,000,000"; and the Senate agree to the same.

GEORGE MAHON,
ROBERT L. F. SIKES,
JAMIE L. WHITTEN,
DANIEL J. FLOOD
(except on amendment No. 70),
JOSEPH P. ADDABBO
(except on amendment No. 70),
JOHN J. MCFALL,
WILLIAM E. MINSHALL
(except as to amendments Nos. 50 and 70),
JOHN J. RHODES,
GLENN R. DAVIS,
LOUIS C. WYMAN,
FRANK T. BOW,
Managers on the Part of the House.

ALLEN J. ELLENDER,
JOHN L. MCCLELLAN,
JOHN C. STENNIS,
MILTON R. YOUNG,
MARGARET CHASE SMITH,
GORDON ALLOTT
(reserve on amendment No. 70),
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The manager on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11731), making appropriations for the Department of Defense for the fiscal year ending June 30, 1972, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

TITLE I—MILITARY PERSONNEL

Military personnel, Army

Amendment No. 1: Appropriates $7,315,637,000 as proposed by the House instead of $7,319,837,000 as proposed by the Senate.

The conferees are in agreement that the $23,500,000 provided by the House for the temporary overstrength of Captains should be provided for through the use of transfer authority as proposed by the Senate.

The House bill provided for a reduction of $157,300,000 in connection with the 50,000 manyear reduction provided for in Public Law 92–129. The Senate bill restored $27,700,000 of the House reduction. The conferees agree to a restoration of $23,500,000, for a net reduction of $133,800,000.

Military personnel, Navy

Amendment No. 2: Appropriates $4,558,571,000 instead of $4,555,071,000 as proposed by the House, and $4,562,071,000 as proposed by the Senate.

Reserve personnel, Air Force

Amendment No. 3: Appropriates $101,716,000 as proposed by the Senate instead of $102,616,000 as proposed by the House.

The House bill included $900,000 above the budget request for the augmentation of the airborne early warning and control capability in the southeastern portion of the United States and the new Reserve C–130 unit which was formed to augment the active force airlift capability.

The Senate bill deleted the funds on the basis that they could be absorbed within an appropriation of this size.

The conferees are in agreement that sufficient funds are available within the Reserve Personnel, Air Force appropriation to provide the $900,000 required for the augmentation of the airborne early warning and control capability and the new Reserve C–130 unit.

TITLE III—OPERATION AND MAINTENANCE

Operation and Maintenance, Army

Amendment No. 4: Appropriates $6,661,212,000 instead of $6,735,662,000 as proposed by the House, and $6,598,012,000 as proposed by the Senate.

The House agreed to the Senate reduction of $53,000,000 for the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS). The conferees agreed that the increased requirements for this program should be funded under the transfer authority granted the Secretary of Defense under section 736 of Title VII, General Provisions. To cover such increased cost the conferees agreed to increase the transfer authority contained in Section 736 from $600,000,000 to $750,000,000. This authority was also broadened to make available additional sources of funds for transfer within the Department. The increase in transfer authority is discussed further in the conferees' statement in Title VII.

The House agreed to the Senate reduction of $8,350,000 for depot maintenance activities of the Army.

The conferees agreed to restore $1,500,000 of the $2,100,000 disallowed by the Senate for the leasing of sedans for additional recruiters for the all-volunteer program. The conferees agreed to leasing funds only for fiscal year 1972 on the basis that the all-volunteer program is new and the number of sedans requested may not be required in the current year or in future years after experience is gained in the program. The conferees are also in agreement that the Department of Defense should make a thorough review to determine the least costly method of obtaining these vehicles, taking into consideration all cost involved. The Department should report on the result of this review in connection with the budget request for fiscal year 1973.

The conferees agreed to restore $50,000,000 of the $58,000,000 disallowed by the Senate for readiness improvements in the Army.

The conferees are in agreement with the Senate action disallowing the $7,200,000 requested for Exercise Reforger III. The Department of Defense disregarded a request of the Committee on Appropriations of the Senate not to obligate funds under the Continuing Resolution for Exercise Reforger III and Exercise Crested Cap, and the funds requested were actually obligated. While funds requested for these exercises have been specifically disallowed, the conferees have agreed to the restoration of $7,200,000 to cover the deficiencies created by the Department's disregard of the Senate Committee's request. The objective of the conferees is to prevent any further obligations for these exercises through the use of funds provided in this bill, and to prohibit the use of funds made available through Continuing Resolutions for similar Reforger and Crested Cap exercises dring fiscal year 1973.

The Senate reduced the Army's advertising program by $9,000,000. The conferees agreed to restore $4,500,000 of these funds. The conferees direct that no funds be used for paid television and radio advertisements.

Operation and Maintenance, Navy

Amendment No. 5: Appropriates $5,021,740,000 instead of $5,039,040,000 as proposed by the House and $5,021,240,000 as proposed by the Senate.

The House agreed to the Senate decrease of $35,700,000 in the CHAMPUS program because the amount required can be provided under the Section 736 transfer authority granted the Secretary of Defense. The Senate recedes from its decrease of $500,000 for the leasing of sedans for recruiters as discussed above. The House disallowed $18,400,000 of the Navy request for supplies and materials. The Senate restored these funds and the House recedes.

Operation and Maintenance, Marine Corps

Amendment No. 6: Appropriates $360,553,000 as proposed by the House instead of $360,077,000 as proposed by the Senate. The Senate had deleted $476,000 for the leasing of sedans for recruiters and recedes in accordance with actions discussed above.

Operation and maintenance, Air Force

Amendment No. 7: Appropriates $6,224,881,000 instead of $6,274,381,000 as proposed by the House, and $6,211,323,000 as proposed by the Senate.

The conferees agreed to the Senate disallowance of $40,000,000 for the CHAMPUS program and a restoration of the $700,000 for the leasing of sedans for recruiters. The House agreed to the Senate reduction of $6,500,000 for the Maverick missile testing program as these funds are not needed and had been offered-up by the Air Force to the Senate for reduction. The House also agreed to the Senate reduction of $3,000,000 in Air Force intelligence activities. The Senate agreed to restore the $12,858,000 requested by the Air Force for the Reforger III and Crested Cap exercises. The conferees' position concerning the Army's participation in the Reforger III exercise is also applicable to the Air Forces' participation in these exercises.

Operation and maintenance, Defense agencies

Amendment No. 8: Appropriates $1,202,465,000 instead of $1,197,465,000 as proposed by the House, and $1,208,565,000 as proposed by the Senate.

The Senate restored $8,000,000 of the House reduction of $20,000,000 for the National Security Agency. The conferees agreed to a restoration of $5,000,000. The Senate also restored $3,100,000 of the House reduction of $4,689,000 for periodic civilian personnel step increases, promotions, and other compensatory awards in the Defense Supply Agency. The conferees agreed that these funds are not needed and the Senate recedes.

Operation and maintenance, Army National Guard

Amendment No. 9: Appropriates $369,961,000 as proposed by the House instead of $365,961,000 as proposed by the Senate. The House increased the budget request for the Army National Guard by $4,000,000 to cover the cost of the increased technician strength authorized for fiscal year 1972 by Public Law 92–119, approved August 13, 1971. The Senate disallowed these funds, however, the conferees agreed they should be restored and the Senate recedes.

Operation and maintenance, Air National Guard

Amendment No. 10: Appropriates $413,428,000 as proposed by the House instead of $402,328,000 as proposed by the Senate. The House increased the budget request for the Air National Guard by $11,100,000 to cover the cost of the increased technician strength authorized for fiscal year 1972. The Senate deleted these funds. The conferees agreed these funds should be restored and the Senate recedes.

National Board for the Promotion of Rifle Practice, Army

Amendment No. 11: Appropriates $122,000 as proposed by the House instead of $106,000 as proposed by the Senate.

TITLE IV—PROCUREMENT

Aircraft procurement, Army

Amendment No. 12: Makes the $90,400,000 appropriated for Aircraft Procurement, Army, available for obligation until June 30, 1974, as proposed by the House, instead of

"available until expended", as proposed by the Senate.

Missile procurement, Army

Amendment No. 13: Appropriates $940,820,000, as proposed by the Senate, instead of $1,040,820,000, as proposed by the House.

The conferees agreed to a general Senate reduction of $100,000,000 to this appropriation to be offset by specific transfer.

Amendment No. 14: Transfers $100,000,000 to this appropriation from the "Procurement of Equipment and Missiles, Army, 1971/1973" appropriation, as proposed by the Senate.

Amendment No. 15: Makes the sums appropriated for and transferred to Missile Procurement, Army, available for obligation until June 30, 1974, as proposed by the House, instead of "available until expended," as proposed by the Senate.

Procurement of weapons and tracked combat vehicles, Army

Amendment No. 16: Makes the $145,500,000 appropriated for Procurement of Weapons and Tracked Combat Vehicles, Army, available for obligation until June 30, 1974, as proposed by the House, instead of "available until expended", as proposed by the Senate.

Procurement of ammunition, Army

Amendment No. 17: Appropriates $1,418,300,000, as proposed by the Senate, instead of $1,496,300,000, as proposed by the House.

The conferees agreed to a general Senate reduction of $78,000,000 to this appropriation based on recently revised ammunition requirements.

Amendment No. 18: Makes the sums appropriated for and the $200,000,000 transferred to Procurement of Ammunition, Army, available for obligation until June 30, 1974, as proposed by the House, instead of "available until expended", as proposed by the Senate.

Other procurement, Army

Amendment No. 19: Appropriates $512,300,000 instead of $527,400,000, as proposed by the House, and $507,300,000, as proposed by the Senate.

The conferees agreed to restore $5,000,000 of the $20,100,000 reduction proposed by the Senate in support of the Consolidated Cryptologic Program. The amount available for this purpose is classified.

Amendment No. 20: Makes the sum appropriated for Other Procurement, Army, available for obligation until June 30, 1974, as proposed by the House, instead of "available until expended", as proposed by the Senate.

Procurement of aircraft and missiles, Navy

Amendment No. 21: Appropriates $3,855,000,000, as proposed by the Senate, instead of $3,905,000,000, as proposed by the House.

The conferees agreed to a general Senate reduction of $50,000,000 to this appropriation to be offset by specific transfer.

Amendments Nos. 22 and 23: Amendment No. 22 transfers $100,000,000 to this appropriation, as proposed by the Senate, instead of $50,000,000, as proposed by the House. Of the amount transferred, Amendment No. 23 stipulates that $75,000,000 shall be derived from the "Procurement of Aircraft and Missiles, Navy, 1971/1973" appropriation, as proposed by the Senate, instead of $25,000,000 as proposed by the House.

Amendment No. 24: Makes the sums appropriated for and transferred to Procurement of Aircraft and Missiles, Navy, available for obligation until June 30, 1974, as proposed by the House, instead of "available until expended", as proposed by the Senate.

Shipbuilding and conversion, Navy

Amendment No. 25: Appropriates $3,005,200,000 instead of $3,017,500,000, as proposed by the House, and $2,926,200,000, as proposed by the Senate.

The conferees agreed to provide $22,500,000 in advance procurement funding for a sixth SSN–688 class nuclear attack submarine and $56,500,000 for construction of new AOR replenishment fleet oiler, as proposed by the House. The conferees further agreed to delete $12,300,000 for the conversion of a T–AGS surveying ship, as proposed by the Senate. The House had provided funding for all three ships, while the Senate had deleted the sums for the three vessels in question.

Amendment No. 26: Transfers to this appropriation $5,000,000 from the "Shipbuilding and Conversion, Navy, 1971/1975" appropriation, as proposed by the Senate.

Amendment No. 27: Makes the sums appropriated for and transferred to Shipbuilding and Conversion, Navy, available for obligation until June 30, 1976, as proposed by the House, instead of "available until expended", as proposed by the Senate.

Other procurement, Navy

Amendment No. 28: Appropriates $1,641,603,000 instead of $1,702,803,000, as proposed by the House, and $1,637,803,000, as proposed by the Senate.

The conferees agreed to restore $3,800,000 of the $5,000,000 Senate reduction to certain intelligence equipment. The amount available for this purpose is classified. The conferees also agreed to a general Senate reduction of $60,000,000 to this appropriation to be offset by specific transfer.

Amendments Nos. 29 and 30: Amendment No. 29 transfers $110,000,000 to this appropriation, as proposed by the Senate, instead of $50,000,000, as proposed by the House. Of the amount transferred, Amendment No. 30 stipulates that $85,000,000 shall be derived from the "Other Procurement, Navy, 1971/1973" appropriation, as proposed by the Senate, instead of $25,000,000, as proposed by the House.

Amendment No. 31: Makes the sums appropriated for and transferred to Other Procurement, Navy, available for obligation until June 30, 1974, as proposed by the House, instead of "available until expended", as proposed by the Senate.

Procurement, Marine Corps

Amendment No. 32: Appropriates $103,100,000, as proposed by the Senate, instead of $118,100,000, as proposed by the House.

The conferees agreed to a general Senate reduction of $15,000,000 to this appropriation to be offset by specific transfer.

Amendment No. 33: Transfers to this appropriation $25,000,000 from the "Procurement, Marine Corps, 1971/1973" appropriation, as proposed by the Senate, instead of $10,000,000, as proposed by the House.

Amendment No. 34: Makes the sums appropriated for and transferred to Procurement, Marine Corps, available for obligation until June 30, 1974, as proposed by the House, instead of "available until expended", as proposed by the Senate.

Aircraft procurement, Air Force

Amendment No. 35: Appropriates $2,899,000,000, as proposed by the Senate, instead of $2,933,800,000, as proposed by the House.

The conferees agreed to make available $5,800,000 in advance procurement funding for the A–7D aircraft, as proposed by the House. The Senate had deleted these funds from the House bill.

The conferees agreed to the $3,000,000 Senate reduction to aircraft modifications, providing a total of $562,000,000 for this purpose.

The House bill had reduced aircraft spares and repair parts by $25,000,000. The Senate bill restored the House reduction, but deleted $1,000,000 for aircraft replenishment spares in support of the Consolidated Cryptologic Program, for a net restoration of $24,000,000 to this budget activity. The conferees agreed to an additional reduction of $5,800,000, or a net restoration of $18,200,000 instead of $24,000,000, as proposed by the Senate. The action of the conferees will provide a total of $407,900,000 for aircraft spares and repair parts.

The conferees also agreed to a general Senate reduction of $50,000,000, to be offset by specific transfer.

Amendments Nos. 36 and 37: Amendment No. 36 transfer $158,700,000 to this appropriation, as proposed by the Senate, instead of $108,700,000 as proposed by the House. Of the amount transferred, Amendment No. 37 stipulates that $75,000,000 shall be derived from the "Aircraft Procurement, Air Force, 1971/1973" appropriation, as proposed by the Senate, instead of $25,000,000, as proposed by the House.

Amendment No. 38: Makes the sums appropriated for and transferred to Aircraft Procurement, Air Force, available for obligation until June 30, 1974, as proposed by the House, instead of "available until expended", as proposed by the Senate.

Missile Procurement, Air Force

Amendment No. 39: Appropriates $1,633,700,000, as proposed by the House, instead of $1,633,600,000, as proposed by the Senate.

The House bill reduced missile spares and repair parts by $15,000,000. The Senate bill restored $5,900,000 of the House reduction, but partially offset the restoration by a $3,000,000 reduction in missile spares and repair parts in support of intelligence, for a net restoration of $2,900,000. The conferees agreed to delete the $2,900,000 Senate restoration, providing a total of $45,800,000 for missile spares and repair parts.

The conferees also agreed to restore the $3,000,000 Senate reduction to the Defense Systems Application Program. The sum provided for this program is classified.

Amendment No. 40: Makes the sums appropriated for and transferred to Missile Procurement, Air Force, available for obligation until June 30, 1974, as proposed by the House, instead of "available until expended", as proposed by the Senate.

Other procurement, Air Force

Amendment No. 41: Appropriates $1,478,998,000, as proposed by the Senate, instead of $1,510,998,000, as proposed by the House.

The conferees agreed to a general Senate reduction of $40,000,000 to this appropriation to be offset by specific transfer.

The conferees agreed to the Senate restoration of $10,000,000 for the AN/TPN–19 Ground Approach Radar, a subsystem of the 404–L Air Traffic Control and Landing System. The agreement was made with the understanding that the Air Force slip to fiscal year 1973 five of the 10 radars scheduled for procurement this fiscal year.

The Air Force should be able to accommodate the position of the conferees by restructuring the fiscal year 1972 and 1973 options of the present contract without a major renegotiation of the entire contract and without cost increases to the overall contract. The contract has already been amended to slip delivery dates.

There is little excuse for the Air Force entering into a contract with options to buy a significant portion of its radar requirements only 10 days after contractor component subsystem tests, including flight test evaluation and demonstration of prototype equipment, which is scheduled to be completed in March 1972. The Air Force will not begin its tests until October 1972 (fiscal year 1973) and they will not be completed until April 1973.

The conferees agreed, however, to make available the $23,200,000 at this time, with the understanding that only the amount necessary to buy five radars will be obligated following satisfactory completion of the flight test evaluation and demonstration by the contractor and his agreement to correct identified deficiencies before production begins on the five radars. The remaining funds are to be used for the fiscal year 1973 program.

The conferees further agreed to the Senate reduction of $2,000,000 in electronics and telecommunications equipment in support of the General Intelligence Program. The total amount available for this program is classified.

Amendment No. 42: Transfers to this appropriation $90,000,000 from the "Other Procurement, Air Force, 1971/1973" appropriation, as proposed by the Senate, instead of $50,000,000, as proposed by the House.

Amendment No. 43: Makes the sums appropriated for and transferred to Other Procurement, Air Force, available for obligation until June 30, 1974, as proposed by the House, instead of "available until expended", as proposed by the Senate.

Procurement, defense agencies

Amendment No. 44: Appropriates $52,971,000, as proposed by the Senate, instead of $62,971,000, as proposed by the House.

The conferees agreed to the general Senate reduction of $5,000,000 in the procurement funds for the National Security Agency. The amount available for this purpose is classified.

The conferees also agreed to the general Senate reduction of $5,000,000 to this appropriation to be offset by specific transfer.

Amendment No. 45: Transfers to this appropriation $5,000,000 from the "Procurement, Defense Agencies, 1971/1973" appropriation, as proposed by the Senate.

Amendment No. 46: Makes the sums appropriated for and transferred to Procurement, Defense Agencies, available for obligation until June 30, 1974, as proposed by the House, instead of "available until expended", as proposed by the Senate.

TITLE V—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Research, development, test, and evaluation, Army

Amendment No. 47: Appropriates $1,787,656,000 instead of $1,769,656,000 as proposed by the House and $1,796,256,000 as proposed by the Senate.

The conference agreement provides $40,000,000 for termination costs associated with the XM–803 Main Battle Tank program and for the initiation of prototype development of two new tanks. No funds are provided for continuation of the XM–803 development effort.

Since the Army does not presently have a program plan for the new prototype tank development effort, the funds required in fiscal year 1972 or in the life of the program are not now known. If the funds provided are not adequate for the current fiscal year, a transfer of additional funds through Section 736 may be proposed.

A total of $9,300,000 is provided for continued development of the Cheyenne helicopter, as proposed by the Senate.

An additional reduction of $2,000,000 is agreed to in Cryptologic Activities instead of the additional $4,000,000 reduction proposed by the Senate. The House deleted $1,000,000 from the program. Thus, the total reduction agreed to is $3,000,000.

The Senate addition of $600,000 for Food Research is not agreed to.

Amendment No. 48: Transfers $51,900,000 from prior year accounts instead of $25,000,000 as proposed by the House.

Amendment No. 49: Deletes Senate language related to the Cheyenne helicopter development program. As discussed above, the conference agreement includes $9,300,000 for the continued development of the Cheyenne helicopter.

Research, development, test, and evaluation, Navy

Amendment No. 50: Appropriates $2,352,319,000 as proposed by the Senate instead of $2,358,319,000 as proposed by the House.

The Committee of Conference recommends the appropriation of $2,000,000 for the Heavy Lift Helicopter development program of the Navy as proposed by the Senate. The House deleted all funds for this program.

In approving the initiation of the development of a Heavy Lift Helicopter by the Navy, the conferees make no commitment to the procurement of any heavy lift helicopter.

The Department of Defense is directed to revise the Heavy Lift Helicopter program of the Army so that the Army HLH is suitable for shipboard use by the Navy and Marine Corps. The two HLH development programs, the Army's and the Navy's should be conducted as competitive prototype development programs with the objective of the procurement of a single HLH for use by the Army, the Navy, and the Marine Corps.

The $2,000,000 reduction in Cryptologic Research proposed by the Senate is agreed to by the Committee of Conference.

The conference agreement directs a general reduction in this appropriation of $12,300,000 instead of the $18,300,000 reduction proposed by the Senate.

The conference agreement provides $21,700,000 for continued development and testing associated with the Surface Effects Ships program instead of $15,400,000 as proposed by the House and $27,700,000 as proposed by the Senate. The sum provided does not include any funds for the design or construction of new, larger surface effects ships. In addition to the House amount, $1,500,000 is provided for the test site associated with the testing of the present 100 ton surface effects ships and $4,800,000 is provided for associated technology.

Amendment No. 51: Deletes Senate language setting aside funds for the Surface Effects Ships program.

Research, development, test, and evaluation, Air Force

Amendment No. 52: Appropriates $2,887,944,000 instead of $2,892,944,000 as proposed by the House and $2,875,944,000 as proposed by the Senate.

The Committee of Conference is in agreement on the appropriation of $12,000,000 as proposed by the House for the initiation of prototype development of a lightweight fighter aircraft and a medium STOL transport aircraft. No other prototype programs presented in the "Prototype Package" for any Service are funded in the accompanying bill. Additional prototype programs desired by the Secretary of Defense should be included in the FY 1973 Budget or in specific reprogramming proposals.

The conferees have agreed to an additional reduction of $3,000,000 in intelligence support as proposed by the Senate. When added to the House reduction of $1,000,000, a total reduction of $4,000,000 is agreed to.

The reduction of $2,000,000 in Defense Systems Application proposed by the Senate is agreed to by the Committee of Conference.

Research, development, test, and evaluation, defense agencies

Amendment No. 53: Appropriates $441,143,000 instead of $440,843,000 as proposed by the House and $442,143,000 as proposed by the Senate.

The conference agreement includes $2,300,000 in addition to the House amount for the costs of termination of the Defense Special Projects Group instead of the additional $4,300,000 proposed by the Senate. A total of $9,300,000 is appropriated for this purpose.

In addition to the $5,000,000 reduction proposed by the House in the R.D.T.&E. activities of the National Security Agency, a further reduction of $4,000,000 is agreed to instead of the $8,000,000 further reduction proposed by the Senate. The total reduction recommended is $9,000,000.

A general reduction of $3,000,000 is agreed to in the amount provided the Advanced Research Projects Agency instead of the $5,000,000 reduction proposed by the House. A total of $211,039,000 is provided for the Advanced Research Projects Agency.

Federal contract research centers

The budget requests for the various appropriations carried in this bill included $273,452,000 for work to be performed by the various Federal Contract Research Centers. Action on the Defense Procurement and Research and Development Authorization Act, 1972 (P.L. 92–156) imposed reductions totalling $22,523,000 on the total funds available for these organizations. In addition, specific reductions totalling $8,200,000 in the funds for these organizations have been made in this bill, leaving a total of $242,729,000.

This total of $242,729,000 shall be considered as a ceiling on the funds available for these organizations. The Secretary of Defense is authorized to allocate the reductions among these organizations, provided that the total allocated for the Research Analysis Corporation shall not exceed $8,094,000; Center for Naval Analysis, $9,802,000; Rand Corporation, $15,870,000; and Institute for Defense Analysis, $8,753,000. It is anticipated that a portion of the $22,523,000 reduction imposed in the Authorization Act will be allocated to the four organizations named above.

TITLE VII—GENERAL PROVISIONS

Amendment No. 54: Section 707. Continues authority for transportation to rest and recuperation centers for dependents of province or district senior advisers in Vietnam who extend their tours of duty for not less than eighteen months until March 31, 1972. If substantive legislation is to be enacted for this program, it can be enacted before that date.

Amendment No. 55: Section 713(c). This section, as passed by the House, provided that upon determination by the President that it is necessary to increase the number of military personnel on active duty beyond the number for which funds are provided in the Act, the Secretary of Defense can pay such personnel. The Senate amended this section to provide that the Presidential determination to increase the number of military personnel must be done "subject to existing law". The conferees are in agreement with the Senate amendment.

Amendment No. 56: Section 715. Provides that the Secretary of Defense may prescribe regulations with regard to proficiency flying but such regulations may not require such flying except in anticipation of the member's assignment to combat nor shall proficiency flying be permitted in cases of members who have been assigned to a course of instruction of 90 days or more. The intent of the revised language is to permit proficiency flying only in those cases where it is anticipated that the individual shall be reassigned to combat operations. However, no individual enrolled in a course of instruction of ninety days or more shall be permitted to participate in proficiency flying. Under the revised language, rated officers affected including students enrolled in courses of instruction of 90 days or more, will continue to receive flight pay.

Amendment No. 57: Permits the allocation of advertising costs of not to exceed $1,250,000 by defense contractors in connection with the U.S. International Aeronautical Exposition to be held at Dulles International Airport.

Amendment No. 58: Places limitation of $50,000 on minor construction as proposed by the House instead of $25,000 as proposed by the Senate.

Amendments Nos. 59, 60, 61, 62, 63, and 64: Provide general transfer authority to the Secretary of Defense of $750,000,000 instead of $600,000,000 as proposed by the House and $900,000,000 as proposed by the Senate. Also broaden authority to include all funds available to the Department of Defense for military functions as proposed by the Senate in-

stead of only funds contained in this Act as proposed by the House.

Transfers made under this authority are to be submitted to the Committees on Appropriations as reprogramming actions requiring prior approval.

Amendment No. 65: Makes technical change proposed by the Senate.

Amendment No. 66: Prohibits the induction or enlistment of any individual into the military services under a mandatory quota based on mental categories as proposed by the House.

TITLE VIII—ANTI-BALLISTIC MISSILE CONSTRUCTION

Military Construction, Army

Amendment No. 67: Updates citation as proposed by the Senate.

Amendment No. 68: Appropriates $98,500,000 as proposed by the Senate instead of $93,300,000 as proposed by the House. The House deleted $5,200,000 for the community impact assistance program which was restored by the Senate. The conferees agree to this restoration.

Family Housing, Defense

Amendment No. 69: Updates citation as proposed by the Senate.

TITLE IX—AIRCRAFT AND OTHER EQUIPMENT FOR ISRAEL AS AUTHORIZED BY PUBLIC LAW 91-441

Amendment No. 70: The Conference agreement deletes the paragraph proposed by the Senate which would have appropriated $500 million to finance sales, credit sales and guarantees of defense articles and services to Israel. The Continuing Resolution (H.J. Res. 1005) includes the funds for this activity and the provision is not necessary in this bill to accomplish the purposes for which it was intended.

Conference Total—With Comparisons

The total new budget (obligational) authority for the fiscal year 1972 recommended by the Committee of Conference, with comparisons to the fiscal year 1971 total, the 1972 budget estimate total, and the House and Senate bills follows:

New budget (obligational) authority, fiscal year 1971	$69,580,701,250
Budget estimates of new (obligational authority, fiscal year 1972	73,543,829,000
House bill, fiscal year 1972	71,048,013,000
Senate bill, fiscal year 1972	70,849,113,000
Conference agreement	70,518,463,000
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1971	+937,761,750
Budget estimates of new (obligational) authority, fiscal year 1972	−3,025,366,000
House bill, fiscal year 1972	−529,550,000
Senate bill, fiscal year 1972	−330,650,000

GEORGE MAHON,
ROBERT L. F. SIKES,
JAMIE L. WHITTEN,
DANIEL J. FLOOD
(except as to amendment No. 70),
JOSEPH P. ADDABBO,
(except on amendment No. 70),
JOHN J. MCFALL,
WILLIAM E. MINSHALL
(except as to amendments Nos. 50 and 70),
JOHN J. RHODES,
GLENN R. DAVIS,
LOUIS C. WYMAN,
FRANK T. BOW,
Managers on the Part of the House.

ALLEN J. ELLENDER,
JOHN L. MCCLELLAN,
JOHN C. STENNIS,
MILTON R. YOUNG,
MARGARET CHASE SMITH,
GORDON ALLOTT
(reserve on amendment No. 70),
Managers on the Part of the Senate.

Mr. MAHON. Mr. Speaker, I call up the conference report on the bill (H.R. 11731) making appropriations for the Department of Defense for the fiscal year ending June 30, 1972, and for other purposes, and ask unanimous consent that the statement of the managers be read in lieu of the report.

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

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of today.)

Mr. MAHON (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the statement be dispensed with.

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

There was no objection.

(Mr. MAHON asked and was given permission to revise and extend his remarks and to include extraneous matter and tables.)

Mr. MAHON. Mr. Speaker, this is the conference report on the defense appropriation bill for the fiscal year which began on July 1. It is so near in form to the bill that passed the House that it could almost be called identical. In other words, the House is being asked tonight to reenact in the form of a conference report the appropriation bill for defense which passed the House on November 17, 1971.

I realize the statement I have just made is an oversimplification. There are changes here and there, but in the context of a bill of this magnitude, $70 billion plus, the changes are relatively small, moneywise and languagewise. So all of you who supported the bill when it passed the House, in my opinion, will feel comfortable in supporting the bill as it now appears in the form of a conference report.

CONFERENCE TOTAL

In the bill before us we are appropriating $70,518,463,000. That is over last year's appropriations by $937 million. The bill is about $1 billion more than last year's amount. But with respect to the budget for the current fiscal year, this conference report represents a reduction below the budget request of $3,025,366,000. So it is very obvious that the bill has had a very hard look, that all requests have been looked at, and thoroughly, and with some degree of skepticism in order that we might sift the information as deeply as possible and get to the very basic facts which exist with respect to our defense programs.

So it was because, in my opinion, the House did such a good job on this bill in the first place that the bill was so well received by the other body.

Two tabulations showing the amounts included follow:

DEFENSE APPROPRIATION BILL 1972—SUMMARY OF APPROPRIATIONS

[Amounts in dollars]

Functional title	Appropriation, fiscal year 1971 (new budget obligational authority)	Budget estimate fiscal year 1972 (new budget obligational authority)	Passed House	Passed Senate	Conference Action	Conference action compared with— 1971 appropriation	Budget estimate	House	Senate
Title I—Military personnel	22,397,857,000	21,291,969,000	21,021,974,000	21,032,274,000	21,024,574,000	−1,373,283,000	−267,395,000	+2,600,000	−7,700,000
Title II—Retired military personnel	3,391,032,000	3,777,134,000	3,777,134,000	,777,134,000	3,777,134,000	+386,102,000			
Title III—Operation and maintenance	20,121,894,000	20,647,834,000	20,435,481,000	20,212,481,000	20,299,231,000	+177,337,000	−348,603,000	−136,250,000	+86,750,000
Title IV—Procurement	16,029,110,000	19,681,660,000	18,185,292,000	17,688,992,000	17,776,892,000	+1,747,782,000	−1,904,768,000	−408,400,000	+87,900,000
Title V—Research, development, test, and evaluation	7,004,187,250	7,949,362,000	7,511,762,000	7,516,662,000	7,519,062,000	+514,874,750	−430,300,000	+7,300,000	+2,400,000
Title VI—Special foreign currency program	2,621,000	12,300,000	12,000,000	12,000,000	12,000,000	+9,379,000	−300,000		
Title VII—General Provisions (additional transfer authority, sec. 736)	(600,000,000)	(1,000,000,000)	(600,000,000)	(900,000,000)	(750,000,000)	(+150,000,000)	(250,000,000)	(+150,000,000)	(−150,000,000)
Title VIII—Antiballistic missile construction	334,000,000	183,570,000	104,370,000	109,570,000	109,570,000	−224,430,000	−74,000,000	+5,200,000	
Title IX—Aircraft and other equipment for Israel as authorized by by Public Law 91-441				500,000,000					−500,000,000
Combat readiness, South Vietnamese forces	300,000,000					−300,000,000			
Total, Department of Defense	69,580,701,250	73,543,829,000	71,048,013,000	70,849,113,000	70,518,463,000	+937,761,750	−3,025,366,000	−529,550,000	−330,650,000
(Transfer authority)	(900,000,000)	(1,000,000,000)	(600,000,000)	(900,000,000)	(750,000,000)	(+150,000,000)	(−250,000,000)	(+150,000,000)	(−150,000,000)

Functional title	Appropriation, fiscal year 1971 (new budget obligational authority)	Budget estimate fiscal year 1972 (new budget obligational authority)	Passed House	Passed Senate	Conference Action	Conference action compared with— 1971 appropriation	Budget estimate	House	Senate
Distribution by organizational component:									
Army	20,963,596,000	21,429,762,000	20,455,796,000	20,152,030,000	20,211,446,000	−752,150,000	−1,218,316,000	−244,350,000	+59,416,000
Navy	21,031,336,250	23,354,333,000	22,629,095,000	22,390,519,000	22,470,795,000	+1,439,458,750	−883,538,000	−158,300,000	+80,276,000
Air Force	22,101,818,000	23,053,940,000	22,366,770,000	22,207,812,000	22,244,570,000	+142,752,000	−809,370,000	−122,200,000	+36,758,000
Defense Agencies/OSD	1,792,919,000	1,928,660,000	1,819,218,000	1,821,618,000	1,814,518,000	+21,599,000	−114,142,000	−4,700,000	−7,100,000
Retired military personnel	3,391,032,000	3,777,134,000	3,777,134,000	3,777,134,000	3,777,134,000	+386,102,000			
Combat readiness, South Vietnamese forces	300,000,000					−300,000,000			
Title IX—Aircraft and other equipment for Israel as authorized by Public Law 91-441				500,000,000					−500,000,000
Total, Department of Defense	69,580,701,250	73,543,829,000	71,048,013,000	70,849,113,000	70,518,463,000	+937,761,750	−3,025,366,000	−529,550,000	−330,650,000

I would like to compliment the chairman of the Senate Appropriations Committee, the gentleman from Louisiana, Senator ELLENDER. He has been a joy to work with in connection with this important task. He has moved diligently and expeditiously on appropriation bills that have gone to the other body in this session, and I cannot speak too highly of the fine degree of cooperation which has existed between the Senate Committee on Appropriations and the House Committee on Appropriations in regard to this measure.

If I may, I would like to discuss some of the things in the bill that in my opinion will be of interest to you.

AVAILABILITY OF FUNDS

We have provided in the law—as we did last year—that funds appropriated for research and development would revert to the Treasury if not obligated in 2 years. We have provided that for ship procurement, the period of availability would be 5 years, and in other procurement accounts it is 3 years. The Defense Department found it impossible to commit all of these funds within this time frame and we have recovered considerable sums, and we have reappropriated those funds in the pending bill.

When the bill went to the Senate, further information was made available which enabled the Senate to apply other funds which had expired insofar as obligation was concerned, and it enabled them to make reductions of about $350 million through this process.

MILITARY PERSONNEL

The conferees agreed to the appropriation of $21,024,574,000 for military personnel which is $2.6 million more than the House bill and $7.7 million less than the Senate bill. There were three amendments involving military personnel appropriations.

The conference agreement appropriates $7,315,637,000 for military personnel, Army, as proposed by the House. The Senate bill deleted $23.5 million which the House had added to provide for a temporary overstrength in the grade of captain on the basis that these additional funds should be provided by transfer. The conferees agreed to the Senate position. The House bill provided for a reduction of $157.3 million in connection with the 50,000 man-year reduction in Army personnel mandated by Congress in the draft bill. The Senate bill restored $27.7 million of this reduction. The conferees agree to a restoration of $23.5 million rather than the $27.7 million as proposed by the Senate.

The pending bill appropriates $4,558,571,000 for military personnel, Navy, which is $3.5 million more than the House bill and $3.5 million less than the Senate bill. The House bill provided for a reduction of $18 million in connection with the 3,000 man-year reduction in Navy personnel mandated by Congress in the draft bill. The Senate bill restored $7 million of this reduction. The conferees agreed to restore $3.5 million.

A total of $101,716,000 is recommended for Reserve personnel, Air Force, as proposed by the Senate. The House bill provided $900,000 above the budget request for changes in the force structure that have occurred since the budget was submitted to Congress. The Senate bill deleted this increase. The conferees are in agreement that sufficient funds are available within the Reserve personnel, Air Force, appropriation of $101,716,000 to fully fund these changes in force structure.

OPERATION AND MAINTENANCE

For operation and maintenance, the conference agreement on the various items in conference provide total funds for fiscal year 1972 of $20,299,231,000. This amount is $348,603,000 below the budget estimate, $136,250,000 below the House allowance and $86,750,000 above the funds provided by the Senate.

CIVILIAN HEALTH AND MEDICAL PROGRAM OF THE UNIFORMED SERVICES—CHAMPUS

The largest amount of operation and maintenance funds in conference was the $128,700,000 House increase in funding for the Civilian Health and Medical Program of the Uniformed Services—CHAMPUS. The House had provided additional funds for the Army, $53 million; the Navy, $35,700,000; and the Air Force, $40 million. These funds were disallowed by the Senate. Instead of providing new obligational authority, the Senate increased the amount available under the transfer authority granted the Secretary of Defense in section 736 of title VII, general provisions, from $600 million to $900 million and broadened the authority to make available additional sources of funds for transfer within the Department of Defense. The conferees agreed to the Senate reduction and the broadening of the sources of funds available to the Department, but only allowed an increase in the amount available for transfer to $750 million. The conferees believe this sum sufficient to carry out the intent of the Senate on this and other programs.

LEASING OF SEDANS

The House bill included funds for the leasing of sedans for new recruiters for the all-volunteer program. You will recall that the budget proposed that these vehicles would be purchased by the Army and Marine Corps and leased by the Navy and Air Force. The Senate deleted all leasing funds with the instruction that these vehicles be obtained from current inventories of the services.

The conferees agreed to restore the leasing funds provided by the House, except for the Army where $1,500,000 was provided in lieu of the $2,100,000 provided by the House. In providing these funds the conferees agreed that the leasing authority be available only for fiscal year 1972. The conferees are also in agreement that the Department of Defense should make a thorough review of this operation to determine the least costly method of obtaining these sedans in future years.

REFORGER AND CRESTED CAP EXERCISES

Another major operation and maintenance program in conference was the funding of the Reforger and Crested Cap exercises carried out by the Army and the Air Force. The Senate had deleted the funds requested for these exercises. The Department had been advised in the Senate report on the first continuing resolution that funding would be denied for fiscal year 1972. Notwithstanding this directive, the Department went ahead with the exercises and spent the funds requested. The conferees agree with the Senate disallowance, but restored funds to cover the deficiencies created by the Department's expenditure of the amounts involved. The conferees are in agreement that these exercises should not be carried out in fiscal year 1973.

NATIONAL GUARD TECHNICIANS

Public Law 92-119, approved on August 13, 1971, authorized increased National Guard technican strength for fiscal year 1972. The House agreed to provide the additional funds required to employ these technicians; 3,935 for the Army National Guard, and 2,765 for the Air National Guard. The Senate disallowed these funds but the conferees agreed that the $4 million required by

the Army Guard and the $11,100,000 required by the Air Guard be restored.

PROCUREMENT

In the procurement appropriations, the conferees agreed to the appropriation of $17,776,892,000, compared with $18,185,292,000 in the House bill and $17,688,992,000 in the Senate bill. Thus, we are under the House bill by $408.4 million and over the Senate bill by $87.9 million.

The House bill had limited the availability of procurement appropriations, while the Senate bill had made these appropriations "available until expended." The conferees agreed with the House position, which made Navy shipbuilding and conversion appropriations available for 5 years and all other procurement appropriations available for 3 years. This agreement settled 13 separate amendments.

There were 18 other procurement amendments which included Senate reductions in new budget obligational authority amounting to $320 million and another amendment involving a $5 million House reduction in Navy shipbuilding and conversion appropriations, all of which the Senate offset by specific transfers of a like amount in old balances available to the Department of Defense. The conferees agreed to the Senate reductions and transfers, thereby disposing of 19 amendments or portions thereof.

In addition to the above $325 million reduction to be offset by transfer of old balances, the House bill contained $360 million in reductions to the procurement appropriations with similar offsetting transfers of old balances. Thus, with the restrictive House language in last year's act limiting the availability of procurement appropriations, we were able to recoup this year $685 million in old balances. By the recoupment of these old balances, plus the use of $158.7 million in excess stock funds, we were able to reduce new budget obligational authority by $843.7 million. Similar reductions and offsetting transfers in the amount of $101.9 million were also realized this year in the research, development, test, and evaluation appropriations which are available for a period of only 2 years.

In Navy shipbuilding, the conferees agreed to include $22.5 million in advance procurement funding for a sixth SSN–688 class nuclear attack submarine, $56.5 million for construction of a new AOR replenishment fleet oiler, and to delete $12.3 million for the conversion of a T–AGS surveying ship. The latter ship conversion was the lowest priority of the three in the view of the Chief of Naval Operations. The House had provided for all three ships, whereas the Senate bill had disallowed the sums for all three vessels.

The conferees agreed to $30.3 million of the $42.1 million Senate reduction in the area of intelligence. The agreement by the conferees included, first, a $15.1 million reduction, instead of $20.1 million as proposed by the Senate, in Army procurement appropriations; second, a $1.2 million reduction, instead of $5 million as proposed by the Senate, in Navy procurement appropriations; third, a $9 million reduction, instead of $12 million as proposed by the Senate, in Air Force procurement appropriations; and fourth, a $5 million reduction in procurement appropriations for the National Security Agency, as proposed by the Senate. As you recall, the House bill contained a total reduction of approximately $163.1 million in procurement appropriations for intelligence and classified projects.

Other decisions by the conferees involved agreements to a $78 million Senate reduction in Army ammunition appropriations, provisions of $5.8 million for Air Air Force A–7D aircraft advance procurement, reduction of $5.8 million of the $24 million Senate restoration of the House disallowance in Air Force aircraft spares and repair parts, and a $10 million Senate restoration of a House reduction in an Air Force procurement, with the limitation that only five of the 10 radars budgeted may be procured in fiscal year 1972, allowing for Air Force testing before significant future procurement of this equipment.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

A total of $7,519,062,000 is provided for research, development, test, and evaluation. The amount agreed to is $7.3 million more than was proposed by the House and $2.4 million more than was proposed by the Senate. The recommended amount is $430.3 million less than the budget request of $7,949,362,000.

The House position was maintained on the termination of the XM–803 main battle tank program. The conference agreement provides only those funds needed to terminate the present XM–803 program and to initiate development of two, new, prototype tanks. The House had provided only $20 million for the new prototype tanks. The Senate had provided $50 million to be used for the XM–803 or the new prototype tanks. The conference agreement provides $40 million, the additional sum above the House amount being for termination costs associated with the XM–803 program.

The House did not agree to the addition by the Senate of $600,000 for food research by the Army. More than $10 million is being spent by the Army in this area, some of it, we think, unnecessarily. We plan to have an investigation into the use of funds for food research. It seems that often the military services feel that they must prove with studies facts which are already generally known in the commercial food industry. It may be that savings can be made in this area.

The House had deleted funds for development of a heavy lift helicopter by the Navy. The Senate restored most of the funds deleted. The conferees agreed to the provision of $2.0 million for this program but insist that the Department of Defense achieve a single heavy lift helicopter for use by all services in all roles. The Department is directed to restructure the Army's heavy lift helicopter design so that it can be used on Navy ships. The Army can reduce its lift requirements, if necessary, in order to make this possible. Then, both the Army and Navy heavy lift helicopters should be developed and tested and, based on test results and cost factors, only one should be chosen for production.

It had been the position of the Department of Defense that a single heavy lift helicopter would be developed for use by all services. After much pressure was applied by the military services, each of which wanted its own program, the Department reversed its position.

This was a mistake and should be rectified. It is utter nonsense to state that with our great technical capabilities, a single heavy lift helicopter adequate for all services cannot be developed. The cost savings which will accrue from one rather than two production lines, one rather than two inventory requirements, and one rather than two training programs are probably in the hundreds of millions of dollars.

The conferees agreed to the appropriation of $21.7 million for the Navy's surface effects ships program instead of the $15.4 million provided by the House and the $27.7 million provided by the Senate. The sum provided will continue the development and testing of the two presently constructed 100-ton surface effects ships, and provide $1.5 million for a test site associated with the testing of the present ships, and $4.8 million for associated technology. No funds are provided for the design or construction of the new, larger surface effects ships proposed by the Navy. Such effort should not proceed until the data is available from the testing of the present ships.

The Senate agreed to the restoration of the $12 million provided by the House for the initiation of prototype development of a new lightweight fighter aircraft and a medium STOL transport aircraft by the Air Force.

The conferees agreed to an appropriation of $9.3 million for the costs of termination of the Defense Special Projects Group. The costs, for the most part, involve the transfer of DSPG programs which are to be continued to the military services.

GENERAL PROVISIONS

The conference agreement includes new language on proficiency flying. The new language permits the Secretary of Defense to prescribe regulations with regard to proficiency flying but provides that only persons who it is anticipated will return to combat assignments will participate in proficiency flying. Both House and Senate provisions exclude students enrolled in a course of instruction of 90 days or more from participating in proficiency flying. Under the conference agreement all rated officers will receive flight pay whether they perform proficiency flying or not.

The House provision permitting the allocation of advertising costs in connection with the International Aeronautical Exposition to be held at Dulles International Airport next May was amended to limit such allocations to $1,250,000.

General transfer authority of $750 million is provided the Secretary of Defense instead of $600 million as proposed by the Senate.

The House provision prohibiting the induction or enlistment of any individual into the military services under a mandatory quota based on mental categories was retained. It is believed that this provision will be helpful in coping with the discipline problems which have plagued the services in recent years.

The Senate provision appropriating $500 million for military credit sales to

Israel was deleted since such sales are funded in the military assistance program under the continuing resolution.

INTELLIGENCE

There has been considerable disenchantment over the handling of intelligence in our Government over a period of years.

I believe we could never expect that the citizens generally or Members of Congress could be completely satisfied with the intelligence operations of the Government. It is a speculative kind of effort in some degree in the first place. There were reductions made in the intelligence effort of about $250 million which we hope will show that we insist on better management in this area.

TRANSFER AUTHORITY

In order to give more flexibility to the Secretary of Defense, in view of the reduction we made below the budget of $3 billion, we give him an increase in transfer authority. In other words, we give him in this bill rather wide authority to utilize funds for special emergency purposes and otherwise to the extent of $750 million. This, we think, will to some extent make more acceptable from the standpoint of the Department of Defense, the sharp cuts that we made.

MILITARY CREDIT SALES TO ISRAEL

The most spectacular thing, perhaps, that the other body did with the bill when it was on the floor of the other body was to add $500 million for military credit sales to Israel. This was passed by a very heavy vote, as a floor amendment to the appropriation bill in the other body.

Aid to Israel, and foreign aid otherwise of this type, has always been carried in the foreign aid appropriation bill and never in the defense appropriation bill. So in the conference the other body receded from its position on the $500 million for military credit sales to Israel and we have provided not to exceed $500 million in the continuing resolution, which we had hoped to bring before the House today and which we certainly hope we will be able to bring before the House tomorrow.

In other words, the Committee on Appropriations is fully aware of the position of the House with respect to military credit sales to Israel and the position of the other body.

The continuing resolution which expired on November 15, and preceding continuing resolutions, which have been in effect since July 1 all provided an annual rate of not to exceed $500 million in military credit sales to Israel. When that resolution was renewed and extended to December 8, it carried, for the 23-day period, an interim rate of $400 million for military credit sales worldwide, but otherwise, the authorized rate for military credit sales to Israel has been $500 million.

So this provision is in the continuing resolution upon which we received a rule yesterday from the Committee on Rules, and when the continuing resolution comes before the House, this $500 million or a provision providing not to exceed $500 million will be included. Some will think it is too high and some will think it is too low. But, except for the brief 23-day period, this has been the ongoing level of these funds available thus far during this fiscal year, nearly half of which will soon be over. Only about $30 million has been obligated. But that is because usually the appropriation bill for foreign assistance comes late in the fiscal year, as it does this year. Therefore, in the negotiations, and so forth, with the nations to which we agreed to sell certain military equipment and provide military assistance otherwise, it takes time to work out the details and it is usually late in the fiscal year before those funds are actually obligated or expended.

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

Mr. MAHON. I yield to the gentleman from New Hampshire, an able member of the Subcommittee on Defense Appropriations.

Mr. WYMAN. Mr. Chairman, when will the legislation that covers Israel come before the House?

Mr. MAHON. I assume that it will be before the House tomorrow. We had hoped to get it up today.

Mr. WYMAN. When that resolution comes before the House, there will be funds in it for procurement of F–4 Phantom jets and all those other things?

Mr. MAHON. There will be provision for the sale of aircraft and other military equipment to Israel on an annual basis of $500 million.

Mr. DAVIS of Wisconsin. Mr. Speaker, I was unable to hear what the gentleman from New Hampshire said. Would the gentleman repeat his statement?

Mr. WYMAN. I just asked the Chairman whether, when the resolution is before us, be it tomorrow or tonight, there would be money in that continuing resolution for the jets and other things that Israel is so concerned about.

Mr. MAHON. There will be in the resolution that will be offered not to exceed $500 million on an annual basis.

Mr. WYMAN. And that is the same figure that was before us in the Appropriation Subcommittee in conference.

Mr. MAHON. The $500 million is the same figure that was before the conference.

Mr. DAVIS of Wisconsin. Mr. Speaker, will the gentleman yield further?

Mr. MAHON. I yield to the gentleman from Wisconsin.

Mr. DAVIS of Wisconsin. We never had that figure or any other figure before us in the original House defense appropriation bill.

Mr. MAHON. The provision referred to was added in the other body and was in conference. The Senate receded. It was never in the bill that was passed by the House.

Mr. DAVIS of Wisconsin. That is correct. We never had that figure or any other figure before us, did we, Mr. Chairman?

Mr. MAHON. You are absolutely correct, insofar as the House version of the bill is concerned.

I do not desire to prolong the discussion because, as I have said, this is very largely the bill which was passed by the House originally.

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

Mr. MAHON. I yield to the gentleman from Florida.

Mr. SIKES. Thank you, Mr. Chairman. I must take note of the fact that Deputy Secretary of Defense David Packard has resigned. This is a resignation which the Congress should observe with sincere regret. Mr. Packard has been outstanding in his contributions. He has been one of the most valuable members of the Secretariat of Defense that I have seen in action in my time here. The country needs him. I am sorry we are going to lose him.

Mr. MAHON. I would like to join in expressing high commendation of Mr. Packard, Deputy Secretary of Defense. He was dedicated to the job and he performed an outstanding service to the Nation. He demonstrated a deep understanding of military procurement problems, problems involving contracts, and all the various programs associated with defense. It is a distinct loss to the country that he is retiring from his position of Deputy Secretary. I wish he could stay longer, but I can understand his desire to return to private life.

Mr. DAVIS of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Wisconsin.

Mr. DAVIS of Wisconsin. I thank the gentleman. I merely wish to say that David Packard is a man who has made a great contribution to the Defense Department. He is one in whose word we place the greatest credibility, a man who has given of himself at obviously considerable financial sacrifice in order to provide leadership for the industrial base of the Defense Establishment of this country. I just do not know how they are going to replace a man of that kind. I certainly believe that every member of this subcommittee has a genuine feeling of regret because of his leaving us, and yet I think it was through a matter of understanding that he has extended his original commitment to a full year in the Defense Department, and I guess we will have to agree that we cannot ask anything more than what he has already given.

Mr. MAHON. Mr. Speaker, I yield 5 minutes to the gentleman from Florida.

Mr. SIKES. Mr. Speaker, first let me congratulate the distinguished gentleman from Texas, the chairman of the Subcommittee of the Committee on Appropriations for the outstanding work he has done in bringing this legislation to the floor. In the Senate 70 amendments were added. That meant a great deal of work had to be done in resolving the differences between the positions of the two Houses in the conference. We had the backing of a very strong group of the members of the Appropriations Committee who served on the conference committee and our very able staff.

I am happy to concur in what the distinguished chairman has said about the important and valuable contributions of the Senator from Louisiana (Mr. ELLENDER) chairman of the Committee on Appropriations in the Senate. His efforts certainly have made our work easier in

resolving the differences in bringing this bill to the floor.

There are some matters which I think should be clarified, and I request the attention of the distinguished chairman when I ask about two or three items on which there was not full concurrence and and on which the language might be subject to misinterpretation.

For instance, the House eliminated a $2 million item for a heavy lift helicopter program for the Navy. The Senate restored that amount of money. The conferees agreed to the appropriation.

The point I would like to make is that there are two helicopters under consideration, one is the heavy lift helicopter for the Army, and the other is a heavy lift or medium lift helicopter for the Navy. The Navy feels it needs a particular helicopter of a special design that will serve for shipboard use. The Army heavy lift helicopter cannot be used on shipboard. The Navy feels it is essential that it have a helicopter that is suitable for shipboard use.

I would like to establish the fact that the conferees have agreed on the continuing development of two prototypes subject, of course, to competitive procurement, but two prototypes until it is determined what helicopter can best be used for all of the services.

I realize that it is the desire of the conferees that we have one heavy-lift helicopter in order to cut down on the cost of the two production lines, to cut down on the cost of two maintenance lines, and to cut down on the cost of two sets of spare parts that are required for the operation of the helicopters.

Am I correct, Mr. Chairman, in assuming that this legislation permits both helicopters to be developed as prototypes until such time as it has been determined which one helicopter can best be adapted for the use of all the services?

Mr. MAHON. Mr. Speaker, as I understand the conference report, we have agreed that the Army and Navy would proceed on two competitive heavy-lift helicopter development programs, but we have not agreed to go beyond that for the procurement of two helicopters, one for use by the Navy and Marines and a helicopter for use by the Army. The Army will have to revise its heavy-lift helicopter program so that the Army's helicopter is suitable for shipboard use by the Navy and Marine Corps. We hope that it will be possible to develop one such helicopter that will be useful for all three services.

Of course, if it develops that this is utterly impossible, that would be another matter for the Members to consider.

Mr. SIKES. Essentially is the Chairman in agreement with my statement?

Mr. MAHON. I believe so.

Mr. SIKES. Mr. Speaker, may I then point to the matter of the development of a new main battle tank.

The SPEAKER. The time of the gentleman from Florida has expired.

Mr. MAHON. Mr. Speaker, I yield the gentleman 3 additional minutes.

Mr. SIKES. Mr. Speaker, turning to the development of a main battle tank, for 10 years we have been plagued with problems in the development of a new main battle tank. We entered into a joint program with Germany. It did not work out. The Germans are supposed to be among the best tank people in the world, but our experts and theirs could not agree on the type of tank we jointly would use. We still do not have a new main battle tank. All other major powers do. They are proceeding and they are moving ahead of us. Their tank programs are more modern than ours in many important respects.

This bill would provide funds for a termination of the present contract for a main battle tank, as well as funds for the initiation of prototype development of two new tanks, which we hope will meet our requirements and give us modernization without any further delay in a new main battle tank for our Army.

Does the distinguished chairman agree that this bill is intended to insure that there will be within the term of this bill, during fiscal year 1972, two new main battle tank prototypes initiated so that we may get out of the doldrums in the tank program, and that if there is not enough money in this bill, it is expected the Department of Defense will by transfer or otherwise come up with sufficient funds for new prototypes of a main battle tank during fiscal year 1972?

Mr. MAHON. I believe the answer to the gentleman's question is "Yes." We want them to proceed with two new prototypes of a main battle tank.

Mr. SIKES. I appreciate the concurrence of the gentleman on what I believe are two very important matters.

Again I compliment the distinguished chairman and the committee itself on the diligence and hard work it has performed in bringing a very good bill to the floor.

Mr. MAHON. I thank my distinguished colleague, who has made a tremendous contribution to the success in the drafting of this legislation.

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

Mr. MAHON. I yield to the gentleman from Iowa.

Mr. GROSS. In connection with the resignation of Mr. Packard, I noted in the newspapers that coincident with his resignation he stated that a billion dollars could be saved by closing bases and other military installations which are not needed in this country. Would the gentleman enlighten us as to why unnecessary bases and installations have not been closed, especially when this could result in a savings of a billion dollars to the taxpayers?

Mr. MAHON. Whether or not a particular base or other defense facility should be closed is a question upon which there are often differences of opinion, as the gentleman well knows. Statements are made from time to time that significant savings could be made by closing various facilities.

If we had a dictatorship, if Government was always run as one might run a business, in a hard-headed, two-fisted way, without full regard to complex defense requirements, local or regional situations, and otherwise, I feel sure there could be considerable streamlining which is not always feasible under our processes of decisionmaking.

I do think there are some facilities that could be closed. Many have been closed over a period of years as the gentleman knows. But how to determine which ones should or should not be closed is not an easy matter for the Department of Defense and the executive branch. That is not the prerogative of the Appropriations Committee. We do not open or close bases. Neither does the Congress. It is basically the responsibility of the executive banch, generally speaking, to make the management and operating decisions.

Mr. GROSS. I take it the gentleman is saying that under the political system under which we operate, it is impossible to save the billion dollars.

Mr. MAHON. This is just a speculative thing. No doubt the Deputy Secretary made the statment, but it is a speculative matter. Everyone is entitled to his own opinion on that kind of subject. It is not a simple matter. There are many considerations involved.

Mr. LONG of Maryland. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the distinguished gentleman from Maryland.

Mr. LONG of Maryland. Would not the gentleman from Iowa be well advised to ask that question in the other body?

Mr. MAHON. Mr. Speaker, how much time do I have remaining?

The SPEAKER. The gentleman has 5 minutes remaining.

Mr. MAHON. Mr. Speaker, I would ask that the gentleman from Ohio use some time.

OVERALL BILL

Mr. MINSHALL. Mr. Speaker and Members of the House, at this hour, 5 minutes after 8, it is rather late in the day to discuss before this body the many ramifications of the Department of Defense appropriation bill.

However, I can say in reflection, looking back on the hours and the days and the months we have spent in hearings, mark-up, report writing, and floor debate in the House and the hours we spent in conference, that I believe we have come up with a very satisfactory bill.

Naturally, a bill of this size is never satisfactory to all of the parties concerned. There are parts of it that I would like to see changed personally, but in view of all of the circumstances I think we have come up with a defense bill that will stand this country well and which this Congress can well be proud of.

COMPLIMENT TO MR. PACKARD

In passing, I think I would be more than remiss if I did not pay tribute to David Packard, who has just announced his retirement, because it has been my privilege to observe Mr. Packard for long hours in our defense hearings.

I have seen only very few men who have come before our subcommittee that were more dedicated to the public service or more sincere in their beliefs than the gentleman from California, Mr. Packard.

I certainly wish him well.

Mr. MAHON. Mr. Speaker, while I was on my feet the gentleman from California (Mr. TALCOTT) was seeking to ask a question. I hope the gentleman will enter into a colloquy with him at this time.

Mr. TALCOTT. Will the gentleman yield?

Mr. MINSHALL. I am glad to yield to the gentleman.

Mr. TALCOTT. I take this time to ask a couple of questions, but first I would like to commend the committee for a fine performance on a very difficult assignment. This bill I believe is quite good.

I would also like to commend Mr. Packard. He is an extraordinary industrialist and patriot. He gave up more than anybody else to serve his country.

PROFICIENCY FLYING

Now I would like to ask a question.

Is there a conference report available so that we can see it?

Mr. MINSHALL. There is one available so that you can see it.

Mr. TALCOTT. I would like to ask about section 715, particularly with regard to proficiency flying.

Mr. MINSHALL. I will be glad to answer any questions that the gentleman has.

Mr. TALCOTT. It appears to me that the proficiency flying has been prohibited. Am I correct?

Mr. MINSHALL. No, it has not been prohibited.

Mr. TALCOTT. Can you tell me what the status is of proficiency flying?

Mr. MINSHALL. I think in the interests of time—and, as I said earlier, the hour is getting late—in regard to proficiency flying, as you are well aware, proficiency flying has been allowed in the military services for some 15 to 20 years, in provisions in the Defense bill similar to section 715. I would like to quote from our own notes on this subject and say that the House revised the language in proficiency flying to allow the rated officer to determine whether he should perform such flying. The House specifically prohibits students assigned to courses of instruction for 90 days or more from performing such flying. The intent of the House, I may say, was to reduce the cost of the proficiency flying. I might say in passing that the cost of proficiency flying amounted to about $100 million in fiscal year 1970 and was budgeted by the services to be a little more for fiscal year 1972.

Mr. TALCOTT. May I ask the gentleman an additional question?

Mr. MINSHALL. Yes.

Mr. TALCOTT. Then, as I understand it, proficiency flying is being prohibited except in a very narrow and limited number of cases and proficiency flying for students is being prohibited for any student enrolled in a course exceeding 90 days?

Mr. MINSHALL. I think I can anticipate some of the gentleman's questions, if you will allow me to continue with my statement.

Mr. TALCOTT. Go ahead, please.

Mr. MINSHALL. The Senate revised the House language to make proficiency flying optional upon determination of the Secretary of the Department concerned and broadened the authority to allow any rated officer to perform proficiency flying, except those assigned to courses of instruction of 90 days or more.

Both the House and Senate allowed the payment of flight pay.

The Department of Defense requested that the conferees adopt and broaden further the Senate language. The Department would like to make it permissive for a service secretary to allow students to perform proficiency flying. The Department made the request at the behest of the Navy, which contends that the prohibition against students flying will, of course, have serious effects.

I understand the gentleman does have some of these Navy schools in his district.

Here is a change we made in section 715. I will read it.

No part of the appropriations in this act shall be available for any expense of operating aircraft under the jurisdiction of the armed forces for the purposes of proficency flying as defined in DOD Directive 1340.4 except in accordance with regulations prescribed by the Secretary of Defense.

Such regulations: First, may not require such flying except that required to maintain proficiency in anticipation of a member's assignment to combat operations and second, such flying may not be permitted in cases of members who have been assigned to a course of instruction of 90 days or more. When any rated member is assigned to duties, the performance of which does not require the maintenance of basic flying skills, all such members, while so assigned, are entitled to flight pay prescribed under section 301 of title 37, United States Code, if otherwise entitled to flight pay at the time of such assignment.

The new language would allow the Secretary of Defense to prescribe regulations and conditions under which this flying can be performed. However, proficiency flying would be excluded for students and those rated officers who will not in the future be assigned to combat operations.

All rated officers will still receive flight pay.

In other words, the change that we made does prohibit students who are assigned to schools for 90 days or more from performing proficiency flying. We feel that these restrictions save upwards of $30 million to $40 million a year.

Mr. TALCOTT. I thank the gentleman. I am in favor of anything that can save $30 million to $40 million a year. However, I am concerned, and I think the committee shall be concerned, and that the Navy should be concerned about this area of proficiency flying.

I think almost any aviator in the Navy, Air Force, or commercial flying feels that an aviator should have proficiency flying. I believe that every active commissioned officer who is in postgraduate work is interested in having their students continue proficiency flying. The students who are now in proficiency flying are some of the brightest, most talented, and most experienced officers which we have in the Navy. They are upward bound Navy officers.

They are going to be running the Navy within a period of a few years. The Navy tells me that this proficiency flying is very necessary and if not continued it would very seriously affect the efficiency of our Navy. So, I think the committee is making a mistake by prohibiting proficiency flying by students who have been assigned to a course of instruction of 90 days or more.

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

Mr. MINSHALL. I yield to the gentleman from Florida.

Mr. SIKES. Mr. Speaker, I concur in the concern that has been expressed by the gentleman from California (Mr. TALCOTT) with reference to proficiency flying for postgraduate students in the Navy. I think a mistake is being made by eliminating that type of proficiency flying. The Navy has particular problems that are not shared by the other Services. Their students must know how to operate ships as well as aircraft. They have a more difficult and complicated task. However, the House language would not permit proficiency flying for postgraduate students. The Senate did not see fit to change the House action and, consequently, there was nothing in conference on which a change could be based.

I feel that a mistake has probably been made and it will take time to determine its full impact. We will have to keep an open mind and, if necessary, at a later date correct the action that is now being taken.

Mr. TALCOTT. I appreciate the remarks of the gentleman from Florida.

Mr. WYMAN. Mr. Speaker, if the gentleman will yield, I have just one question, if I may. May I ask the gentleman from Ohio or the chairman just this question: If the Navy assigns its students for training for a period of 89 days, nothing in the prohibition contained in the conference report which is now before us will prohibit proficiency flying for them, will it?

Mr. MAHON. I would hope that the Navy would not resort to such subterfuge.

Mr. WYMAN. I understand that, and I understand it should not, but in any instance where training is needed to ready a person for potential combat, that the ruling is essential, but I want to make clear that if it is absolutely essential under the language that is now before us they will be able to have our pilots do proficiency flying.

Mr. MINSHALL. I would advise the gentleman that the language provides that proficiency flying is only permitted for those rated officers who it is determined will in the future be assigned to combat operations, but under no circumstances can a rated officer who is assigned to a course of instruction of 90 days or more perform such flying.

GENERAL LEAVE

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days during which to extend their remarks on the conference report on the Defense appropriation bill for 1972.

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

There was no objection.

Mr. HECHLER of West Virginia. Mr. Speaker, I shall have to vote against this massive defense appropriation conference report; if only for the reasons so ably stated by Deputy Secretary of Defense, David Packard, in his farewell press conference. Secretary Packard came right out and said what many people in the Nation suspect: That political pressure against closing unnecessary military bases costs the taxpayers $1 billion a year or more.

If political pressure costs $1 billion a year or more, I wonder how much economic pressure costs in addition? The pressure of powerful entrenched industrial and financial interests can be more severe at times than political pressure, and frequently economic and political pressure are indistinguishable. The taxpayer then pays through the nose.

I was very interested in the remarks of the able chairman of the Committee on Appropriations concerning the charges by Secretary Packard. Both the chairman and other members of the Appropriations Committee gave justifiable praise to Secretary Packard for his leadership in the Department of Defense. Reference was made to the fact that in a democracy we must live with certain inefficiencies which do not exist in a dictatorship, where presumably less money would be wasted because a dictatorship would have the power to resist political pressures of the type Secretary Packard mentions. As a matter of fact, dictatorships are far from efficient in the manner their unchecked expenditure of unnecessary money takes place, and one only has to persue such books as Albert Speer's memoirs to discover the vast number of useless expenditure which Hilter's Germany undertook.

In a democracy, in our Government of checks and balances, I contend that there should be and must be a greater level of efficiency in the expenditure of public funds. The taxpayers cannot condone the waste of over $1 billion by passing it off as one of the necessary evils of democracy.

Mr. RYAN. Mr. Speaker, the conference report on H.R. 11731, the Department of Defense appropriations bill for fiscal year 1972, which provides $70.5 billion overall, underwrites the war in Vietnam. Once again this year, the administration's budget estimate does not break down how much of this massive amount is allocated for the continuing war in Vietnam. This bit of bookkeeping obfuscation is not for the purpose of deceiving the North Vietnamese, who are well aware of our presence in Southeast Asia. Rather this obscuration is directed at the citizens of this country, to prevent them from really seeing how much is spent on this "winding down" war. However, based on available estimates it is fair to say that something on the order of $12 billion is being spent in fiscal 1972 to finance the war in Vietnam. The President's policy of prolonging the war at agonizingly lower levels is not acceptable. Therefore, I intend to vote against this military appropriations conference report, as I voted against the bill which passed the House on November 17.

For the seventh consecutive year since Congress was asked to appropriate money for the war in Vietnam, I again point out that, by exercising its power of the purse, Congress can end the war. It can change the administration's Vietnam war policy by refusing to finance that tragic war.

Since the first supplemental appropriations bill for the war in Vietnam was before the House on May 5, 1965, I have voted against funding it. It is no more supportable today, December 14, 1971, than it has been in the past.

Frequent commentary by the political pundits has centered recently on the point that the President has "defused" the war as a political issue. This is argued particularly in view of the President's announced visit to mainland China. However, men are still fighting and dying in Vietnam, while we wait upon the President's tragic timetable. And the catalog of slain civilians, destroyed villages, ravaged fields, and disrupted cultures expands.

The military appropriations conference report for fiscal year 1972 provides about $1 billion more than last year's appropriation. That is about one-third of the total Federal budget.

Inordinate military spending deprives vital domestic programs of desperately needed funds. Unbreathable air, undrinkable water, festering cities with inadequate housing, inadequate transportation, and inadequate sanitation systems—all are the byproducts of our disordered priorities.

This conference report sustains a national budget which is completely at variance with the real needs of our people. It is time to reorder our priorities—not perpetuate the imbalance as this bill does. I urge that the conference report be rejected.

Mr. MAHON. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

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

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

ADJOURNMENT

Mr. BOGGS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 15 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, December 15, 1971, at 11 o'clock a.m.

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. MILLS of Arkansas: Committee of conference. Conference report on H.R. 10604. (Rept. No. 92–747). Ordered to be printed.

Mr. MILLER of California: Committee on Science and Astronautics. Report for the benefit of mankind. (Rept. No. 92–748). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS of Arkansas: Committee of conference. Conference report on H.R. 6065. (Rept. No. 92–749). Ordered to be printed.

Mr. POAGE: Committee on Agriculture. House Joint Resolution 958. Joint resolution to amend the Sugar Act of 1948, as amended (Rept. No. 92–750). Referred to the Committee of the Whole House on the State of the Union.

Mr. POAGE: Committee on Agriculture. S. 1838. An act to amend the provisions of the Perishable Agricultural Commodities Act, 1930, relating to practices in the marketing of perishable agricultural commodities (Rept. No. 92–751). Referred to the Committee of the Whole House on the State of the Union.

Mr. HAYS: Committee of conference. Conference report on S. 382. (Rept. No. 92–752). Ordered to be printed.

Mr. PATMAN: Further committee of conference. Conference report on S. 2891. With amendment (Rept. No. 92–753). Ordered to be printed.

Mr. MAHON: Committee of conference. Conference report on H.R. 11731. (Rept. No. 92–754). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MILLS of Arkansas (for himself and Mr. BYRNES of Wisconsin):

H.R. 12272. A bill to strengthen and improve the private retirement system by establishing minimum standards for participation in and for vesting of benefits under pension and profit-sharing retirement plans, by allowing deductions to individuals for personal savings for retirement, and by increasing contribution limitations for self-employed individuals and shareholder-employees of electing small business corporations; to the Committee on Ways and Means.

By Mrs. ABZUG:

H.R. 12273. A bill to amend the Fair Packaging and Labeling Act to provide that the commodity label required by that act must disclose the manufacturer's name and place of business, and packer's name and place of business if different from the manufacturer; to the Committee on Interstate and Foreign Commerce.

By Mr. ASPIN:

H.R. 12274. A bill to amend title II of the Social Security Act to provide that an individual's entitlement to benefits shall continue through the month of his death; to the Committee on Ways and Means.

By Mr. BIESTER:

H.R. 12275. A bill to discourage the use of leghold or steel-jaw traps on animals in the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. BLACKBURN (for himself and Mr. STEIGER of Arizona):

H.R. 12276. A bill to amend the Economic Stabilization Act of 1970; to the Committee on Banking and Currency.

By Mr. CARNEY:

H.R. 12277. A bill to provide a $1,500 bonus for certain veterans; to the Committee on Veterans' Affairs.

By Mr. CHAMBERLAIN:

H.R. 12278. A bill to amend the Gun Control Act of 1968 to require each State to grant reciprocity to the police officers of other States with respect to the carrying of concealed weapons; to the Committee on the Judiciary.

By Mr. DOWNING:

H.R. 12279. A bill to limit U.S. contributions to the United Nations; to the Committee on Foreign Affairs.

By Mr. ERLENBORN:

H.R. 12280. A bill to amend the provisions of the Federal Coal Mine Health and Safety Act of 1969 to extend black lung benefits to orphans whose fathers die of pneumoconiosis, and for other purposes; to the Committee on Education and Labor.

By Mr. FINDLEY (for himself, Mr. ASPIN, Mrs. CHISHOLM, Mr. MCKEVITT, Mr. RANGEL, and Mr. SCHERLE):

H.R. 12281. A bill to allow a credit against Federal income taxes or payments from the U.S. Treasury for State and local real property taxes or an equivalent portion of rent paid on their residences by individuals who have attained age 65; to the Committee on Ways and Means.

By Mr. FREY:

H.R. 12282. A bill to amend the Service Contract Act of 1965 to revise the method of computing wage rates under that act; to the Committee on Education and Labor.

By Mr. HAGAN:

H.R. 12283. A bill to provide for the conveyance of certain real property of the United States to the State of Georgia; to the Committee on Agriculture.

By Mr. HATHAWAY:

H.R. 12284. A bill to prohibit the alteration of odometers with intent to defraud purchasers of motor vehicles, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mrs. HICKS of Massachusetts:

H.R. 12285. A bill to provide for greater and more efficient Federal financial assistance to certain large cities with a high incidence of crime, and for other purposes; to the Committee on the Judiciary.

By Mr. LENT (for himself, Mr. MONAGAN, Mr. SANDMAN, Mr. ROBINSON of Virginia, Mr. PIRNIE, Mr. ABBITT, Mr. PEPPER, Mr. HALEY, Mr. BENNETT, Mr. HANLEY, Mr. ANDERSON of Tennessee, Mr. CLARK, Mr. MANN, Mr. FRENZEL, and Mr. ASPIN):

H.R. 12286. A bill to amend the Outer Continental Shelf Lands Act, to establish a National Marine Mineral Resources Trust, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. MICHEL:

H.R. 12287. A bill to permit certain expenditures of the city of Peoria, Ill., to be deemed part of the gross project cost of an urban renewal project; to the Committee on Banking and Currency.

By Mr. MINISH (for himself, Mrs. ABZUG, Mr. ADDABBO, Mr. BURKE of Massachusetts, Mr. DANIELS of New Jersey, Mr. DANIELSON, Mr. DENT, Mr. GALLAGHER, Mrs. GRASSO, Mr. HELSTOSKI, Mr. HOWARD, Mr. KOCH, Mr. MATSUNAGA, Mr. RANGEL, Mr. REES, Mr. RODINO, and Mr. RYAN):

H.R. 12288. A bill to establish the Federal Food Safety Administration to assure the safety of food and its nutritional quality and conformity to accepted standards, and to control its packaging and labeling; to the Committee on Government Operations.

By Mr. PUCINSKI:

H.R. 12289. A bill to amend the Consolidated Farmers Home Administration Act of 1961, and for other purposes; to the Committee on Agriculture.

By Mr. QUIE:

H.R. 12290. A bill to provide a civil penalty for persons owning any vehicles which are on Federal recreational properties without having any litterbags; to the Committee on Interior and Insular Affairs.

By Mr. REUSS:

H.R. 12291. A bill to authorize the President of the United States to propose or agree to a change in the par value of the U.S. dollar; to the Committee on Banking and Currency.

By Mr. SAYLOR (for himself, Mr. VIGORITO, Mr. MORGAN, Mr. CLARK, Mr. DENT, Mr. MOORHEAD, Mr. GAYDOS, and Mr. HEINZ):

H.R. 12292. A bill authorizing the conveyance of certain lands to the Carnegie-Mellon University, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. STEIGER of Wisconsin (for himself, Mr. BROWN of Ohio, Mr. BIESTER, Mr. COUGHLIN, Mr. FREY, Mr. FRENZEL, and Mr. RAILSBACK):

H.R. 12293. A bill to transfer the Teacher Corps to Action; to the Committee on Education and Labor.

By Mr. STRATTON:

H.R. 12294. A bill to amend the Internal revenue Code of 1954 to provide that blood donations shall be considered as charitable contributions deductible from gross income; to the Committee on Ways and Means.

By Mr. STRATTON (for himself, Mr. LENNON, Mr. BURKE of Florida, Mr. BEVILL, Mr. MAZZOLI, Mr. HOSMER, and Mr. BYRNE of Pennsylvania):

H.R. 12295. A bill to amend the Social Security Act to increase benefits and improve eligibility and computation methods under the OASDI program, to make improvements in the medicare, medicaid, and maternal and child health programs with emphasis on improvements in their operating effectiveness, and for other purposes; to the committee on Ways and Means.

By Mr. THONE:

H.R. 12296. A bill to amend the Occupational Safety and Health Act of 1970 to require the Secretary of Labor to recognize the difference in hazards to employees between the heavy construction industry and the light residential construction industry; to the Committee on Education and Labor.

By Mr. BROYHILL of Virginia (for himself and Mr. KUYKENDALL):

H.R. 12297. A bill to authorize a Federal payment for the construction of a transit line in the median of the Dulles Airport Road; to the Committee on the District of Columbia.

By Mr. CRANE:

H.R. 12298. A bill to amend the Economic Stabilization Act of 1971; to the Committee on Banking and Currency.

By Mr. DANIELS of New Jersey:

H.R. 12299. A bill to amend the Urban Transportation Act of 1964 to authorize certain emergency grants to assure adequate rapid transit and commuter railroad service in urban areas, and for other purposes; to the Committee on Banking and Currency.

H.R. 12300. A bill to establish a National Transportation Trust Fund, and for other purposes; to the Committee on Ways and Means.

By Mr. FAUNTROY:

H.R. 12301. A bill to establish a District of Columbia Urban Development Corporation; to the Committee on the District of Columbia.

By Mr. GERALD R. FORD (for himself, Mr. BETTS, and Mr. EDWARDS of Alabama):

H.R. 12302. A bill to strengthen and improve the private retirement system by establishing minimum standards for participation in and for vesting of benefits under pension and profit-sharing retirement plans, by allowing deductions to individuals for personal savings for retirement, and by increasing contribution limitations for self-employed individuals and shareholder-employees of electing small business corporations; to the Committee on Ways and Means.

By Mr. HALPERN:

H.R. 12303. A bill to provide the Secretary of Health, Education, and Welfare with the authority to regulate the interstate shipment and sale of pet turtles; to the Committee on Interstate and Foreign Commerce.

By Mr. HAMILTON (for himself, Mr. ASPIN, Mr. REES, Mr. FULTON of Tennessee, Mr. ROSENTHAL, Mr. HALPERN, Mr. HELSTOSKI, Mr. BOLAND, Mr. WOLFF, Mr. MIKVA, Mr. FREY, Mr. SEIBERLING, Mr. STOKES, Mr. HANNA, Mr. HECHLER of West Virginia, Mr. FRASER, Mr. EILBERG, Mrs. GRASSO, Mr. DENHOLM, Mr. BINGHAM, Mr. KEITH, Mrs. CHISHOLM, Mr. ABOUREZK, and Mr. GIBBONS):

H.R. 12304. A bill to provide a program of pollution control in the river basins and waterways of the United States through comprehensive planning and financial assistance to local governments and regional water basin management associations for the construction of waste treatment facilities; to the Committee on Public Works.

By Mr. HORTON:

H.R. 12305. A bill to establish a joint Committee on National Security; to the Committee on Rules.

By Mr. LENT (for himself and Mr. GARMATZ):

H.R. 12306. A bill to amend the Outer Continental Shelf Lands Act, to establish a national marine mineral resources trust, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. McCLORY:

H.R. 12307. A bill to establish a program for the United States to convert to the metric system; to the Committee on Science and Astronautics.

By Mr. ROGERS (for himself, Mr. SATTERFIELD, Mr. KYROS, Mr. PREYER of North Carolina, Mr. SYMINGTON, Mr. ROY, Mr. NELSEN, Mr. CARTER, and Mr. HASTINGS):

H.R. 12308. A bill to amend the Public Health Service Act to provide for the establishment of a National Institute of Aging, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROGERS:

H.R. 12309. A bill to amend the act providing an exemption from the antitrust laws with respect to agreements between persons engaging in certain professional sports for the purpose of certain television contracts in order to terminate such exemption when a home game is sold out, or when game times differ; to the Committee on the Judiciary.

By Mr. ROY:

H.R. 12310. A bill to amend chapter 81 of subpart G of title 5, United States Code, relating to compensation for work injuries, and for other purposes; to the Committee on Education and Labor.

H.R. 12311. A bill to amend chapter 89 of title 5, United States Code, to provide improved health benefits for Federal employees; to the Committee on Post Office and Civil Service.

H.R. 12312. A bill to amend subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 12313. A bill to amend the age and service requirements for immediate retirement under subchapter III of chapter 83 of title 5, United States Code, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 12314. A bill to amend title 39, United States Code, to authorize the transmission, without cost to the sender, of letter mail to the President or Vice President of the United States or to Members of Congress, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 12315. A bill to increase the contribution of the Federal Government to the costs of employees' health benefits insurance; to the Committee on Post Office and Civil Service.

By Mr. STAGGERS (for himself and Mr. SPRINGER):

H.R. 12316. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to assure the safety and effectiveness of medical devices; to the Committee on Interstate and Foreign Commerce.

By Mr. WHITE:

H.R. 12317. A bill to authorize the Secretary of Agriculture to cooperate with the governments of Central and South America in order to control outbreaks of certain insect pests when necessary to protect the agriculture of the United States; to the Committee on Agriculture.

By Mr. BIAGGI (for himself, Mrs. HICKS of Massachusetts, Mr. HELSTOSKI, Mrs. GREEN of Oregon, Mr. NIX, Mr. MITCHELL, Mr. STOKES, Mr. ST GERMAIN, Mr. HARRINGTON, Mr. BADILLO, Mr. FORSYTHE, Mr. CONYERS, Mr. EDWARDS of California, Mr. DELLUMS, Mr. MORSE, Mr. MATSUNAGA, Mr. REES, Mr. METCALFE, Mr. FAUNTROY, Mr. DIGGS, and Mr. CLAY):

H.R. 12318. A bill to amend title 10 of the United States Code to establish procedures providing members of the Armed Forces redress of grievances arising from acts of brutality or other cruelties, and acts which abridge or deny rights guaranteed to them by the Constitution of the United States, suffered by them while serving in the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. BIAGGI (for himself, Mr. BEVILL, Mr. HOSMER, Mr. BRAY, Mr. PODELL, Mr. BEGICH, and Mr. METCALFE):

H.R. 12319. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide a system for the redress of law enforcement officers' grievances and to establish a law enforcement officers' bill of rights in each of the several States, and for other purposes; to the Committee on the Judiciary.

By Mr. DRINAN (for himself and Mr. ROE):

H.J. Res. 1011. Joint resolution proposing an amendment to the Constitution of the United States lowering the age requirements for membership in the Houses of Congress; to the Committee on the Judiciary.

By Mr. GALIFIANAKIS:

H.J. Res. 1012. Joint resolution to authorize and request the President to issue a proclamation designating the period from April 23, 1972, through April 29, 1972, as "National Textile Week"; to the Committee on the Judiciary.

By Mr. MILLER of Ohio:

H.J. Res. 1013. Joint resolution authorizing the President to designate the first week in March of each year as "National Beta Club Week"; to the Committee on the Judiciary.

By Mr. HAMILTON:

H. Con. Res. 489. Concurrent resolution requesting the President to proclaim the week of March 20–26, 1972, as "American Football and Basketball Coaches Week"; to the Committee on the Judiciary.

By Mr. HOGAN:

H. Con. Res. 490. Concurrent resolution to relieve the suppression of Soviet Jewry; to the Committee on Foreign Affairs.

By Mrs. DWYER (for herself, Mr. PRICE of Illinois, Mr. COUGHLIN, Mr. HORTON, and Mr. MORSE):

H. Res. 746. Resolution calling for a U.S.-initiated effort to achieve a holiday ceasefire leading to meaningful negotiations and a permanent end of hostilities in Indochina; to the Committee on Foreign Affairs.

By Mr. HARRINGTON (for himself and Mr. YOUNG of Florida):

H. Res. 747. Resolution providing for two additional student congressional interns for Members of the House of Representatives, the Resident Commissioner from Puerto Rico, and the Delegate from the District of Columbia; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CHAPPELL:

H.R. 12320. A bill for the relief of Ramona Castro Flores Vda. de Guzman; to the Committee on the Judiciary.

By Mr. McCLORY:

H.R. 12321. A bill to permit the vessel *Manatra II* to be inspected, licensed, and operated as a passenger-carrying vessel, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. ROGERS (by request):

H.R. 12322. A bill for the relief of Lt. Col. Roger M. Reynolds, U.S. Air Force Reserve (retired); to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI:

H.R. 12323. A bill for the relief of Jose Villanueva Juachon and Mary Lou, Jose, Romulo, Rey, and Ruth Juachon; to the Committee on the Judiciary.

By Mr. STEPHENS:

H. Res. 748. Resolution for the relief of William H. Spratling; to the Committee on the Judiciary.

By Mr. BADILLO:

H. Con. Res. 491. Concurrent resolution relating to the status of Sylva Yosifovna Zalmanson Kuznetsov, a citizen of the Soviet Union; to the Committee on Foreign Affairs.

By Mr. BRASCO:

H. Con. Res. 492. Concurrent resolution relating to the status of Sylva Yosifovna Zalmanson Kuznetsov, a citizen of the Soviet Union; to the Committee on Foreign Affairs.

SENATE—*Tuesday, December 14, 1971*

The Senate met at 12 meridian and was called to order by the President pro tempore (Mr. ELLENDER).

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal Father, who at creation caused the light to shine out of darkness, illuminate our minds this holy season that we may be star led to Bethlehem to behold again the divine entering human life. Enable us to make room for Him in our common days that we may live at peace with one another and in good will with all Thy family.

"O come to us, Abide with us.
Our Lord Emmanuel."

Amen.

MESSAGE FROM THE HOUSE—ENROLLED BILLS AND JOINT RESOLUTION SIGNED

A message from the House of Representatives, by Mr. Berry, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution:

H.R. 701. An act to amend the Migratory Bird Hunting Stamp Act to authorize the Secretary of the Interior to establish the fee for stamps issued thereunder, and for other purposes;

H.R. 8856. An act to authorize an additional Assistant Secretary of Defense; and

S.J. Res. 176. Joint resolution to extend the authority of the Secretary of Housing and Urban Development with respect to interest rates on insured mortgages, to extend and modify certain provisions of the National Flood Insurance Act of 1968, and for other purposes.

The enrolled bills and joint resolution were subsequently signed by the President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, December 13, 1971, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

The PRESIDENT. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

H.R. 10367, THE ALASKAN NATIVE CLAIMS—CONFERENCE REPORT

Mr. SCOTT. Mr. President, under the unanimous-consent request entered into yesterday on the Alaskan Native Claims conference report, time on this side is under the control of the minority leader or his designee. At this time, I designate the distinguished Senator from Alaska (Mr. STEVENS) as in control of the time on this side.

Mr. MANSFIELD. Mr. President, I extend to the distinguished Senator from Nevada (Mr. BIBLE) control of the time on our side of the aisle.

EXTENSION OF DATE FOR TRANSMISSION TO CONGRESS OF THE PRESIDENT'S ECONOMIC REPORT

Mr. SCOTT. Mr. President, I send to the desk a joint resolution and ask for its immediate consideration.

The PRESIDENT pro tempore. The joint resolution will be read for the information of the Senate.

The joint resolution (S.J. Res. 183) was read the first time by title, and the second time at length, as follows:

S.J. RES. 183

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of section 3 of the Employment Act of 1946, as amended (15 U.S.C. 1022), the President shall transmit the Economic Report required under that section not later than February 15, 1972.

The PRESIDENT pro tempore. Is there objection to the immediate consideration of the joint resolution?

There being no objection, the joint resolution (S.J. Res. 183) was considered, ordered to be engrossed for a third reading, was read the third time, and passed.

DATE FOR FILING OF JOINT ECONOMIC COMMITTEE'S REPORT ON PRESIDENT'S ECONOMIC REPORT

Mr. MANSFIELD. Mr. President, I send to the desk a joint resolution on behalf of the distinguished Senator from Wisconsin (Mr. PROXMIRE) and ask for its immediate consideration.

The PRESIDENT pro tempore. The joint resolution will be read for the information of the Senate.