CLOTURE MOTION

Mr. GRIFFIN. Mr. President, I send to the desk a cloture motion and ask that it be stated.

The PRESIDING OFFICER. The motion will be stated.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate upon the bill (H.J. Res. 1005), making further continuing appropriations for fiscal year 1972.

1. Hugh Scott.
2. Robert P. Griffin.
3. Marlow W. Cook.
4. J. Glenn Beall, Jr.
5. Clifford P. Hansen.
6. Roman L. Hruska.
7. Jack Miller.
8. Robert Taft, Jr.
9. Strom Thurmond.
10. Carl T. Curtis.
11. Bob Packwood.
12. Edward J. Gurney.
13. Peter H. Dominick.
14. Gale W. McGee.
15. Robert C. Byrd of West Virginia.
16. Milton R. Young.

Mr. GRIFFIN. Mr. President, I yield to the distinguished Senator from North Dakota.

Mr. YOUNG. Mr. President, this is the first time in my nearly 27 years that I have signed a cloture motion. For the first 25 years I voted for cloture only twice.

We have now come to a situation where practically everything is filibustered and there is no chance of coming to any solution so as to enable the majority will to prevail. There is no other solution, I think, than to invoke cloture. That is why, for the first time, I have signed a cloture motion.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. MANSFIELD. I yield to the Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, I do not know why cloture is needed when I said I was perfectly willing to vote tomorrow morning, and the minority leader said he did not want to.

Mr. YOUNG. The Senator will agree to a vote on the first amendment, but he has a half dozen other amendments he will filibuster on.

Mr. GRIFFIN. Mr. President, I believe the situation has been described very well by the Senator from North Dakota. We all understand what the situation really is.

ADJOURNMENT UNTIL 10 A.M.

Mr. MANSFIELD. Mr. President, in hopes of achieving peace and harmony and a better feeling of cooperation tomorrow, I move that the Senate stand in adjournment until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 8 o'clock and 45 minutes p.m.) the Senate adjourned until tomorrow, Thursday, December 16, 1971, at 10 a.m.

NOMINATIONS

Executive nomiations received by the Senate December 15, 1971:

DEPUTY SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS

William Rinehart Pearce, of Minnesota, to be a Deputy Special Representative for Trade Negotiations, with the rank of Ambassador.

DIPLOMATIC AND FOREIGN SERVICE

Matthew J. Looram, Jr., of the District of Columbia, a Foreign Service Officer of Class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Somali Democratic Republic.

ACTION

Kevin O'Donnell, of Maryland, to be an Associate Director of Action; new position.

HOUSE OF REPRESENTATIVES—*Wednesday, December 15, 1971*

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

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

Fear not: for, behold, I bring you good tidings of great joy, which shall be to all people.—Luke 2: 10.

O Thou who art the source of every noble desire and the inspiration of every worthy devotion, draw us together into a unity of spirit as we worship Thee in spirit and in truth.

May this advent season mark the beginning of a new life for us and for our Nation. Grant that the spirit of Him born on Christmas Day may move in our hearts and in the hearts of our countrymen as we strive to lift our Nation to greater heights of altruistic achievements and patriotic fervor.

Amid the stress and strain of daily toil may the peace of Thy presence abide within us. In the spirit of the Master we pray. Amen.

THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

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

H.R. 8312. An act to continue for 2 additional years the duty-free status of certain gifts by members of the Armed Forces serving in combat zones.

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 Senate to the bill (H.R. 10367) entitled "An act to provide for the settlement of certain land claims of Alaska Natives, and for other purposes."

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. 2878. An act to amend the District of Columbia Election Act, and for other purposes.

CONFERENCE REPORT ON H.R. 11731, DEPARTMENT OF DEFENSE APPROPRIATIONS, 1972

The SPEAKER. The unfinished business is the question on the adoption of 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.

The question was taken.

Mr. KYL. 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 293, nays 39, answered "present" 1, not voting 98, as follows:

[Roll No. 466]

YEAS—293

Abbitt	Celler	Flood
Abernethy	Chamberlain	Flowers
Adams	Chappell	Foley
Addabbo	Clark	Ford, Gerald R.
Alexander	Clausen, Don H.	Forsythe
Anderson, Calif.	Clawson, Del	Fountain
Anderson, Ill.	Cleveland	Frelinghuysen
Andrews, N. Dak.	Collier	Frenzel
Annunzio	Collins, Ill.	Frey
Archer	Collins, Tex.	Galifianakis
Arends	Colmer	Gallagher
Ashbrook	Conable	Garmatz
Aspinall	Conte	Gettys
Baring	Corman	Giaimo
Begich	Coughlin	Gibbons
Bell	Culver	Gonzalez
Bennett	Curlin	Goodling
Bergland	Daniel, Va.	Green, Oreg.
Betts	Daniels, N.J.	Griffin
Bevill	Danielson	Gross
Biester	Davis, Ga.	Grover
Blackburn	Davis, S.C.	Gude
Blanton	Davis, Wis.	Haley
Boggs	de la Garza	Halpern
Boland	Delaney	Hamilton
Bow	Dellenback	Hammer-schmidt
Brademas	Denholm	Hanley
Brasco	Dennis	Hanna
Bray	Dent	Hansen, Idaho
Brinkley	Devine	Harsha
Broomfield	Dickinson	Harvey
Brotzman	Dingell	Hastings
Brown, Mich.	Donohue	Hathaway
Brown, Ohio	Dorn	Hays
Broyhill, N.C.	Downing	Heckler, Mass.
Broyhill, Va.	Dulski	Heinz
Buchanan	Duncan	Henderson
Burke, Fla.	du Pont	Hicks, Mass.
Burke, Mass.	Edmondson	Hillis
Burleson, Tex.	Edwards, Ala.	Hogan
Burlison, Mo.	Eilberg	Holifield
Byrne, Pa.	Erlenborn	Hosmer
Byrnes, Wis.	Evans, Colo.	Howard
Byron	Fascell	Hull
Carney	Findley	Hunt
Carter	Fish	Hutchinson
	Fisher	Ichord

Jarman	Mizell	Shipley
Johnson, Calif.	Monagan	Shoup
Johnson, Pa.	Moorhead	Shriver
Jonas	Morgan	Sikes
Jones, Ala.	Murphy, Ill.	Skubitz
Jones, N.C.	Murphy, N.Y.	Slack
Jones, Tenn.	Myers	Smith, Iowa
Karth	Natcher	Smith, N.Y.
Kazen	Nelsen	Snyder
Keating	Nichols	Spence
Keith	Passman	Stanton,
Kemp	Patman	J. William
King	Patten	Steed
Kluczynski	Pepper	Steele
Kuykendall	Perkins	Steiger, Ariz.
Kyl	Pettis	Steiger, Wis.
Kyros	Peyser	Stephens
Landgrebe	Pickle	Stubblefield
Latta	Pike	Stuckey
Leggett	Poff	Symington
Lennon	Powell	Taylor
Lent	Preyer, N.C.	Teague, Calif.
Link	Price, Ill.	Terry
Lloyd	Price, Tex.	Thompson, Ga.
Long, La.	Pryor, Ark.	Thomson, Wis.
Long, Md.	Purcell	Thone
McCollister	Quie	Tiernan
McCormack	Railsback	Udall
McCulloch	Rarick	Ullman
McDade	Reid, N.Y.	Van Deerlin
McDonald, Mich.	Rhodes	Vander Jagt
McEwen	Roberts	Vigorito
McFall	Robinson, Va.	Wampler
McKay	Rodino	Ware
McKevitt	Roe	Whalley
Mahon	Rogers	White
Mailliard	Roncalio	Whitehurst
Mann	Rooney, N.Y.	Whitten
Mathias, Calif.	Rooney, Pa.	Widnall
Mathis, Ga.	Rostenkowski	Williams
Matsunaga	Roush	Wilson, Bob
Mayne	Roy	Wilson,
Mazzoli	Runnels	Charles H.
Meeds	Ruppe	Winn
Melcher	Ruth	Wright
Michel	Sandman	Wydler
Miller, Ohio	Satterfield	Wylie
Mills, Ark.	Saylor	Wyman
Mills, Md.	Scherle	Yatron
Minish	Schwengel	Young, Fla.
Minshall	Scott	Zablocki
	Sebelius	Zwach

NAYS—39

Abourezk	Hungate	Scheuer
Abzug	Koch	Schneebeli
Aspin	Madden	Seiberling
Badillo	Metcalfe	Stanton,
Bingham	Mikva	James V.
Burton	Mitchell	Stokes
Carey, N.Y.	Mosher	Talcott
Dellums	Nix	Vanik
Dow	Obey	Waldie
Drinan	O'Konski	Whalen
Eckhardt	Podell	Wolff
Edwards, Calif.	Rangel	Yates
Hechler, W. Va.	Reuss	
Helstoski	Roybal	

ANSWERED "PRESENT"—1

Riegle

NOT VOTING—98

Anderson, Tenn.	Fulton, Tenn.	Morse
Andrews, Ala.	Fuqua	Moss
Ashley	Gaydos	Nedzi
Baker	Goldwater	O'Hara
Barrett	Grasso	O'Neill
Belcher	Gray	Pelly
Biaggi	Green, Pa.	Pirnie
Blatnik	Griffiths	Poage
Bolling	Gubser	Pucinski
Brooks	Hagan	Quillen
Cabell	Hall	Randall
Caffery	Hansen, Wash.	Rees
Camp	Harrington	Robison, N.Y.
Casey, Tex.	Hawkins	Rosenthal
Cederberg	Hébert	Rousselot
Chisholm	Hicks, Wash.	Ryan
Clancy	Horton	St Germain
Clay	Jacobs	Sarbanes
Conyers	Kastenmeier	Schmitz
Cotter	Kee	Sisk
Crane	Landrum	Smith, Calif.
Derwinski	Lujan	Springer
Diggs	McClory	Staggers
Dowdy	McCloskey	Stratton
Dwyer	McClure	Sullivan
Edwards, La.	McKinney	Teague, Tex.
Esch	McMillan	Thompson, N.J.
Eshleman	Macdonald, Mass.	Veysey
Evins, Tenn.	Martin	Waggonner
Flynt	Miller, Calif.	Wiggins
Ford, William D.	Mink	Wyatt
Fraser	Mollohan	Young, Tex.
	Montgomery	Zion

So the conference report was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Thompson of New Jersey against.

Mr. Waggonner for, with Mr. Kastenmeier against.

Mr. Moss for, with Mrs. Chisholm against.

Mr. O'Neill for, with Mr. Diggs against.

Mr. Teague of Texas for, with Mr. Conyers against.

Mr. Biaggi for, with Mr. Rosenthal against.

Mr. Evins of Tennessee for, with Mr. Ryan against.

Mr. Smith of California for, with Mr. Fraser against.

Mr. Martin for, with Mr. Clay against.

Mr. Horton for, with Mr. Hawkins against.

Mr. Stratton for, with Mr. Harrington against.

Mr. Staggers for, with Mr. Green of Pennsylvania against.

Mr. Ashley for, with Mr. William D. Ford against.

Mr. Robison of New York for, with Mr. Rees against.

Mr. Cederberg for, with Mr. Nedzi against.

Mr. Williams for, with Mr. McCloskey against.

Until further notice:

Mr. Miller of California with Mr. Gubser.

Mr. Young of Texas with Mr. Derwinski.

Mrs. Sullivan with Mrs. Dwyer.

Mr. Fuqua with Mr. Pelly.

Mr. James V. Stanton with Mr. Crane.

Mr. Sisk with Mr. Goldwater.

Mr. Caffery with Mr. Belcher.

Mr. Andrews of Alabama with Mr. Hall.

Mr. Macdonald of Massachusetts with Mr. Morse.

Mrs. Griffiths with Mr. Pirnie.

Mr. Poage with Mr. McClure.

Mrs. Hansen of Washington with Mr. Wyatt.

Mr. Brooks with Mr. Springer.

Mr. Anderson of Tennessee with Mr. Baker.

Mr. St Germain with Mr. Clancy.

Mr. Gray with Mr. McKinney.

Mr. Kee with Mr. Veysey.

Mr. Hicks of Washington with Mr. McClory.

Mr. O'Hara with Mr. Esch.

Mr. Flynt with Mr. Quillen.

Mr. Blatnik with Mr. Eshleman.

Mr. Randall with Mr. Camp.

Mr. Cabell with Mr. Rousselot.

Mr. McMillan with Mr. Schmitz.

Mr. Montgomery with Mr. Zion.

Mr. Gaydos with Mr. Lujan.

Mr. Casey of Texas with Mr. Fulton of Tennessee.

Mr. Cotter with Mr. Sarbanes.

Mr. Hagan with Mr. Pucinski.

Mrs. Mink with Mr. Jacobs.

Mr. Mollohan with Mr. Landrum.

Mr. NIX changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MISTAKE TO PROHIBIT PROFICIENCY FLYING BY STUDENTS

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

Mr. TALCOTT. Mr. Speaker, yesterday, late, while considering the conference report on the Defense appropriations bill, I asked several questions and was not satisfied with the answers. We adjourned suddenly because a quorum was not present.

The conferees have prohibited proficiency flying for students. I am distressed; the Navy is worried; OSD is concerned about the possible demise of proficiency flying.

This little, almost hidden provision, in section 715, will clip the wings of our air defenses in the Army, Navy, Air Force, and Marines. This prohibition will seriously degrade our airpower—which as everyone must know is our most effective defensive arm. Airpower—of all the services—was our most effective tactical, strategic, and logistic force in Southeast Asia. Airpower is our most effective deterrent with NATO—nuclear weapons will not be used, as we know. Airpower will be the most likely weaponry used in the Middle East—it is now our best deterrent of a hot war. Aircraft from the land or sea, or both, will be our forte—and everyone in the service, on all sides, knows this.

In spite of this, we are ending proficiency flying for all intents and purposes. This is cutting the heart out of our air defenses.

Proficiency flying is flying by rated personnel, primarily pilots, who are temporarily assigned to nonflying duties. It is designed to keep pilots "up to speed," to maintain their special skill, to keep their "feel" and motivation for operational flying.

Those who need and desire proficiency flying most are pilots selected for special courses of advanced study, including technical, scientific, and postgraduate schools.

Personnel selected for advanced education are those with the most ability and potential for leadership. They are mostly the brightest, most talented "upward bound" officers. They are the "top of the breed"; they are the future leaders of our defense forces.

The elite of those chosen for advanced education are the rated personnel—all of whom expect to become operational commanders after they accomplish their advanced education.

This small, extraordinary group of potential leaders, already identified for leadership roles, are the most adversely affected by the proposed prohibition of proficiency flying for students.

This is a grave mistake. I believe the committee is making this grievous error on bad advice.

Every aviation expert—in all of the services, and in commercial aviation as well—concurs that proficiency flying is essential to maintain flying skills and motivation.

I no longer fly, but I believe I can understand the expert aviators' universally held conviction that proficiency flying is essential to a pilot's career and the readiness of the air arm of our defense forces.

Every expert in postgraduate education for rated personnel concurs in the need for proficiency flying.

I am no longer active in formal postgraduate work or study, but I believe I can understand the expert academicians' universally held conviction that proficiency flying is essential in attracting the brightest upward bound, junior rated officers to postgraduate schools.

Everyone who has a skill understands the need for maintaining his proficiency.

Ask any athlete, for instance, what happens to his skills and desire if he is unable to maintain his "game"—golf, football, boxing, anything.

Ask any surgeon as another example what happens to his skill if he must interrupt his practice.

A similar degradation of skill befalls the pilot when he is prohibited from flying.

Actually three phenomena occur: First, the pilot will not resume flying; or second, he may try and "rack up" his aircraft or crew in the attempt; or third, he will not accept a nonflying assignment in the first instance even though it would be personally beneficial to his career advancement.

In every case the armed services and our national defenses lose heavily.

Some reference was made to the costs of proficiency flying. The figure mentioned was inaccurate and exaggerated. Actually, the true costs have never been developed by the committee.

I, too, want to reduce costs—and will vote for every true reduction of costs recommended by this committee.

I resent the offhand insinuation by the gentleman from Ohio (Mr. MINSHALL), in yesterday's colloquy with me when he suggested my interest in proficiency flying was affected by the naval auxiliary landing field at Monterey, which adjoins the naval postgraduate school in my district.

I want to maintain proficiency flying whether NALF remains or not. NALF is a minor military base in my district. A civilian tenant would be much more acceptable to our civilian community. I am strongly and actively urging the deactivation of two military bases—Camp Roberts and San Luis Obispo—in my district.

I have joined the reclama of Secretary of Defense Melvin Laird addressed to Chairmen MAHON and ELLENDER dated November 24, 1971, which urges the continuation of "proficiency flying" even on the condition of closing NALF.

I have written the distinguished chairman of our committee, the gentleman from Texas (Mr. MAHON), with copies to the conferees, including the gentleman from Ohio (Mr. MINSHALL), on December 6, 1971, again urging the retention of proficiency flying for students, yet acceeding to the elimination of NALF. The gentleman's comment is not well taken.

The "costs" of proficiency flying are substantial—and every effort should be made to reduce costs and minimize waste. I have some recommendations to achieve this objective.

The "costs" of prohibiting proficiency flying could be enormous—in degradation of the careers of most talented young officers, in the diminution of our air readiness, in the disruption or the disdain for postgraduate study by rated officers.

There is another "cost" which is certain to follow the prohibition of proficiency flying by students—a cost which every airman dreads. When these students are ordered back to operational flying, after 2 years of study or other nonflying duty, there will be accidents, crashes, deaths, injuries, destruction of aircraft and facilities, extra costs in attempting to retrain and refresh and requalify these pilots who have not been flying. There will be wasted valuable time and a long lag in regaining proficiency before they can be useful to an operational unit. In case of any emergency the "cost" of their "lack of readiness" could be horrendous.

No, I do not mind talking about costs. No, I do not mind reducing costs and eliminating waste. I will help the committee do this. I'm willing to help carry out the admonition of retiring Assistant Secretary of Defense David Packard who suggested that we could close a billion dollars of unneeded military bases. But I doubt very much that Assistant Secretary Packard would recommend the elimination of proficiency flying for students. I believe he understands the value of our rated officer, the value of maintaining their special skills, the value of post graduate work, the need for motivation of the brightest, most skilled young officers we have in the services.

I believe the expense of proficiency flying can and should be reduced. I have some suggestions to achieve this proper objective.

But you do not always save money by simply eliminating a program.

Too many members of the committee are mixing apples and oranges. They have mixed flight pay with proficiency flying; but they are different. I carry no torch for flight pay without flying. I carry no torch for proficiency flying by those who are not intending to return to operational flying. I carry no torches for those who may have abused the concept of proficiency flying but joyriding or using proficiency craft for nonproficiency flying. The abuses and excesses, if any, in the administration of proficiency flying could and should be eliminated without eliminating proficiency flying.

I really do not blame the committee for their mistake. I believe they have been misled by a GAO report and their own investigative staff report, both of which were incompetently and inadequately prepared by persons who have never been in a cockpit, never been in aerial combat and never been to a post graduate school and have no appreciation for the essentiality of proficiency flying but know that any high cost item is a certain welcome target for budget cutters. I believe we have to use more discretion and judgment.

Everyone knows that pilot training is expensive—maybe the most expensive training in the armed services. It is one of the most exacting of all skills, particularly with the new, sophisticated weapons, avionics, and aviation devices and instruments.

These highly skilled and expensively trained "upward bound" potential leaders should not be degraded.

The conference report is clipping the wings and degrading the most important arm of defense forces.

I voted against the conference report to protest this ill-advised action; to call attention to the fact that the prohibition of proficiency flying by students is opposed by the experts in aviation and postgraduate work and commercial aviation. I am confident that my concern is well substantiated. I believe that the committee should review its action at the earliest possible time so that no further jeopardy is caused to the air arm of our defense forces.

AUTHORIZING SPEAKER OR SPEAKER PRO TEMPORE TO DECLARE RECESSES TODAY

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that at any time during the remainder of the day it may be in order for the Speaker or the Speaker pro tempore to declare a recess subject to the call of the Chair.

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

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object, and I have no intention of objecting, I would like to ask the distinguished majority leader if he could give the Members of the House his best appraisal of what the agenda will be for today.

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

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

Mr. BOGGS. I am happy to inform the House that the stalemate that has existed for a time in the conference on the District appropriation bill has been resolved, which means that the conference report on the District of Columbia appropriations is the next order of business.

We plan to follow that with the bill which was originally scheduled to be called up from the Committee on Ways and Means yesterday, having to do with the extension of unemployment compensation in certain distressed areas.

The continuing resolution for foreign aid will then be considered.

It may be that other matters will be sent to us by the other body. We do not know what those matters might be or how many but I do not anticipate very many. But so far as our calendar is concerned, that is it.

Mr. GERALD R. FORD. After the continuing resolution or any other matters that the other body might send to us, we would anticipate sending over to the other body the resolution for sine die adjournment.

Mr. BOGGS. We would anticipate at least informing the other body that we are prepared to adopt such a resolution.

Mr. PASSMAN. Mr. Speaker, reserving the right to object, and of course I shall not object, I notice that the majority leader referred to the continuing resolution as foreign aid. There are many other items in the continuing resolution—it is not just foreign aid.

Mr. BOGGS. I appreciate the gentleman from Louisiana explaining that. But it has been referred to simply as a continuing resolution for foreign aid. But, of course, it does contain a significant number of other items. I did not think it was necessary to list the whole number of items at this time. Perhaps the chairman of the Committee on Appropriations might want to make a statement at this time.

Mr. MAHON. Mr. Speaker, further reserving the right to object, the contin-

uing resolution is necessary because the previous continuing resolution expired on December 8.

The continuing resolution will validate actions of the Department of Defense and of the District of Columbia and several other Government agencies and activities from December 8, pending the time when the President signs this bill into law. So, the extension resolution is urgent regardless of the foreign aid aspect. It is imperative that it pass before this session of Congress adjourns.

Mr. BOGGS. I appreciate the gentleman's explanation.

Mr. GROSS. Mr. Speaker, further reserving the right to object, among the numerous rumors floating around the House Chamber, I have heard the rumor that there may be an extended recess in order to accommodate some kind of briefing at the White House. Is it possible that is what this request for a recess is designed to accommodate?

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

Mr. GROSS. Of course, I yield.

Mr. BOGGS. It is the intention of the Speaker, the majority leader, that is, myself, and other Members of the House to attend a briefing at the request of President Nixon at noontime. The House will not recess for the briefing.

Mr. GROSS. We will not recess?

Mr. BOGGS. The House will continue to be in session at this time.

Mr. GROSS. That is the best news I have heard for quite awhile.

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

There was no objection.

CONCERN OVER DELETION FROM DEFENSE APPROPRIATION CONFERENCE REPORT OF MILITARY AID FOR ISRAEL

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

Mr. ADDABBO. Mr. Speaker, the House will vote today on the defense appropriation conference report on H.R. 11731. As one of the House conferees of this important bill, I want to take this opportunity to express my concern over deletion of an amendment appropriating $500 million for the sale of military equipment including F–4 Phantom aircraft, to Israel.

I have officially excepted from the conference report action on this amendment—No. 70—in order to record my opposition to this deletion of the Israel military credit sales provision from the Defense appropriation bill. The explanation given by the chairman of the House Appropriations Committee is that funding for such sales to Israel will be included in the continuing resolution on military foreign assistance to be voted on by the House later today.

I have excepted from the deletion of this appropriation from the defense appropriation bill because I prefer to include this funding authority in the Defense bill for fiscal 1972 instead of the continuing resolution on foreign assistance which only remains in effect until March 1972. The ultimate fate of the foreign aid bill is not yet predictable and in my opinion the sale of jet aircraft to Israel is too important and urgent an issue to be left in doubt.

When the continuing resolution of foreign assistance is brought before the House, I will support that measure and I urge my colleagues in the House to join me in voting for that bill which includes funding for military credit sales to Israel. We must also prepare for the debate over extension of this funding authority when Congress reconvenes in January. As a member of the Appropriations Committee I will make every effort to include funding for military sales to Israel in appropriation bills drafted early next year.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair asks the indulgence of Members not to use the 1 minute this morning which is ordinarily permitted.

PRISON REHABILITATION

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

Mr. GUDE. Mr. Speaker, this week representatives from the Federal City College Lorton Project met with members of the Task Force on Prison Reform for an informal discussion of this new concept in "prisoner rehabilitation" through higher education and community organization.

The Lorton project is unique among rehabilitation programs in that it takes as its purpose the development of manpower to serve the needs of the community. It is designed to help convicts redefine their roles and to supply the much needed resources in the struggle to improve the urban condition.

One aspect of the Lorton project which particularly impressed me was ING—the intensive narcotics group. This group was formed because of the crying need for a responsible and successful drug rehabilitation program at Lorton.

ING has rejected the use of methadone treatment for those already addicted to drugs. This currently popular treatment is viewed by ING as a trap which will be physically harmful to the addict and will not solve the economic and psychological problems which, in part, caused the addiction.

It is interesting that in rejecting methadone ING has taken a position which has been advocated by a number of highly regarded medical authorities.

I believe that methadone can possibly serve as an effective tool in moving some addicts in the direction of total abstinence from drugs. With some small number of unfortunate victims of drug addiction, methadone maintenance may be the lesser of two evils. However, programs utilizing methadone should be operated under the most strict medical and psychological supervision, and, I feel, with the hope that those on maintenance can ultimately be moved to total abstinence.

The mere substitution of one drug for another, however, does not even begin to restore to the addict the self respect and potential for a full and socially useful life which the Lorton project offers. If our society turns to methadone because it is the cheap way out and we abandon the numerous addicts in this country to a life of legal drug dependency, we will have reached a new level in the dehumanization of man.

CONFERENCE REPORT ON H.R. 11932, DISTRICT OF COLUMBIA APPROPRIATIONS, 1972

Mr. NATCHER submitted the following conference report and statement on the bill (H.R. 11932) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 172, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 92–755)

The Committee of Conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11932) "making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District 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 18, 19, 21, 24, 25, 26, 27, 28, 29, 30, 31, 32, and 36.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 6, 8, 9, 10, 11, 12, 13, 14, 15, 16, 20, and 23, and 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 "$171,517,000"; 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 "$182,402,000"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$255,878,000"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$9,231,900"; and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment, as follows: In lieu of the section number named in said amendment insert: "17"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment, as follows: In lieu of the section number named in said amendment insert: "18"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 1, 3, 4, and 33.

WILLIAM H. NATCHER,
ROBERT N. GIAIMO,
DAVID PRYOR,
DAVID R. OBEY,
LOUIS STOKES,
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GEORGE MAHON,
FRANK T. BOW.
Managers on the Part of the House.

DANIEL K. INOUYE,
JOSEPH M. MONTOYA,
ALLEN J. ELLENDER,
CHARLES H. PERCY,
J. CALEB BOGGS,
MILTON R. YOUNG,
THOMAS F. EAGLETON.
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. 11932) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District 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:

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

Amendment No. 1: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment to appropriate $166,000,000 instead of $162,000,000 as proposed by the House and $179,000,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

LOANS TO THE DISTRICT OF COLUMBIA FOR CAPITAL OUTLAY

Amendment No. 2: Corrects citation as proposed by the Senate.

GENERAL OPERATING EXPENSES

Amendment No. 3: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate to appropriate $58,757,000 instead of $58,860,000 as proposed by the House and $58,967,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

PUBLIC SAFETY

Amendment No. 4: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate to appropriate $168,275,000 instead of $169,167,000 as proposed by the House and $169,033,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

EDUCATION

Amendment No. 5: Appropriates $171,517,000 instead of $166,970,000 as proposed by the House and $175,890,000 as proposed by the Senate.

RECREATION

Amendment No. 6: Appropriates $12,611,000 as proposed by the Senate instead of $12,658,000 as proposed by the House.

HUMAN RESOURCES

Amendment No. 7: Appropriates $182,402,000 instead of $181,378,000 as proposed by the House and $190,139,000 as proposed by the Senate.

The managers on the part of the House and Senate have allowed 45 positions and $203,800 for the District of Columbia social services Department of Human Resources only for the purpose of hiring investigators to identify and eliminate ineligible welfare recipients. The managers direct that this be done immediately and a detailed report be provided the respective committees in connection with the District's next supplemental or annual budget presentation. Further necessary supporting staff shall be financed from available funds.

HIGHWAYS AND TRAFFIC

Amendments Nos. 8, 9, and 10: Provide for the rental of one vehicle for the use of the Commissioner as proposed by the Senate instead of three vehicles for the use of the Commissioner, the Deputy Commissioner, and the Chairman of the City Council as proposed by the House.

Amendments Nos. 11, 12, and 13: Appropriate $20,202,000 of which $13,833,000 shall be payable from the highway fund (including $728,000 from the motor vehicle parking account) as proposed by the Senate instead of $20,500,000 of which $13,850,200 shall be payable from the highway fund (including $723,200 from the motor vehicle parking account) as proposed by the House.

SANITARY ENGINEERING

Amendments Nos. 14 and 15: Appropriate $39,274,000 of which $11,445,500 shall be payable from the water fund as proposed by the Senate instead of $39,505,000 of which $11,446,300 shall be payable from the water fund as proposed by the House.

CAPITAL OUTLAY

Amendment No. 16: Inserts citation as proposed by the Senate.

Amendments Nos. 17, 18, 19, 20, and 21: Appropriate $255,878,000 instead of $301,328,000 as proposed by the House and $192,328,000 as proposed by the Senate of which $7,723,000 shall be payable from the highway fund as proposed by the House instead of $1,786,000 as proposed by the Senate, $9,565,000 from the water funds as proposed by the House and stricken by the Senate, $63,400,000 from the sanitary sewage works fund as proposed by the Senate instead of $64,510,000 as proposed by the House, and $10,200,000 from the metropolitan area sanitary sewage works fund as proposed by the House and stricken by the Senate.

The managers on the part of the House and Senate view with alarm the projected impact of the District of Columbia's highly ambitious program of capital improvements on its operating budget as can be identified in the rapid escalation of carrying costs under the appropriation for Repayment of Loans and Interest. The District which had no indebtedness in the General Fund prior to 1962 now finds itself with a yearly cost of $23 million in this year's bill for the amortization of existing loans. This amount would increase to some $63 million per year to underwrite the cost of projects approved prior to action on this year's bill. In addition, a still further increase of $8 million will be required for each $100 million in borrowings required to fund the capital outlay program approved in this and future years.

It is, therefore, strongly recommended that strict District-wide priorities be established and adhered to in the proposal of future projects and that the entire capital outlay program proposed for fiscal year 1973 be held to no more than $150 million.

Although certain Capital Outlay projects for repairs, maintenance and replacement of equipment have been approved in the instant bill, the managers agree that it is unwise and fiscally unsound to finance such projects with thirty-year borrowings from the Federal Treasury. Henceforth, it is suggested that all repairs, improvements and replacement of equipment which have a useful life of less than thirty years not be included with capital improvements and that they be financed from operating funds or means other than thirty-year loans from the Federal Treasury.

The following capital outlay projects were allowed in conference:

Project title:	*Conference allowance*
PUBLIC SCHOOLS	
Permanent improvements to existing buildings	$4,550,000
Amidon Elementary School addition	1,183,500
New Elementary School, Pomeroy and Erie Sts., SE	6,436,000
PUBLIC LIBRARY	
Deanewood Branch Library	288,000
Air conditioning—various branches	682,000
RECREATION	
Wheatley Playground	56,800
Bald Eagle Playground development	24,000
Benning-Stoddert Playground	769,500
Park View Playground	23,600
Rosedale Recreation Center	909,300
Benning Park Playground	2,194,000
Recreation Center for the mentally Retarded	130,000
Campsite development, Scotland, Md	115,000
Activity lighting	1,100,000
Repairs and improvements to existing buildings	776,600
Highland dwellings development	500,000
Senior Citizens Center	292,400
Morgan Playground	688,000
WASHINGTON TECHNICAL INSTITUTE	
Equipment	140,000
Permanent campus	13,620,000
HUMAN RESOURCES (HEALTH SERVICES ADMINISTRATION)	
Air conditioning remaining buildings, D.C. General Hospital	250,000
Psychiatric Treatment Center	[1] 1,200,000
DEPARTMENT OF CORRECTIONS	
Meat processing plant	45,500
Perimeter and interior lighting	10,000
Perimeter roads	70,000
Renovate culinary units	346,500
Shops improvements	90,500
Conversion from coal to oil-gas	374,000
HUMAN RESOURCES (SOCIAL SERVICES ADMINISTRATION)	
New Receiving Home for Children	[2] —3,930,000
Permanent improvements	793,000
Air conditioning various buildings, D.C. Village	453,000
DEPARTMENT OF HIGHWAYS AND TRAFFIC	
Street lighting and communication extensions	1,157,000
Street improvements	2,300,000
Highway planning, programming, and survey	400,000
East leg—Inner Loop Freeway	700,000
Cover on Federal aid streets	905,000
Heater on Federal aid streets	492,000
Safety improvements and realignment of intersections	100,000
Northbound 14th Street Bridge, deck repair	30,000
Chain Bridge, safety guard rail deck repair	114,000
Pennsylvania Ave. Bridge over Rock Creek Park	25,000
Anacostia Freeway—Kenilworth Ave	95,000

Footnotes at end of table.

Anacostia Freeway Bank Stabilization	6,000
Overpass fencing	35,000
Highway Beautification	5,000
Traffic operations control center	730,000
DEPARTMENT OF SANITARY ENGINEERING	
Water Pollution Control Plant	10,200,000
Service watermain extension	975,000
Trunk and secondary watermain	220,000
Trunk watermains, special projects	4,455,000
Replacement of Fort Reno pumping station	1,500,000
Automatic data logging at Bryant Street Pumping Station	120,000
WASHINGTON AQUEDUCT	
Shops and storehouses, Dalecarlia	1,410,000
Water treatment plant extension and improvements	885,000

[1] Provides total of $1,332,000 including $132,000 allowed by House.

[2] Provides total of $6,000,000 as proposed by Senate instead of $9,930,000 as proposed by House.

Amendment No. 22: Provides that $9,231,900 shall be available for construction services instead of $10,607,100 as proposed by the House and $5,807,800 as proposed by the Senate.

GENERAL PROVISIONS

Amendment No. 23: Deletes limitation on expenditures for expenses of travel and payment of dues proposed by the House and stricken by the Senate.

Amendment No. 24: Restores proposal of the House stricken by the Senate prohibiting the use of funds for studies by the Public Service Commission on the use of meters in taxicabs.

In considering the subject of meters in taxicabs the managers on the part of the House and Senate feel that a study of the matter is in order and that such should be conducted by the Legislative Committees on the District of Columbia.

Amendments Nos. 25, 26, 27, 28, 29, 30, 31, and 32: Restore section numbers as proposed by the House.

Amendment No. 33: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment changing the section number and deleting chauffeurs or drivers for the Assistant to the Commissioner of the District of Columbia, and the Chairman of the District of Columbia Council, and reducing the limitation on funds to pay the compensation of chauffeurs or drivers from $30,000 to $12,000. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Amendment No. 34: Changes section number and inserts a limitation on funds that may be used to pay the cost of overtime or temporary positions of 5 percent of the total of all funds appropriated for personnel compensation, as proposed by the Senate.

Amendment No. 35: Changes section number and inserts a limitation on the total expenditure of funds for travel and per diem costs outside the District of Columbia, Maryland, and Virginia of $300,000 as proposed by the Senate.

Amendment No. 36: Deletes section number proposed by the Senate.

Conference total—with comparisons

Federal funds:	
New budget (obligational) authority, fiscal year 1971	$135,263,000
Budget estimates of new (obligational) authority (as amended), fiscal year 1972	289,197,000
House bill, fiscal year 1972	268,597,000
Senate bill, fiscal year 1972	285,597,000
Conference agreement	[1] 272,597,000
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1971	+137,334,000
Budget estimates of new (obligational) authority (as amended), fiscal year 1972	−16,600,000
House bill, fiscal year 1972	+4,000,000
Senate bill, fiscal year 1972	−13,000,000
District of Columbia funds:	
New budget (obligational) authority, fiscal year 1971	707,171,562
Budget estimates of new (obligational) authority (as amended), fiscal year 1972	1,045,281,700
House bill, fiscal year 1972	973,962,700
Senate bill, fiscal year 1972	882,040,700
Conference agreement	[1] 932,512,700
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1971	+225,341,138
Budget estimates of new (obligational) authority (as amended), fiscal year 1972	−112,769,000
House bill, fiscal year 1972	−41,450,000
Senate bill, fiscal year 1972	+50,472,000

[1] Includes amounts in amendments reported in technical disagreement.

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Managers on the Part of the House.

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Managers on the Part of the Senate.

Mr. NATCHER. Mr. Speaker, I call up the conference report on the bill (H.R. 11932) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District 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 Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

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

Mr. NATCHER (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 Kentucky?

There was no objection.

(Mr. NATCHER asked and was given permission to revise and extend his remarks and include certain comparative tabulations.)

Mr. NATCHER. Mr. Speaker, as you know, the budget for the District of Columbia for fiscal year 1972 when presented to the House contained $901,476,700. This was the largest budget ever submitted for approval by the Committee on Appropriations. The total amount includes $649,061,000 for operating expenses, $23,573,700 for loan amortization, and $228,842,000 for capital outlay.

The Federal grants which will total some $267,997,000 which are not a part of the overall $901,476,700 and not under the control of the Appropriations Committee when added to the amount in the District of Columbia budget brings the total to $1,169,473,700. As you know, Mr. Speaker, the population for the District of Columbia under the 1970 census was 756,510. According to the Census Bureau the population figure for the District of Columbia at this time is estimated to be only 741,000. For a population of 741,000 the total amount of money for the District of Columbia for fiscal year 1972 of $1,169,473,700 is a right sizable amount.

The Federal payment approved by the House was $162 million. This was $8 million less than the $170 million authorized in the 1971 revenue bill as it passed the House.

The House approved $228,842,000 for capital outlay. This was the largest amount ever recommended for capital outlay for the District of Columbia.

During the hearings before the committee in the other body, and also before our Subcommittee on the District of Columbia Budget, it developed that there were a number of chauffeurs for automobiles in use in our District of Columbia government which had never been authorized or approved by the Congress. This matter has been corrected, Mr. Speaker, and a provision has been placed in the bill which provides that only the Commissioner, the Chief of Police, and the Chief of the Fire Department shall have chauffeurs and automobiles. The conference report before the House at this time includes the following:

Amendments Nos. 8, 9, and 10: Provide for the rental of one vehicle for the use of the Commissioner as proposed by the Senate instead of three vehicles for the use of the Commissioner, the Deputy Commissioner, and the Chairman of the City Council as proposed by the House.

No other District official or employee of the District of Columbia operating in any capacity shall have a chauffeur and an automobile assigned to said official and employee. No employee of the District of Columbia shall operate as a chauffeur or in any capacity to avoid this provision of the law, and, Mr. Speaker, this provision must be strictly complied with by the District of Columbia officials. The conference report further includes the following, Mr. Speaker:

Amendment No. 33: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment changing the section number and deleting chauffeurs or drivers for the Assistant to the Commissioner of the District of Columbia, and the Chairman of the District of Columbia Council, and reducing the limitation on funds to pay the compensation of chauffeurs or drivers from $30,000 to $12,000. The managers on the part of the Senate

will move to concur in the amendment of the House to the amendment of the Senate.

The conference report now before the House includes $932,512,700 in District of Columbia funds. This is $41,450,000 less than the amount contained in the House bill.

The conference report now before the House contains the sum of $255,378,000 for capital outlay. The House bill contained $301,328,000 and the Senate bill contained $192,328,000.

The House bill and the Senate bill complied with the limitation of 39,619 employees for the District of Columbia government. In the conference report before us now, Mr. Speaker, this figure is strictly adhered to and we are within the limitation set in the District of Columbia revenue bill.

Mr. Speaker, as you know, the $72,486,000 for rapid rail transit is a part of this bill. This is the amount requested for the District of Columbia share for the fiscal years 1971 and 1972.

We must have freeways, express buses, and a rapid transit system. In order to meet the tremendous day-by-day growth of traffic the freeway system must be carried out, along with the present rapid rail transit system that is now under construction. The Highway Acts of 1968 and 1970 are the law and must be complied with. Both systems must proceed together.

President Nixon has emphatically stated time after time that we must have a balanced system of transportation for our Nation's Capital and that the Highway Acts of 1968 and 1970 will be enforced. On August 12, 1969, President Nixon directed the following letter to me:

DEAR BILL: Your diligent efforts through the years to ensure that the District of Columbia will enjoy a balanced transportation system are very much appreciated by all of us who are concerned with the welfare of our Capital City. As you know, I have previously expressed my desire that a fair and effective settlement of the issues involved in the transportation controversy be reached to serve the interests of all those concerned—central city dwellers, suburbanites, shoppers, employees and visitors. It is my conviction that those steps necessary for a fair and effective settlement have been taken.

The City Council of the District of Columbia has now voted in favor of a resolution to complete the requirements of a Federal Aid Highway Act of 1968. Immediately thereafter, the Commissioner of the District of Columbia directed the Department of Highways to implement immediately the requirements of the Act. The Secretary of Transportation has directed the Federal Highway Administrator to rescind the letter of his predecessor dated January 17, 1969, thus placing these projects back into the Interstate System. Furthermore, the Federal Highway Administrator has been directed to work closely with the Highway Department of the District of Columbia in order to continue work until completion of all projects and the study called for in the Federal Aid Highway Act of 1968. I trust that these actions will fulfill the criteria which you set forth in your statement of August 11, 1969.

The District of Columbia Government is firmly committed to completion of these projects as the Federal Aid Highway Act of 1968 provides. I join the District of Columbia Government in that commitment, and I have directed the Attorney General and the Secretary of Transportation to provide assistance to the Corporation Counsel of the District of Columbia to vigorously defend any lawsuits which may be filed to thwart the continuation of the projects called for by the Act.

A balanced transportation system is essential for the proper growth and development of the District of Columbia. I hope that this evidence of tangible progress would permit us to assure the citizens of the District of Columbia that your Subcommittee will be in a position to approve the $18,737,000 deleted from the Supplemental Appropriation bill together with the $21,586,000 in the Regular Appropriation bill for the District of Columbia for Fiscal Year 1970.

With cordial regards.

Sincerely,

RICHARD NIXON.

Still maintaining that the Highway Acts of 1968 and 1970 are the law and must be enforced, the President on April 27, 1971, directed the following letter to me:

DEAR BILL: The regional rail rapid transit system (METRO) project stands today at a critical point in its history. Construction work is evident in downtown Washington. The first suburban construction will begin this summer. Interruption in the downtown construction work now underway penalizes both residents and merchants, the latter of whom have already suffered business losses due to METRO construction, and delays the first day of operation.

Unfortunately, previous delays and inflationary pressures in the economy have increased the original construction cost estimates by approximately $450 million. In my recent message to the Congress on District affairs, I have reaffirmed my commitment to METRO and proposed a plan which would solve its new financial problems without increasing the net financial drain on the Federal Treasury.

I know of your commitment for a balanced transportation system for the nation's capital. I fully share that commitment. Because of this concern, I have reviewed the status of the D.C. interstate highway projects mandated by the Federal Aid Highway Acts of 1968 and 1970. My review indicates that the District Government is in full compliance with the requirements of these Acts within the constraints of judicial actions. I reaffirm my pledge to you to insure that the Federal agencies involved with these projects continue to work diligently to facilitate progress on these interstate projects. I have asked the Secretary of Transportation to make a presentation to you and other interested Members of the Congress at your earliest convenience as to the current status of the Three Sisters Bridge and other projects named in the 1968 and 1970 Highways Acts. We are taking, and will pursue, all necessary and appropriate action within the law to expedite the construction of the Bridge.

I believe these actions provide tangible evidence of both the District and Federal Governments' commitment to complete these highway projects. I request that your Subcommittee give favorable consideration to the $34.2 million fiscal year 1971 supplemental for the District's contribution to METRO.

Sincerely,

RICHARD NIXON.

On November 18, 1971, the President issued the following statement concerning the rapid rail transit-freeway impasse. The statement is as follows:

Late in its second century of life as the Nation's Capital, the Washington metropolitan area is suffering severely from hardening of vital transportation arteries. The nearly three million people in the District of Columbia and its Maryland and Virginia suburbs are acutely aware of this worsening problem as they struggle to move about the area pursuing business or pleasure or the work of government. So are the eighteen million visitors who come here each year from across the country and around the world, expecting magnificence—and finding it, but finding also, in the simple matter of getting about the city, more frustrations than they deserve in the Capital of a Nation that has sent men to the moon.

In recent months, though Washingtonians have also become increasingly aware that something *is* being done about the transportation tangle Metro—our superb area-wide rapid rail transit system of the future—is already a fact of life for all who use the downtown streets, as construction pushes ahead on the first 8 miles of the project. Streets are dug up, ventilation shafts have been dropped, tunnels are being bored. Over $863 million has already been committed by the eight participating local jurisdictions and the Federal Government. At the same time, a coordinated interstate highway system for the region is progressing toward completion, as many thousands of detouring commuters know.

We need these freeways, and we need the Metro—badly. I have always believed, and today reaffirm my belief, that the Capital area must have the balanced, modern transportation system which they will comprise. Yet now, almost incredibly in light of the manifest need for both of them, the future of both is jeopardized by a complex legal and legislative snarl.

To save them, here is what has to happen:

1. The local highway actions mandated by the Federal-Aid Highway Acts of 1968 and 1970 must go forward immediately.

The question whether the District of Columbia and the Federal Government, in their efforts to carry out this mandate, are presently in compliance with statutory requirements, has been the subject of lengthy litigation. The U.S. Court of Appeals for the District of Columbia has recently ruled that they are not yet in compliance, in the case involving the Three Sisters Bridge. But I am convinced that they are. Accordingly, I have ordered the Attorney General to proceed with the filing of a motion for rehearing *en banc* before the Court of Appeals. I have also instructed him, if that fails, to file a petition for certiorari with the Supreme Court.

2. The Metro system must move toward completion and operation as rapidly as possible.

Not only do delays in METRO work cost taxpayers heavily; they might even erode confidence and cooperation seriously enough to consign the entire project to an early grave, with all the sad consequences that could have for metropolitan development in the years ahead. I strongly urge the Congress, therefore, to take appropriate action at once to end the present delay and to prevent any more such derailments of METRO progress.

We have come to a critical juncture. Obedience to the law is at stake. A huge investment is at stake. The well-being of the Capital area is at stake. It is time for responsible men to join in responsible action and cut this Gordian knot.

Mr. Speaker, I believe that President Nixon will carry out the commitments set forth in the letters and the statement and that the Department of Transportation, the Attorney General, and the District of Columbia officials should immediately join with the President in carrying out the mandate of the Congress set forth in the Highway Acts of 1968 and 1970.

Mr. Speaker, it is a distinct pleasure for me to serve on this subcommittee with the Members on this side and the Members on the other side. Mr. DAVIS of Wis-

consin, Mr. SCHERLE of Iowa, Mr. MCEWEN of New York, and Mr. MYERS of Indiana are all outstanding Members of the House. They attended all of the hearings and were present at the markup of the bill. All of the members of the subcommittee are interested in the operation of our Capital City.

Mr. Speaker, we submit this conference report for the approval of the House.

I include the following table:

DISTRICT OF COLUMBIA APPROPRIATION BILL, 1972 (H.R. 11932) CONFERENCE SUMMARY

Agency and item	New budget (obligational) authority, fiscal year 1971	Budget estimates of new (obligational) authority, fiscal year 1972	New budget (obligational) authority recommended in House bill	New budget (obligational) authority recommended in Senate bill	New budget (obligational) authority recommended by conference action	Conference action compared with— New budget (obligational) authority, fiscal year 1971	Budget estimates of new (obligational) authority, fiscal year 1972	New budget (obligational) authority recommended in House bill	New budget (obligational) authority recommended in Senate bill
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
FEDERAL FUNDS									
Federal payment to the District of Columbia:									
General fund	[1] $131,000,000	[2] $181,600,000	$162,000,000	$179,000,000	$166,000,000	+$35,000,000	−$15,600,000	+$4,000,000	−$13,000,000
Water fund	2,506,000	2,572,000	2,572,000	2,572,000	2,572,000	+66,000			
Sanitary sewage works fund	1,432,000	1,514,000	1,514,000	1,514,000	1,514,000	+82,000			
Total, Federal payment to the District of Columbia	134,938,000	185,686,000	166,086,000	183,086,000	170,086,000	+35,148,000	−15,600,000	+4,000,000	−13,000,000
Loans to the District of Columbia for capital outlay (from the U.S. Treasury):									
General fund		72,486,000	72,486,000	72,486,000	72,486,000	+72,486,000			
Highway fund		9,000,000	8,000,000	8,000,000	8,000,000	+8,000,000	−1,000,000		
Water fund		6,000,000	6,000,000	6,000,000	6,000,000	+6,000,000			
Sanitary sewage works fund		15,600,000	15,600,000	15,600,000	15,600,000	+15,600,000			
Total, loan appropriation to District of Columbia		103,086,000	102,086,000	102,086,000	102,086,000	+102,086,000	−1,000,000		
Total, Federal funds to the District of Columbia	134,938,000	288,772,000	268,172,000	285,172,000	272,172,000	+137,234,000	−16,600,000	+4,000,000	−13,000,000
Commission on the Organization of the Government of the District of Columbia	325,000	425,000	425,000	425,000	425,000	+100,000			
Grand total, Federal funds	135,263,000	289,197,000	268,597,000	285,597,000	272,597,000	+137,334,000	−16,600,000	+4,000,000	−13,000,000
DISTRICT OF COLUMBIA APPROPRIATED FUNDS									
Operating expenses:									
General operating expenses	55,350,735	60,997,000	58,860,000	58,967,000	58,757,000	+3,406,265	−2,240,000	−103,000	−210,000
Public safety	163,106,000	174,177,000	169,167,000	169,033,000	168,275,000	+5,169,000	−5,902,000	−892,000	−758,000
Education	161,727,800	178,558,000	166,970,000	175,890,000	171,517,000	+9,789,000	−7,041,000	+4,547,000	−4,373,000
Recreation	11,773,600	12,826,000	12,658,000	12,611,000	12,611,000	+837,400	−215,000	−47,000	
Human resources	168,570,900	206,962,000	181,378,000	190,139,000	182,402,000	+13,831,100	−24,560,000	+1,024,000	−7,737,000
Highways and traffic	20,989,000	21,359,000	20,500,000	20,202,000	20,202,000	−787,000	−1,157,000	−298,000	
Sanitary engineering	39,060,500	40,700,000	39,505,000	39,274,000	39,274,000	+213,500	−1,426,000	−231,000	
Settlement of claims and suits	45,634	23,000	23,000	23,000	23,000	−22,634			
Total, operating expenses	620,624,169	695,602,000	649,061,000	666,139,000	653,061,000	+32,436,831	−42,541,000	+4,000,000	−13,078,000
Repayment of loans and interest	15,563,000	23,573,700	23,573,700	23,573,700	23,573,700	+8,010,700			
Capital outlay	70,984,393	326,106,000	301,328,000	192,328,000	255,878,000	+184,893,607	−70,228,000	−45,450,000	+63,550,000
Grand total, District of Columbia appropriated funds	707,171,562	1,045,281,700	973,962,700	882,040,700	932,512,700	+225,341,138	−112,769,000	−41,450,000	+50,472,000

[1] Excludes $8,000,000 special 1-time payment to finance fiscal year 1970 pay increases for policemen, firemen, and teachers, but includes $5,000,000 special 1-time payment to finance court reorganization costs.

[2] Includes $55,600,000 in H. Doc. 92-179. Estimates in House and Senate reports ($170,000,000) reflected additional $44,000,000 authorized in revenue bill as passed by House, and were subject to revision on submission of formal amendment above, dated Dec. 2, 1971.

At this time, Mr. Speaker, I yield to my distinguished friend the minority leader of the House (Mr. GERALD R. FORD).

Mr. GERALD R. FORD. Mr. Speaker, at the outset let me congratulate the gentleman from Kentucky and the gentleman from Wisconsin. I believe that they and their subcommittee have done an excellent job in a most difficult area.

I basically agree with the recommendations of the subcommittee, aside from the subway problem. I applaud the strong attitude they have taken in trying to make some sense out of District of Columbia fiscal affairs. It has been a most unfortunate and regrettable last 48 hours trying to find an answer so that the Congress could adjourn, and this conference report was one of the problems.

Because I have such deep sympathy for the gentleman from Kentucky and the gentleman from Wisconsin and their associates, I believe the House owes them a real round of applause.

I know that next year we are going to have the same kind of a problem. I will support them then as I have tried to support them this year. In the meantime, the officials of the District of Columbia, from top to bottom, had better understand that we are not going to tolerate a lack of responsibility on the part of the District of Columbia to meet its own fiscal responsibilities. They have not met their fiscal responsibilities.

Let me give one answer out of many. They should have increased real estate taxes not by 10 cents, but by 30 cents. It was inexcusable that they failed to meet that responsibility. If they had acted properly, the deficiency in funds would not have appeared as it did in this conference report.

To the extent that I can, I am putting District officials on warning that they have to get their taxation program in order. They have to get their fiscal affairs in order, or they are going to have more trouble next year than they have had this year.

I do not think they want that. I appreciate the willingness of the gentleman from Kentucky to yield to me. Again I pay my respects to him and to his associates. I think they have done a fine job and they deserve the plaudits of the House.

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

Mr. NATCHER. I yield to the gentleman from Minnesota.

Mr. NELSEN. First, may I express my thanks to the gentleman from Kentucky (Mr. NATCHER) and his subcommittee, and to the gentleman from Wisconsin (Mr. DAVIS), for their diligent job.

However, there is one thing I want to clear up and that is the new Superior Court Building. Do we make available proper amounts to take care of the crime bill that was passed here—that this will take care of that situation?

Mr. NATCHER. Mr. Speaker, I would like to say to the distinguished gentleman from Minnesota that the matter pertaining to the $3 million for the design of the building—and the $757,900 for additional judges and supporting staff—has been deferred. These requests will come back before this subcommittee before too long and I say to the gentleman that careful consideration will be given to them.

Mr. NELSEN. I just want to comment to the effect that I think in our authorization bill on the floor we included the money that the gentleman mentioned. I am concerned about this deletion. I hope we will attend to this important matter on our return after the recess, because I know of the very deep concern of this Congress with reference to the crime bill and the procedures of the new court, the additional judges that we would need. I think everyone agreed this was a must. However, I am comforted by the assurance that attention will be given after the recess. The difference between the authorization figure and that which is included here is very little less than the figure you now anticipate will be added later.

But, Mr. Speaker, I wish to thank the gentleman for yielding.

Mr. DAVIS of Wisconsin. Mr. Speaker, I yield such time as he may consume to the distinguished ranking minority member, the gentleman from Ohio (Mr. Bow).

Mr. BOW. Mr. Speaker, I signed this conference report with some reluctance. I am not satisfied with all of the items which are contained in the bill. However, I thought it was rather necessary that we have a conference report and dispose of this matter. I do resent some of the things that have been said about a very distinguished committee, and distinguished members of the subcommittees who have worked long and hard on this District of Columbia bill, and who went to conference in an attempt to confer with the other body, and they did confer.

Let me say this, Mr. Speaker, if we had taken the Senate bill there would have been no new schools, there would have been no new recreational areas in the District of Columbia, and there would have been no street repairs in the District of Columbia.

In the conference the House conferees worked this out so that there will be schools where they have been authorized, and they will have recreational areas for the people in the District of Columbia. As I said, these would not have been included if we had accepted the bill of the other body.

But I would like to point out one other thing, Mr. Speaker. Every member of the subcommittee went to conference, and they were there meeting together, trying to adjust these matters, but in the other body one Senator on the majority side, and one on the minority side handled the entire conference. That is not a conference. If all of them had attended the conference as our members did I think this matter could have been resolved much sooner than it was.

I congratulate this subcommittee, and the Members on both sides, for their efforts to bring about a conference. We have read and seen things in the paper, and heard things on the radio about this House committee that just are not factual. I listened last night to one radio program that said that the distinguished chairman of this committee (Mr. MAHON) and the distinguished minority leader, the gentleman from Michigan (Mr. FORD), and myself were deep in a little room here in the Capitol trying to connive some way to keep the Metro funds out of this bill. There is absolutely no truth in that, absolutely none, because we have all agreed that this House worked its will and the Senate theirs, and the Metro funds are here. Some of us may not have liked that, but it was the will of the House. We never at any time did anything in an attempt to keep the Metro funds out of this bill. So that the irresponsibility of some people who go on the air and make reports of that kind I think should be criticized. It is not fair to the House of Representatives, the people who irresponsibly make statements of that kind.

So again, Mr. Speaker, I agree with the distinguished minority leader, the gentleman from Michigan (Mr. FORD) that the officials of the District of Columbia ought to be on record, and I would urge that if there is another authorization which is necessary that it get in here in time so that we can consider it and work these things out properly.

This committee was held up for an authorization. If that authorization bill had been in sooner we would not be here today facing this hiatus that we have had over this bill.

Again, Mr. Speaker, I do appreciate the work that was done by this subcommittee.

Mr. DAVIS of Wisconsin. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa (Mr. SCHERLE).

Mr. SCHERLE. Mr. Speaker, it has been a real pleasure plus valuable experience to work with the distinguished and knowledgeable chairman of the committee, the gentleman from Kentucky (Mr. NATCHER), and the able ranking member, the gentleman from Wisconsin (Mr. DAVIS). These two men are more versed with District of Columbia problems than any other Members of Congress. However, I do want the Members to know that I did not sign the conference report. I attended every single meeting, and heard every single witness with such a deplorable track record. In good conscience I could not sign this report. Sitting through the hearings and listening to testimony leading to such reckless, wasteful spending on the part of the District of Columbia officials was unbelievable. There is no way that I could have agreed to increase the initial appropriation of $162 million. As Members of this House we voted for that amount when the bill was up for consideration. I offer my compliments to the District officials for their dexterity and ability in using the old shell game.

Those Members who vote to approve this bill grant the District of Columbia government another $40 million in direct Federal payments. Thus we are granting this body more than a 30-percent increase in direct Federal funds over what the Congress approved last year. This is on top of the fact that Federal funds for Washington, D.C., on a per capita basis are more than five times what the State of Iowa, and most other States receive.

All too often those of us on the minority side of the subcommittee learned of mismanagement and shuffling of funds from local newspapers and other media reports rather than from the District of Columbia government. The local public officials have not been frank or honest with this subcommittee.

The reciprocal tax scare tactic and the failure to increase the real estate taxes were nothing more than a subterfuge to bludgeon this Congress into granting the District additional money with no promise of efficiency, just more money.

This bill as passed by the House was an opportunity for us to force some fiscal responsibility on the Federal budget. The House was extremely generous in the amount of money that we appropriated this time. I am not going to dwell a great deal on some of the fiascos that were revealed to us as members of the subcommittee. All I ask you to do is to read the hearings. You will be shocked to find out that any department could deliberately spend the amount of money they did with such reckless abandonment. They threw caution to the wind knowing that this House in its generosity would give them more money the next time around—which we have done.

Do not be surprised the next time the District of Columbia budget request comes up, because it is going to be just as big as this one. Where is the end going to be as far as the amount of money that we have to appropriate consistently to the District? As a Member of this body representing 470,000 people in the southwest part of my State of Iowa, I resent the duplication of effort, the overlapping and the reckless spending that has been perpetrated by this District in a number of years. Yet no fiscal restraint is placed upon them.

Do not take my word for it—read the hearings. The record will speak for itself. Hold on to your hat, because when you see the budget request next year, it is going to be a lot larger than this one—well over $190 million.

Mr. BOW. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. GUDE).

Mr. GUDE. Mr. Speaker, I would be the last one to minimize the difficulties that confront the Committee on Appropriations in its work with the District of Columbia budget.

As has been pointed out time and again, the District government constitutes both a State and county government as well as a municipal government. I do not think we can forever accept this as an excuse for continually appropriating additional funds and yet more additional funds.

As a member of the legislative committee for the District of Columbia I have been deeply concerned that we are not certain that the structure of the city government is such that the Committee on Appropriations can be assured that the appropriations requested are going to be utilized with full effectiveness and efficiency.

The ranking member of our committee, Mr. NELSEN of Minnesota, is head of the Little Hoover Commission for the District of Columbia, I am hopeful and confident that the work of this Commission will develop proposals for streamlining the District of Columbia government so it can operate in an economical manner to which the taxpayers are entitled. Many of the criticisms which have been discussed here today can be ascribed to the house-that-Jack-built structure of the present city government.

I look forward to the Little Hoover Commission, under Mr. NELSEN's leadership, uncovering overlapping duplications and inefficiencies which not only produce inflated budgets, but make the task of the Appropriations Committee an extremely difficult task.

I thank the ranking member of the committee very much for yielding.

Mr. BOW. Mr. Speaker, I yield 10 minutes to the gentleman from Indiana (Mr. MYERS).

Mr. MYERS. Mr. Speaker, and Members of the House, as one of the new members of this subcommittee—and there are several on the subcommittee who are new members—I, and I am sure we all, approached the task this year with some trepidation, some misunderstanding, and some expectation that we might be able to help the District of Columbia. We met diligently and faithfully. We heard the testimony. We were not against the administration of the District of Columbia, the Mayor, the Deputy Mayor, the City Council, or any member of this fine administration. They are all very conscientious people, trying to do a very fine job, and they need help. For myself I say I approached my responsibility with the attitude that I would try to give them some help. They inherited a situation in the Nation's Capital which was very difficult. I think they need our help.

As everyone will recall, the revenue bill passed by the House contained a Federal payment of $162 million. Our chairman, Mr. NATCHER, who does an excellent job, did not mean to mislead you, but we have heard the statement in several questions in the House that the conference now comes in with less than the House version. I think we should make clear that the conference came in—and let me say that I did not sign the conference report either—with something less than the authorization from the District of Columbia Authorization Committee, but the amount is still $4 million more than the House approved a few weeks ago.

A number of allegations have been made about the conference, most of which are unfounded.

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

Mr. MYERS. I yield to the ranking member of the committee, the gentleman from Wisconsin.

Mr. DAVIS of Wisconsin. I think the Members should know, too, that this is really not $166 million for the Federal payment. It is really $168.2 million in Federal payment, because there is also $2.2 million without any validation that could come from us, from our staff, or from anywhere else to explain why $2.2 million representing the payment of patients of St. Elizabeth's Hospital was not included. We know we will have to meet that amount when those bills for payment come in. It is really $168.2 million.

Mr. MYERS. I thank the gentleman for his contribution. Even though perhaps we should not talk about it, I think that later we will be faced with a request for a supplemental appropriation because of improper allocation of funds in this particular bill.

The gentleman says the amount is $168.2 million and, of course, this also includes the Federal Government paying for services, which the Federal Government should. I do not think there is a one of us here who will take exception to the principle that we should pay for the use of the sewers in the city of Washington, and we should also pay for the water we consume. There is no argument there.

Let us go through some of the figures. I hate to belabor this subject further. I know we went through it before. But we should set the record very clear here today.

Back in 1970 the General Accounting Office said that the District of Columbia would receive an all-Federal contribution, that the funds that would be coming from you, the taxpayers, your constituents, back home, would amount to $483,970,000. That is more than 13 States received in all contributions, city and State contributions alike. That was in 1970.

In 1971 we went up a little bit from $483 million. At that time all contributions made by the Federal Government to the District of Columbia amounted to $540,154,000, or a per capita amount of $730. No other State and city combined in the Nation receives that much per capita; $730 each person received here from your taxpayers. Again, I am not saying that we do not have some responsibility. This is our Nation's Capital. Frankly, they tried to reclaim it, saying it is not our Capital, that it belongs to the people who live here. But let us take a look at what this is going to do this year. What are the estimates of total contributions? Not the $166 million in this bill nor the $168.2 with the other contributions, but total contributions, grants-in-aid, loans, and so forth, that will never be paid back

In contributions outright from the Federal Treasury it will amount to $650 million. That is pretty sizable. It is a tremendous amount of money. So what I am saying is that this is our Nation's Capital, it is something everyone of us certainly has a great love for. For the four of us who did not sign this, it does not mean we did not want to help the city of Washington, our Nation's Capital. It does not mean we want to see the blind go without payments, or the hungry. This was charged once in a while, that some of us wanted to see people going hungry. But as long as we allow this thing to continue in the District of Columbia, it is not going to improve.

It seemed to some of us we were the last stand.

Someone had to make a stand and say to the Welfare Department that when they have one welfare worker, that is a person administering funds working in the welfare agency, for every 56 constituents, that means one worker is taking care of 56 accounts.

Does anyone know of any place in the country that has statistics like that, where we have one welfare worker working for every 482 people living in the District of Columbia?

Those are tremendous figures. It is just unbelievable that a city of this size would have 1,543 people administering welfare.

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

Mr. MYERS. I yield to the gentleman from Minnesota.

Mr. NELSEN. Mr. Speaker, a moment ago the gentleman from Wisconsin (Mr. DAVIS) pointed out that the St. Elizabeths Hospital provision would have to come in later, which really made the figure $168 million plus.

The question I wish to put to the gentleman is on the new superior court on which we worked so hard last season, a 450-page bill which everybody pleaded for. It is my understanding that this will be taken care of, but if it were in the bill, we would very nearly approach the figure I submitted in the authorization bill which included the court. Does the gentleman have any observation as to the court?

Did the committee discuss this and what will be the future action by the committee in dealing with it, because I am sure we all agree this is a necessary move? Will it be taken care of in the next session?

Mr. MYERS. The committee considered this in quite some length, and the conferees. The committee is pretty sympathetic with the need for additional judges and staff, but at this particular time, it became a matter of priority as to what was most necessary today to solve the city's problems. This is the reason it was put aside. I cannot promise what the committee will do next year, but there was complete sympathy for this.

Mr. NELSEN. If the gentleman will yield further, in our deliberations on the new court and the problem of crime in the District of Columbia, I think figures showed about 3,000 or 4,000 cases untried, with people out on bail on the streets repeating crimes. I can think of nothing more important than doing something about the judicial process in the hope of curbing crime in the District of Columbia. I do want to say in my judgment, in my view one of the high priority items would have been to deal with the court. I hope the committee will soon do that.

Mr. MYERS. Let me say to the gentleman I believe the chairman has advised us this will be one of the first items considered next year.

Mr. NELSEN. I thank the gentleman.

Mr. MYERS. But if the gentleman from Minnesota will recall, this was not to come on until January 1, but Judge Green in his testimony before our subcommittee testified it was going to be difficult to recruit the attorneys or judges as well as the more than 270 staff. Now here we are at almost the 1st of Jan-

uary, so I think it will be practically a physical impossibility for them to recruit the number of people needed before April or May, so really I do not think we will run into any great problem. But we are sympathetic. I think I speak for every member of the subcommittee on this. Certainly we are sympathetic.

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

Mr. MYERS. I yield to the gentleman from Indiana.

Mr. BRAY. Mr. Speaker, we are very interested in the figures the gentleman has given as to the exceptionally large per capita expenditures which the Federal Government is making to the District of Columbia. That would lead one to believe the District of Columbia has a low income per capita. A few years ago I had occasion to go into the matter, discovered that the District of Columbia had one of the highest incomes per capita in the United States, considerably larger than the State we live in. Is the gentleman aware of that?

The SPEAKER pro tempore. The time of the gentleman from Indiana has expired.

Mr. NATCHER. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana.

Mr. MYERS. Mr. Speaker, in response to the gentleman's question, yes, the District does have one of the highest per capita incomes. On the other hand, the employment figures provided for the District of Columbia show unemployment was 2.6 percent. That is 2.6 percent. Who here in this body has an unemployment rate in his home district of 2.6 percent? Yet we have one of the highest figures, 11 per hundred, for people on welfare here. The figures just do not jibe.

Mr. Speaker, we have gone a little further than any of us intended to on this particular bill—and possibly also timewise.

It seemed to me something had to be done, but in the interest of getting home it was signed.

I shall not vote for it. I am asking any other Member not to vote for it.

I do leave you with one warning. I hope I am wrong, but I am sure I will not be. The authority next year is for $190 million contribution by this Government to the District of Columbia. So today, as we vote for this or vote against it, which ever you choose, you should be prepared for a much larger contribution that will be asked for next year.

Very honestly I say I do not believe we are helping the District of Columbia, with these kinds of statistics.

Mr. NATCHER. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Connecticut (Mr. GIAIMO).

Mr. GIAIMO. Mr. Speaker, I rise in support of the conference report.

I want to express my appreciation to my chairman, the gentleman from Kentucky (Mr. NATCHER) who throughout this entire struggle has recognized the necessity for coming forth with an appropriation for the District of Columbia.

I do not believe there is any man in this House who understands the problems of the District of Columbia more than the gentleman from Kentucky (Mr. NATCHER).

It is no secret that the gentleman and I disagree on some things, though not many. One was the Metro. I believe very seriously that this great city of ours must have a Metro system.

But certainly the gentleman from Kentucky (Mr. NATCHER) understands the problems involved in running the city of Washington and the District budget.

I believe this is a good conference report. I do not believe anyone can be 100 percent satisfied with the result of a conference. The essence of going to conference is to compromise our disagreements, particularly the dollar values between this body and the other body.

Because of the fact that we had reasonableness, we have met many long hours and many days, and because of the understanding of the gentleman from Kentucky (Mr. NATCHER) and the other conferees, we have reached a compromise.

I certainly want to express my appreciation to the gentleman from Ohio (Mr. BOW) who also understood the importance of having an appropriation for the District of Columbia, and to the gentleman from Texas (Mr. MAHON), the chairman of our committee.

Through the efforts of these three men, at long last, we are able to come forth with a good budget, one with which the District can live.

There is one other thing. On this matter of welfare and on expenditures for the District of Columbia, I say again today, as I have said many, many times, the District of Columbia is the Capital City of all Americans, of each and every one of us, from wherever we come. I for one take great pride in this great city of Washington. I want to see it the great Capital that it is, not just for the people who live here but for the millions and millions of Americans who visit this city year in and year out and who have a tremendous love for it. We must do everything possible to make this not only a great city but also the greatest city in the world, the greatest Capital City in the world.

Because of that and other reasons we have so many of these inordinate expenditures, tremendous expenditures.

In the area of welfare, I want to see a tightening up in welfare.

I want to see some investigation of welfare abuses. I assure this House that I shall work with my chairman to see to it that we do have an investigation. I certainly serve notice on the people administering this city government that they have to do some investigating in the field of welfare.

But let me serve up one word of caution. It is so easy to fool ourselves suggesting that investigations will get the chiselers off the welfare rolls, but that will not solve the problem. It will not to a great degree. Welfare is a much more complicated matter, because basically the great problem of welfare is made up of children, old people, blind people, disabled people, and sick people. There is not an American alive today who does not want to do what is right for people in these desperate situations.

Why do the welfare rolls grow? You can blame it on the law and the decisions of the Supreme Court involving residency. It is due to the fact that those decisions were all-encompassing. I happen to disagree with them, but when the Supreme Court knocked down the residency requirement it meant that people could move from one place to another and immediately go on the welfare rolls. Naturally, people will leave the hinterlands and move into the District of Columbia where the living and the environment is better and where the welfare payments are much better. Until we resolve this great problem, we will have increasing expenses in welfare.

We compromised many figures in this budget, but I think we took care of everything that had to be done immediately. There is money included for the Federal City College, which will enable it to start its 4-year program and obtain accreditation. There is money for welfare and for other important necessities in the District bill.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. NATCHER. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. GIAIMO. Some appropriation requests we have had to defer. The question of the additional seven judges under the court reorganization system was deferred, not because anyone on the subcommittee, to my knowledge, was against it—and certainly I know my chairman was not against it—but it was one of those things that was deferred in the conference. I am sure that when we come back in the early winter and have a supplemental appropriation we will work this out, because we must have a much more efficient and able and enlarged judiciary system, as we will have.

In conclusion, let me say after many days of conferring and many days of trying to compromise and settle our differences, I again want to express my appreciation to all of those who have made this conference possible, particularly to the chairman, the gentleman from Kentucky (Mr. NATCHER), the chairman of the full committee, the gentleman from Texas (Mr. MAHON), and the ranking minority member, the gentleman from Ohio (Mr. BOW).

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

The previous question was ordered.

MOTION TO RECOMMIT OFFERED BY MR. DAVIS OF WISCONSIN

Mr. DAVIS of Wisconsin. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the conference report?

Mr. DAVIS of Wisconsin. I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. DAVIS of Wisconsin moves to recommit the conference report on H.R. 11932 to the Committee of Conference.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER pro tempore. The question is on the conference report.

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

Mr. DELLENBACK. 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 pro tempore. 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 260, nays 79, not voting 92, as follows:

[Roll No. 467]

YEAS—260

Abourezk	Edwards, Calif.	McFall
Abzug	Eilberg	McKay
Adams	Erlenborn	McKevitt
Addabbo	Esch	McKinney
Alexander	Evans, Colo.	Madden
Anderson, Ill.	Fascell	Mahon
Andrews, N. Dak.	Fish	Mailliard
	Flood	Mathias, Calif.
Annunzio	Flowers	Matsunaga
Arends	Foley	Mazzoli
Aspin	Forsythe	Meeds
Aspinall	Fountain	Melcher
Begich	Fraser	Metcalfe
Bell	Frelinghuysen	Mikva
Bergland	Frenzel	Minish
Betts	Frey	Minshall
Biaggi	Galifianakis	Monagan
Biester	Gallagher	Moorhead
Bingham	Garmatz	Morgan
Boland	Gettys	Morse
Bow	Giaimo	Mosher
Brademas	Gibbons	Murphy, Ill.
Brasco	Gonzalez	Murphy, N.Y.
Brinkley	Green, Oreg.	Natcher
Broomfield	Green, Pa.	Nedzi
Brotzman	Gude	Nelsen
Brown, Mich.	Halpern	Nix
Brown, Ohio	Hamilton	Obey
Broyhill, N.C.	Hammer-schmidt	O'Hara
Broyhill, Va.		Passman
Buchanan	Hanley	Patten
Burke, Mass.	Hanna	Pepper
Burleson, Tex.	Hansen, Idaho	Perkins
Burlison, Mo.	Harrington	Peyser
Burton	Harvey	Pickle
Byrne, Pa.	Hastings	Pike
Byron	Hathaway	Poage
Cabell	Hechler, W. Va.	Podell
Carey, N.Y.	Heckler, Mass.	Poff
Carney	Heinz	Preyer, N.C.
Carter	Helstoski	Price, Ill.
Celler	Henderson	Pryor, Ark.
Chamberlain	Hicks, Mass.	Quie
Chappell	Hillis	Railsback
Clark	Hogan	Rangel
Clay	Holifield	Reid, N.Y.
Cleveland	Hosmer	Reuss
Collier	Howard	Rhodes
Collins, Ill.	Hull	Riegle
Conable	Hungate	Roberts
Conte	Jarman	Rodino
Corman	Johnson, Calif.	Roe
Coughlin	Jones, Ala.	Rogers
Culver	Jones, Tenn.	Roncalio
Curlin	Karth	Rooney, N.Y.
Daniels, N.J.	Kazen	Rooney, Pa.
Danielson	Keating	Rostenkowski
Davis, Ga.	Keith	Roush
de la Garza	Kemp	Roy
Delaney	Kluczynski	Roybal
Dellenback	Koch	Ruppe
Dellums	Kuykendall	Ryan
Dent	Kyros	Sandman
Dingell	Latta	Saylor
Donohue	Leggett	Scheuer
Dorn	Lennon	Schwengel
Dow	Lent	Scott
Downing	Link	Seiberling
Drinan	Long, Md.	Shipley
Dulski	McCormack	Shoup
du Pont	McCulloch	Shriver
Eckhardt	McDade	Sikes
Edmondson	McDonald, Mich.	Slack
Edwards, Ala.		Smith, Iowa
Smith, N.Y.	Taylor	Whitehurst
Snyder	Teague, Calif.	Wilson, Bob
Staggers	Teague, Tex.	Wilson, Charles H.
Stanton, J. William	Thone	
	Tiernan	Winn
Stanton, James V.	Udall	Wolff
	Ullman	Wright
Steed	Van Deerlin	Wylie
Steele	Vander Jagt	Wyman
Steiger, Wis.	Vanik	Yates
Stephens	Vigorito	Yatron
Stokes	Waldie	Young, Tex.
Stubblefield	Wampler	Zablocki
Stuckey	Whalen	Zwach
Symington	White	

NAYS—79

Abbitt	Griffin	Nichols
Abernethy	Gross	O'Konski
Archer	Grover	Powell
Ashbrook	Haley	Price, Tex.
Baring	Harsha	Rarick
Bennett	Hays	Robinson, Va.
Bevill	Hunt	Runnels
Blackburn	Hutchinson	Ruth
Bray	Ichord	Satterfield
Burke, Fla.	Johnson, Pa.	Scherle
Camp	Jonas	Schneebeli
Clausen, Don H.	Jones, N.C.	Sebelius
	King	Skubitz
Clawson, Del	Kyl	Spence
Collins, Tex.	Landgrebe	Steiger, Ariz.
Colmer	Lloyd	Talcott
Daniel, Va.	Long, La.	Terry
Davis, S.C.	McCollister	Thompson, Ga.
Davis, Wis.	McEwen	Thomson, Wis.
Denholm	Mann	Ware
Dennis	Mathis, Ga.	Whalley
Devine	Mayne	Whitten
Dickinson	Michel	Williams
Duncan	Miller, Ohio	Wydler
Findley	Mills, Md.	Young, Fla.
Fisher	Mizell	Zion
Goodling	Myers	

NOT VOTING—92

Anderson, Calif.	Ford, Gerald R.	Mink
	Ford, William D.	Mitchell
Anderson, Tenn.	Fulton, Tenn.	Mollohan
	Fuqua	Montgomery
Andrews, Ala.	Gaydos	Moss
Ashley	Goldwater	O'Neill
Badillo	Grasso	Patman
Baker	Gray	Pelly
Barrett	Griffiths	Pettis
Belcher	Gubser	Pirnie
Blanton	Hagan	Pucinski
Blatnik	Hall	Purcell
Boggs	Hansen, Wash.	Quillen
Bolling	Hawkins	Randall
Brooks	Hébert	Rees
Byrnes, Wis.	Hicks, Wash.	Robison, N.Y.
Caffery	Horton	Rosenthal
Casey, Tex.	Jacobs	Rousselot
Cederberg	Kastenmeier	St Germain
Chisholm	Kee	Sarbanes
Clancy	Landrum	Schmitz
Conyers	Lujan	Sisk
Cotter	McClory	Smith, Calif.
Crane	McCloskey	Springer
Derwinski	McClure	Stratton
Diggs	McMillan	Sullivan
Dowdy	Macdonald, Mass.	Thompson, N.J.
Dwyer		Veysey
Edwards, La.	Martin	Waggonner
Eshleman	Miller, Calif.	Widnall
Evins, Tenn.	Mills, Ark.	Wiggins
Flynt		Wyatt

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. Thompson of New Jersey with Mrs. Dwyer.
Mr. O'Neill with Mr. Quillen.
Mr. Waggonner with Mr. Crane.
Mr. Boggs with Mr. Gerald R. Ford.
Mr. Moss with Mr. Gubser.
Mr. Gray with Mr. Springer.
Mr. Macdonald of Massachusetts with Mr. Lujan.
Mr. Barrett with Mr. Widnall.
Mr. Patman with Mr. Derwinski.
Mr. Evins of Tennessee with Mr. Baker.
Mr. Badillo with Mr. Conyers.
Mr. Mills of Arkansas with Mr. Hall.
Mr. Fuqua with Mr. Clancy.
Mr. Rees with Mr. Smith of California.
Mr. Stratton with Mr. Horton.
Mr. Hébert with Mr. Byrnes of Wisconsin.
Mr. Jacobs with Mrs. Chisholm.
Mr. William D. Ford with Mr. Mitchell.
Mr. Ashley with Mr. Diggs.
Mr. Hawkins with Mrs. Mink.
Mr. Andrews of Alabama with Mr. Belcher.
Mrs. Hansen of Washington with Mr. Wyatt.
Mr. Sisk with Mr. Schmitz.
Mr. Kee with Mr. Pelly.
Mrs. Grasso with Mr. Robison of New York.
Mr. Randall with Mr. McClure.
Mrs. Sullivan with Mr. Pirnie.
Mr. Anderson of California with Mr. Rousselot.
Mr. Blatnik with Mr. Cederberg.
Mr. Gaydos with Mr. Eshleman.
Mrs. Griffiths with Mr. Hicks of Washington.
Mr. Hagan with Mr. Martin.
Mr. Miller of California with Mr. Goldwater.
Mr. St Germain with Mr. McClory.
Mr. Rosenthal with Mr. McCloskey.
Mr. Purcell with Mr. Veysey.
Mr. Mollohan with Mr. Wiggins.
Mr. Anderson of Tennessee with Mr. Kastenmeier.
Mr. Blanton with Mr. Landrum.
Mr. Brooks with Mr. McMillan.
Mr. Caffery with Mr. Montgomery.
Mr. Casey of Texas with Mr. Pucinski.
Mr. Sarbanes with Mr. Cotter.
Mr. Flynt with Mr. Dowdy.
Mr. Fulton of Tennessee with Mr. Pettis.

Messrs. LLOYD and KING changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AMENDMENTS IN DISAGREEMENT

The SPEAKER pro tempore. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 1: Page 1, line 9, strike out "$162,000,000" and insert "$179,000,000".

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 1 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment insert: "$166,000,000".

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 3: Page 3, line 17, strike out "$58,860,000" and insert "$58,967,000".

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 3 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$58,757,000".

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 4: Page 5, line 6, strike out "$169,167,000" and insert "$169,033,000".

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 4 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$168,275,000".

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 33: strike out:

SEC. 16. None of the appropriations in this Act shall be available for the payment of compensation to any employee assigned as chauffeur except for the Commissioner, the Deputy Commissioner, and the Chairman of the City Council: *Provided*, That none of the appropriations in this Act shall be available for the payment of premium pay to any employee assigned as a chauffeur for the Commissioner, the Deputy Commissioner, and the Chairman of the City Council which exceeds in the aggregate 25 per centum of the annual rate of basic pay applicable to such employee."

And insert in lieu thereof:

"SEC. 15. No part of any funds appropriated by this Act shall be used to pay the compensation (whether by contract or otherwise) of any individual for performing services as a chauffeur or driver for any designated officer or employee of the District of Columbia government (other than the Commissioner of the District of Columbia, Assistant to the Commissioner of the District of Columbia, Chairman of the District of Columbia Council, Chief of Police, and Fire Chief), or for performing services as a chauffeur or driver of a motor vehicle assigned for the personal or individual use of any such officer or employee (other than the Commissioner of the District of Columbia, Assistant to the Commissioner of the District of Columbia, Chairman of the District of Columbia Council, Chief of Police, and Fire Chief). No part of any funds appropriated by this Act, in excess of $30,000 in the aggregate, shall, in any fiscal year, be used to pay the compensation (whether by contract or otherwise) of individuals for performing services as a chauffeur or driver for the Commissioner of the District of Columbia, Assistant to the Commissioner of the District of Columbia, and the Chairman of the District of Columbia Council, or for performing services as a chauffeur or driver of a motor vehicle assigned for the personal or individual use of the Commissioner of the District of Columbia, the Assistant to the Commissioner of the District of Columbia, and the Chairman of the District of Columbia Council."

MOTION OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 33 and concur therein with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment insert the following:

"SEC. 16. No part of any funds appropriated by this Act shall be used to pay the compensation (whether by contract or otherwise) of any individual for performing services as a chauffeur or driver for any designated officer or employee of the District of Columbia government (other than the Commissioner of the District of Columbia, Chief of Police and Fire Chief), or for performing services as a chauffeur or driver of a motor vehicle assigned for the personal or individual use of any such officer or employee (other than the Commissioner of the District of Columbia, Chief of Police and Fire Chief). No part of any funds appropriated by this Act, in excess of $12,000 in the aggregate, shall, in any fiscal year, be used to pay the compensation (whether by contract or otherwise) of individuals for performing services as a chauffeur or driver for the Commissioner of the District of Columbia, or for performing services as a chauffeur or driver of a motor vehicle assigned for the personal or individual use of the Commissioner of the District of Columbia."

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

GENERAL LEAVE

Mr. NATCHER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report just agreed to.

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

There was no objection.

PERSONAL STATEMENT

Mr. RYAN. Mr. Speaker, on roll 466 I am paired against the conference report on H.R. 11731. I was unavoidably absent because I was aboard the Eastern Airlines shuttle plane which departed from La Guardia Airport in New York at 10 a.m. and was scheduled to arrive at National Airport in Washington at 11 a.m. Unfortunately, due to bad weather that plane, having been held in a holding pattern over Washington, did not land until 11:46 a.m. after the vote on the conference report. I regret that the leadership adjourned the House last night in order to postpone the vote on the conference report which was then pending. I had delayed my departure for New York, where I had scheduled business, so that I could cast my vote against it as I did against the bill when it passed the House on November 17.

CORBIE F. COCHRAN

Mr. DONOHUE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 5419) for the relief of Corbie F. Cochran, Jr., with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 6, strike out "Junior,".

Page 1, line 12, strike out ", Junior,".

Page 2, line 8, strike out "Junior,".

Amend the title so as to read: "An Act for the relief of Corbie F. Cochran".

The SPEAKER pro tempore (Mr. PRICE of Illinois). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

PARLIAMENTARY INQUIRY

Mr. GROSS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. GROSS. Are the papers at the desk representing—and I cannot give the Chair the number of the bill as filed yesterday by the gentleman from Arkansas (Mr. MILLS), chairman of the Ways and Means Committee—the bill being a bill from the Ways and Means Committee? I am speaking of the conference report, Mr. Speaker, on H.R. 6095. Are those papers at the desk?

The SPEAKER pro tempore. Does the gentleman have reference to the bill H.R. 6065?

Mr. GROSS. Yes, Mr. Speaker, H.R. 6065.

The SPEAKER pro tempore The papers are at the desk.

Mr. GROSS. Mr. Speaker, a further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. GROSS. Is it proposed now to recess the House with the conference report and the papers pending at the desk?

The SPEAKER pro tempore. The Chair was just about to announce a recess, but the Chair will withhold that announcement in order to recognize Members for unanimous-consent requests.

Mr. GROSS. I thank the Speaker.

PERSONAL ANNOUNCEMENT

Mr. CHAMBERLAIN. Mr. Speaker, I am unrecorded on rollcall No. 641. I wish to state for the RECORD that had I been present I would have voted "nay."

RECESS

The SPEAKER pro tempore (Mr. PRICE of Illinois). Pursuant to the unanimous-consent request agreed to earlier today, the Chair announces a recess of the House subject to the call of the Chair; and the Members will be notified by the ringing of the bells 15 minutes prior to reconvening.

Accordingly (at 1 o'clock and 12 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 2 o'clock and 21 minutes p.m.

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

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. 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. 468]

Abourezk	Fulton, Tenn.	Mollohan
Abzug	Fuqua	Montgomery
Alexander	Gallagher	Moss
Anderson, Tenn.	Gaydos	O'Hara
Andrews, Ala.	Giaimo	O'Neill
Ashley	Goldwater	Pelly
Badillo	Grasso	Pepper
Baker	Griffiths	Pettis
Barrett	Gubser	Pirnie
Belcher	Hagan	Preyer, N.C.
Blatnik	Hall	Quillen
Bolling	Hanna	Randall
Brooks	Hansen, Wash.	Rees
Buchanan	Hathaway	Robison, N.Y.
Caffery	Hawkins	Rousselot
Casey, Tex.	Hays	Ruppe
Cederberg	Hébert	St Germain
Celler	Hicks, Wash.	Sarbanes
Chamberlain	Horton	Saylor
Chisholm	Jarman	Scheuer
Clancy	Jonas	Schmitz
Clark	Kastenmeier	Seiberling
Clay	Kee	Sisk
Conyers	Kemp	Smith, Calif.
Cotter	Kluczynski	Springer
Crane	Kyros	Stokes
Derwinski	Landrum	Stratton
Diggs	Long, La.	Stuckey
Dowdy	Lujan	Sullivan
du Pont	McClory	Teague, Tex.
Dwyer	McCloskey	Thompson, N.J.
Edwards, La.	McClure	Tiernan
Eilberg	McMillan	Veysey
Esheman	Macdonald, Mass.	Waggonner
Evins, Tenn.	Martin	Wiggins
Flynt	Michel	Wilson, Charles H.
Ford, William D.	Miller, Calif.	Wolff
Frey	Mink	Wyatt
	Mitchell	

The SPEAKER. On this rollcall 316 Members have answered to their names, a quorum.

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

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Leonard, one of his secretaries, who also informed the House that on December 10, 1971, the President approved and signed bills of the House of the following titles:

H.R. 6283. An act to extend the period within which the President may transmit to the Congress plans for the reorganization of agencies of the executive branch of the Government, and for other purposes;

H.R. 10383. An act to enable professional individuals and firms in the District of Columbia to obtain the benefits of corporate organizations, and to make corresponding changes in the District of Columbia Income and Franchise Tax Act; and

H.R. 10947. An act to provide a job development investment credit, to reduce individual income taxes, to reduce certain excise taxes, and for other purposes.

FURTHER MESSAGE FROM THE SENATE

A further 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. 3304. An act to amend the Fishermen's Protective Act of 1967 to enhance the effectiveness of international fishery conservation programs.

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 Senate to the bill (H.R. 11731) entitled "An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1972, 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 Senate to the bill (H.R. 11932) entitled "An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1972, and for other purposes."

The message also announced that the Senate agrees to the amendments of the House to amendments of the Senate numbered 1, 3, 4, and 33 to the foregoing bill.

The message also announced that the Vice President, pursuant to Public Law 91–452, appointed Mr. McCLELLAN, Mr. ERVIN, Mr. GURNEY, and Mr. ROTH as members, on the part of the Senate, of the National Commission on Individual Rights.

CONFERENCE REPORT ON H.R. 6065, UNEMPLOYMENT COMPENSATION

Mr. MILLS of Arkansas. Mr. Speaker, I call up the conference report on the bill (H.R. 6065) to amend section 903(c)(2) of the Social Security Act, 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 Arkansas?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of December 14, 1971.)

Mr. MILLS of Arkansas (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the statement on the part of the managers be dispensed with.

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

There was no objection.

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

Mr. Speaker, the Senate made no changes in the provisions of the bill as passed by the House. The basic provisions of the bill extend for an additional 10 years the period during which excess funds transferred in the past to the States from the Federal unemployment trust fund may be used for administrative purposes.

The Senate amended the bill by including a new title establishing a program of emergency unemployment compensation for workers who have exhausted their rights to basic and extended unemployment compensation in states that have a certain rate of unemployment. Under the Senate amendment, emergency unemployment compensation would have been payable for up to 26 weeks. The program would have "triggered in" states that have an unemployment rate of 6 percent. This unemployment rate would include the insured unemployment rate and the rate of exhaustions of regular benefits. The program would have lasted under the Senate amendment until July 1, 1973, and would have been financed by raising the Federal unemployment tax rate from 3.2 to 3.29 for calendar years 1972 and 1973.

The conference committee agreed to the essentials of the Senate amendment but made several major changes in it.

Under the conference agreement, the period during which an individual could receive emergency unemployment compensation is reduced from 26 weeks to 13 weeks. The conference agreement also modified the trigger point at which a State becomes eligible to participate in the emergency unemployment compensation program, increasing it from 6.0 percent to 6.5 percent.

The conference agreement also modified the Senate amendment by limiting the period during which the program would be in operation. Under the Senate amendment the program would have run through July 1, 1973. Under the conference report, no emergency unemployment compensation would be paid for any week which ends after June 30, 1972, except in the case of individuals eligible to receive emergency compensation for a week ending before July 1, 1972. In the case of such individuals who were eligible to participate in the program prior to its general expiration date, payments could continue subject to the 13-week limitation through the end of September 1972.

The conference committee also modified the method of financing the program. The Senate amendment would have financed the program by a 2-year increase in the Federal unemployment tax rate. The conference report provides for financing the emergency unemployment compensation by repayable advances to the extended unemployment compensation account from the general funds of the Treasury. The amounts of benefits paid in any State would be repaid by such State through withholding future excess Federal unemployment tax funds which would otherwise be paid to such State.

Mr. Speaker, under the program agreed to by the conference committee, approximately 538,000 workers who will have exhausted their basic and extended unemployment compensation will be paid emergency benefits under the new program. It is estimated that the amount of these benefits paid to these workers will be $274 million.

As agreed to by the conference committee, the emergency unemployment compensation program is a short-term program designed to assist workers who are the victims of long-term unemployment due to unusual circumstances. The conference report directs the Secretary of Labor to make a comprehensive study of the operation of the new program and to submit a report before May 1, 1972, including recommendations with respect to the operation and funding of the program and the desirability of extending it beyond June 30, 1972.

As Members will recognize, the amendment is designed to furnish some additional relief in States that have been particularly hard hit by cutbacks in

national programs, including the defense and space programs. In certain areas, these industries are the backbone of the local economy. The Federal Government bears a share of the responsibility for the unemployment existing in these States, since it is the result of Federal action. For example, more than 200,000 workers are unemployed in the Los Angeles area alone. In the State of Washington, the insured unemployment rate is running at approximately 10 percent.

These States have operated their unemployment insurance programs on a basis that was fiscally sound and prudent and had, at the beginning of this long period of unemployment, substantial reserves. However, they experienced such high rates of unemployment for so long a period of time, that their own resources are depleted and they cannot provide benefits such as these on their own.

The enactment of this legislation will, to some degree, help to prevent the families of these unemployed workers from going on the welfare rolls. Any action that we can take to prevent an increase in welfare families, is a step in the right direction.

We have taken a number of steps in the present session of Congress to boost the national economy. The amendment we are now considering, is designed to do something for those who were largely overlooked in these other measures. The recently approved tax legislation, for example, contained a number of provisions to assist taxpayers and businesses. Hopefully, the measures already taken will help to alleviate the high rate of unemployment, which is the specific target of this amendment. It will be some time before the effect of these other measures will be felt, however. In the meantime, this provision is designed to do something specifically for those who have been particularly adversely affected by problems in the national economy which are largely the responsibility of the Federal Government.

Mr. Speaker, I urge the House to adopt the conference report on H.R. 6065.

Mr. BYRNES of Wisconsin. Mr. Speaker, I yield myself 15 minutes.

Mr. Speaker, the basic bill passed by the House was, more or less, a simple housekeeping amendment to the Unemployment Compensation Act. It was a good bill, but there is nothing that requires any urgency in its enactment. No tears are going to be shed, it seems to me, if this conference report is voted down and the bill itself is not enacted into law at this time.

We sent this innocuous little bill over to the other body, which added to it a Rube Goldberg-type discriminatory welfare program in the guise of an extended unemployment insurance program.

Now, Mr. Speaker, I come from a State that pioneered in developing an unemployment insurance program. I think it is a sound program. I am a strong believer in the program.

And precisely because I believe strongly in the program, I must oppose any action that would undermine it. This conference report, it seems to me, would do a real job of undermining the insurance concept in our basic program of unemployment compensation.

Let us understand this point: Unemployment compensation as such is not a welfare program. It is an insurance program which pays benefits as a matter of right to the individuals involved. The premiums are paid by the employers, and these premiums are related to their unemployment experience. The States use what is called experience rating in determining how much tax an employer will pay into the fund in order to have money to pay benefits to his workers who become unemployed. It is truly an insurance concept. The proposal before us, however, Mr. Speaker, is purely and simply a welfare program. Benefits will come 100 percent from the general fund of the Treasury.

I am amazed that the chairman of the committee is supporting this proposal. I have heard him say time after time that he would never agree to paying money out of the general fund without a needs test. But here we would be paying out of the general fund without a needs test. The only test is whether the individual has been unemployed for a certain period of time. We would be paying $274 million out of the Treasury which is so far in the red that it should scare each and every one of us.

This is really a dole that is paid not on the basis of need, as is the case with other welfare programs, but solely on the basis of whether the individual has been unemployed and only to those who are eligible for benefits under the insurance program. This whole scheme is a monstrosity.

Now, I am not unmindful of the problems of the unemployed, no matter where they are, and I realize that we have in some States a very high level of unemployment. But let me review a little history of how we have, in the past, approached this matter of providing some assistance where there has been a persistent and rather high level of unemployment.

In 1958, and again in 1961, we provided temporary extended unemployment compensation programs. In each case the program was financed through taxes on employers. It was tied directly to the same responsibility that exists under the basic Unemployment Compensation Act. But each program was enacted hurriedly, and the chairman and I both felt this was an unwise procedure, that there should be a permanent provision in the law so that when there is a high level of unemployment and prolonged period of unemployment, there would be a system to trigger benefits.

So what did we do? We called upon the Department of Labor, upon representatives of organized labor and businesses, and spokesmen for the Interstate Conference of Employment Security Administrators in the various States, to help develop permanent legislation, so that it would be on the books with triggering devices and a methodology for building up a fund to pay for extended benefits.

This effort came to fruition with the extended benefit program enacted into law a year ago—August of 1970. It was part of an overall updating and revision of the unemployment insurance program.

It is interesting to note that the extended benefit program we enacted then has not been fully implemented and is not to be fully implemented until January 1972, a couple of weeks from now.

Yet, even before that program is permitted to operate fully, we are handed this monstrosity which we are to piggyback on top of it.

So I am sure the Members can see the preposterous situation in which we are placed by reason of the action of the Senate and the House conferees. Let me say that while the conference report was signed and agreed to by three House Members of the conference, there were two Members who did not sign it—and I was one of them.

Let me point out also that under the act we passed in 1970, we will bring approximately 5 million more people under coverage. After they have been working for a sufficient length of time they will become entitled to basic unemployment compensation benefits.

Now these 5 million, who will not be added until January 1, will not get any of the benefits under the proposal before us today. These people, we say, are entitled to unemployment compensation. But no matter where they are, they will not get any benefits under this program. Nor, Mr. Speaker, will the 12 million workers who still will not be covered, even after the 5 million are added to the eligible group.

That, to me, certainly is discriminatory. This compensation is to be taken from the general treasury and paid to certain people because they are out of work. These people will get benefits for the 13 weeks, but the poor fellow who is a worker, but whom Congress has not yet covered under the Unemployment Compensation Act, or who will not be covered until January 1 will get no benefits. By the time the 5 million to be added in January qualify for benefits, if they do draw some benefits, this program will be out of existence. It expires June 30, as the chairman has said, under the change made by the conference committee.

How can we vote to pay general funds, from all taxpayers, to a select group, and ignore the needs of other poor people?

One of my main points is that we do provide today for extended benefits in a well designed system completely consistent with the basic unemployment insurance program. Yet before we have had any real experience under it, this conference report would graft onto it an entirely new and inconsistent system.

How this can be called unemployment compensation or insurance, when it is financed out of the general fund, I just cannot understand.

The Lord only knows, Mr. Speaker, who designed it. We do know that it was introduced in the other body by one of its Members. We do know that no hearings were held by any committee of the Congress on the legislation. It was adopted as an amendment on the Senate floor. It was added in connection with the other body's consideration of the Revenue Act

of 1971. This was just another one of the ornaments, they put on the Christmas tree at that time, but it was turned down in conference, not on its merits, but on the basis that it was not germane to a tax bill.

The only thing we have on this proposal of any significance other than the vote in the Senate, is an adverse report from the Department of Labor. Yet despite that, the conferees from the House accepted this amendment which makes very substantial changes in concepts, and which in my judgment undermines one of the reliable and necessary systems this Government has developed to take care of problems of the unemployed.

Yes, it was adopted in the conference.

Those House Members who signed the report, three out of the five, adopted it with little more than a half hour of discussion. The skids were greased.

The SPEAKER. The gentleman from Wisconsin has consumed 15 minutes.

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

I wonder, Mr. Speaker and Members of the House, if this is the kind of responsibility for which the Ways and Means Committee now wants to become noted. Is this the kind of action for which this Congress wants to be noted? I would hope not.

To show what a hodgepodge this proposal is, let me describe the method of financing. It took some mental gymnastics to come up with it. What the net effect of it will be I do not know, and I am not sure that anybody knows, except that general Treasury funds are going to be reduced by $274 million.

Under this proposal, the 13 weeks extended benefits are to be paid out of the extended unemployment compensation account. This is the account we set up to handle the extended benefit program which we adopted a year ago and to receive the revenue from the increased net Federal payroll level we imposed at that time to build up that fund. But, as I say, the program really has not become fully operative, and yet that fund is broke. But that is the fund out of which we are going to pay for these benefits. It is $60 million short already. It owes the States $60 million because of what has happened.

Under the law we told the States that those who elected to make it effective before January 1, 1972, when it would become applicable in all States, could do so. We said it was all right for States to put it in effect ahead of time.

Some States have put it into effect. In some States, it went into effect for a while and then went out when the unemployment situation improved.

Now, what has happened is this: Because there was not enough money in the extended unemployment compensation account, the States were told—and the Department approved this—to go ahead and pay extended benefits, and because the Federal share under this program is 50 percent, when there is sufficient money in the extended unemployment compensation account, the Federal Government will pay to the States the 50 percent that it owes them.

We now owe the States some $60 million and that is going to be growing within the next year. It will grow until we get in a situation where the taxes coming in exceed the benefits going out.

So, then, what does this do? It says that money will be paid out of an account in which there is no money. The account itself is broke. However, the report says that we will have the general fund of the Treasury reimburse the extended benefit account, so appropriations have to be made for that purpose from the general fund.

Now we come to the real gimmick. And I am amazed at my chairman for even mentioning that it exists in this bill. It is so ludicrous. It says that the money will be paid back from excess funds that would otherwise be returned to the States under the Reed Act.

The SPEAKER. The time of the gentleman has expired.

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

But let me tell you what the Ways and Means Committee report on this bill said about the possibility of any money being returned to the States under the Reed act. You will find this on page 2 of the report, and I quote:

> Since 1954, however, several changes have occurred such as the demands that were made on the loan fund (Federal Unemployment Account) and the creation of the Employment Security Administration and extended unemployment compensation accounts. All three accounts must be built up to a prescribed level before funds can be transferred to the States. Consequently funds were credited to the States only in three calendar years, 1956, 1957, and 1958.

Now here is the heart of it. This is the real gimmick, and I say to the chairman of the Committee on Appropriations it is really an outstanding one. It looks as if money would be borrowed from the general fund, but committee report filed on this bill says, and I quote—

> No additional transfers are anticipated in the foreseeable future.

And everybody admits we cannot foresee the time when we will have enough money in the various accounts to cover all of the various costs and permit a return of funds to the State from which these mythical "loans" can be paid back. The General Fund of the Treasury will be left holding the bag, and we all know and expect this.

Now, Mr. Speaker, you can call this unemployment compensation, but it is not really unemployment compensation when you finance it in that manner.

But let me show the hybrid nature of the amendment. While the general taxpayers pay for the benefits, the administrative costs are going to be charged against the employment security administration account, which is funded by taxes on employers throughout the Nation. This is not welfare because welfare is generally based upon need. It is not unemployment compensation because that is based upon an unemployment tax. We pay this out of the general fund, but we have the costs of administering the benefits that will be paid by employers through the payroll tax. Where are we going?

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

Mr. BYRNES of Wisconsin. I had wanted to complete my statement before yielding but, yes, I yield to the gentleman from Iowa.

Mr. GROSS. I would not want to ascribe politics as having played any part in this bill, but I do know that a couple of presidential aspirants are directly involved.

Mr. BYRNES of Wisconsin. Well, I am not even going to try to speculate as to what brings us to this most odd situation.

Let me just add a few more points on the incongruity and the inequity that is going to occur here.

How can you justify paying extended unemployment benefits out of the general fund? You could justify it where employers are to pay additional benefits reasonably related to part employment. But how can you justify saying you will pay for 13 weeks of additional benefits in one State because it has a combined unemployment rate of 6.5 percent and not pay anything in the adjoining State because it has a rate of only 6 percent?

The SPEAKER. The time of the gentleman has again expired.

Mr. BYRNES of Wisconsin. Mr. Speaker, I yield myself an additional 6 minutes.

The SPEAKER. The gentleman from Wisconsin is recognized for 6 additional minutes.

Mr. BYRNES of Wisconsin. Mr. Speaker, State B may have a 6-percent level which has persisted longer than the 6.5-percent level in State A. But under this proposal you would be taking money out of the Treasury, and giving to individuals in State A an additional 13 weeks of compensation.

You would be paying a full year of benefits to a man in one State. But what would you do for the guy in the next State with a rate of 6-percent unemployment? Nothing; nothing.

If you want to take the taxpayers' money and send it to some State that maybe has five-tenths percent more unemployment than yours, and neglect your own people, that is up to you. But, Mr. Speaker, I am not going to vote for something which is that discriminatory.

You are also going to be paying more, for instance, in the State of Washington and some other States, to secondary earners and people who have seasonal jobs.

I am not too sure but that the very nature of this program, which should be designed to help correct the long-term unemployment problem, dictates that there should be more stringent eligibility conditions than are contained in this bill. Also, I do not believe that more weeks of benefits are necessarily the answer to long-term unemployment. They actually, in some respects, may retard rather than promote employment.

Resistance to moving from one area to another retards an individual's chance of reemployment. Consequently any program that contributes to this resistance by sustaining him over an inordinate period of time adds to the problem rather than helps to solve it.

These are just some of the things I think you ought to consider seriously as you look at what you are doing here.

Many individuals, particularly those in States with low qualifying earnings requirements, and with the uniform duration for all claimants, will receive more money in benefits than they had earned as a basis for those benefits.

Mr. Speaker, as a friend of unemployment compensation, as one who wants to see it work, as one who along with the chairman, did his best to try to get a system written into the law that would take care of these unusual periods of higher-than-usual unemployment over extended periods of time, I think this is a poor amendment that is going to plague us if we adopt it today, and I would urge you to turn down this conference report.

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

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

Mr. PICKLE. Mr. Speaker, did the gentleman from Wisconsin say that this program was financed through the General Treasury, but that it would be subject to repayment from the FUT tax?

Mr. BYRNES of Wisconsin. No, it is not. That is the point. That is not what it says. And the gentleman is experienced in this field of unemployment compensation, and I believe the gentleman is a former administrator of the tax.

Mr. PICKLE. That is correct.

Mr. BYRNES of Wisconsin. This would be reached only in the event a State got a return of FUTA collections under the Reed act.

But the report of the Ways and Means Committee, says there is not going to be any money to be distributed under the act. That is the only way it is paid back under this bill. Should a State, let us say the State of Washington, somewhere down the line be eligible for some Reed act money, that would have to be credited against it.

Mr. PICKLE. Mr. Speaker, I thank the gentleman.

Mr. Speaker, the unemployment insurance program was built on the principle of insurance. It has worked well for us for some 40 years. Each State is allowed to establish its own weekly benefit amounts and to run its own State program if they meet certain Federal requirements.

If we approve this bill today, we will, in effect, be paying for unemployment insurance to insured workers from the General Treasury. This is a departure from the method always used, with possibly one exception, in meeting the cost of the unemployment insurance program. Indeed, it is true when we pay for these benefits from the Federal Treasury, we are close to making this a welfare program.

Now none of us want to see unemployed workers possibly go without receiving their benefits. The workers involved here have had 13 additional weeks, and this bill would give them an additional 13 weeks. If we allow this extra time, it should be paid for by an employer tax, or some other means, and not taken from the Federal Treasury.

I have asked the gentleman from Wisconsin to explain to us again exactly how these funds would be repaid to the general Treasury. I must say, it is almost impossible to understand or to believe that these funds would ever be repaid to the unemployment insurance program. We are told that none of these moneys would come from the Reed Act, but I question that. At least there is considerable doubt how it is proposed that any of this money would ever get back to the Treasury or how it would come from the Extended Benefit Act. I think we are kidding ourselves to think that this would be repaid.

Conceivably, if we had a high rate of employment—and very little unemployment—for 4 or 5 years straight, then we might be able to get a surplus in these funds. That is not likely to happen and none of us ought to believe that it will.

I would much rather consider giving 13 additional weeks to these 11 States and Puerto Rico under a program of welfare or a direct unemployment insurance tax instead of seeing it put under an unemployment insurance program and under the guise that funds will be repaid.

I, therefore, will vote no on the resolution on the measure because I think this bill, as well intended as its supporters may be and as much as some unemployed workers may need the benefits, violates the principles of the unemployment insurance program.

I have served as a State administrator and am proud of the record that the State unemployment programs make. I do not want to adopt anything that weakens this program.

Mr. MILLS of Arkansas. Mr. Speaker, I yield 10 minutes to the gentleman from Washington (Mr. ULLMAN), a member of the conference committee.

Mr. COLLIER. Mr. Speaker, would the gentleman yield for a unanimous consent request?

Mr. ULLMAN. Mr. Speaker, I yield to the gentleman from Illinois.

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

Mr. COLLIER. Mr. Speaker, I rise in strong opposition to this conference report, because, among other things, it rapes even the semblance of the orderly and responsible legislation. It once again points to the bleeding need for correcting the abominable and inexcusable legislative procedure in the Senate. Unless this is done, I predict that the people of this country will lose all respect for the operations of the highest legislative body in the country. Certainly they are justified in doing so.

But we here in this House can serve notice on the other body that we do not intend to condone or play any part in this irresponsible means of legislating.

Mr. ULLMAN. Mr. Speaker, the reason, and the only reason we are here today with the legislation, is because the country has a recession problem. The fact that it is somewhat spotty and somewhat segmented in the country really is beside the point. We are in a serious economic situation. In the States that would be immediately affected by the amendment, 538,000 employees will have exhausted entirely their basic and extended unemployment compensation benefits.

Now, always, when that situation occurs, Congress has reacted here, and I think it always will.

Back in 1958 we adopted a temporary program providing an additional 13 weeks. In 1961 when we had another unemployment problem, and we again provided for an added 13 weeks.

Then in 1970, you will remember, last year, realizing that the country was moving into a recession, we passed legislation that gave us a permanent standby program of extended benefits.

But now even with the extended benefits that we provided last year, we have many hundreds of thousands of people who have completely exhausted their benefits and somehow they are going to have to be taken care of. The only question before the Congress is—how is best to do it. Do you want to put these people on welfare? They are legitimate employees. They are people who want to work and who want jobs that are not available. They are not welfare material, believe me, they are people who want to work.

The only question is, Are you going to provide some method in unemployment compensation legislation, as we have always done in the past to take care of this critical problem or are you going to force them on welfare?

There are some 12 States immediately involved in the triggering device. The gentleman from Wisconsin made an issue of the triggering device. You cannot implement an emergency program without some kind of triggering device. The legislation now on the books that we passed last year for extended benefits had a triggering device in it, both a Federal triggering device and a State triggering device. All that we have done here is to try to provide some reasonable vehicle to "trigger in" these benefits where the situation is most urgent. We went from a 6-percent, as proposed by the Senate, to a 6½-percent factor in the conference. That is made up of existing insured unemployment plus exhaustions during the past year.

Under this formula, at the present time, there are 12 States involved. But certainly after the first of the year, there will be more States involved than that. We know of at least two or three that will almost certainly come under it.

Now the gentleman from Wisconsin made a great issue of the point that the fund is in the red. Well, let me tell you why it is in the red. It is in the red because the executive branch, this administration, has refused to request the funds that we authorized last year under the extended benefits program. If the administration would request the funds—if they would be provided—the fund would not be in the red. I know the gentleman from Wisconsin knows that that is the situation.

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

Mr. ULLMAN. I yield to the gentleman.

Mr. BYRNES of Wisconsin. If the fund needs advances from the General Treasury to get an advance, that proves it is in the red and that it is not sound. That is the situation when the receipts are less than the benefits.

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

Mr. ULLMAN. I yield to the gentleman.

Mr. MILLS of Arkansas. Let us not confuse what we have before us. What the gentleman is talking about is the extended benefit program that the Federal Government has not financed and that is being paid for in areas where it is in effect 100 percent out of the States' unemployment benefits account. The Federal Government has not paid its 50-percent share. That is not involved in this bill at all. That is a matter relating to the legislation that we passed last year, and it has not been funded. That is what the gentleman from Oregon was referring to.

Mr. BYRNES of Wisconsin. If the gentleman will yield further, you say it is this account—but this account does not have any surplus. It has to go to the general fund to get it.

Mr. MILLS of Arkansas. Of course, it cannot have any surplus when you have 6 percent or 6½ percent of the people unemployed.

Mr. BYRNES of Wisconsin. Right.

Mr. MILLS of Arkansas. But it will have a surplus when unemployment is less.

Mr. BYRNES of Wisconsin. We hope that eventually we will have that.

Mr. MILLS of Arkansas. We hope that unemployment is going to go down sometime and you know and I know that then there will be a surplus in the account.

Mr. BYRNES of Wisconsin. It does not make any difference whether there is a surplus in that account or not in determining the question of whether the general fund is ever reimbursed. Not only the extended benefits account, but the employment security administrative account and the loan account would all have to be filled to their statutory limit before any funds would be returned to the States. The thing is so confused, it is difficult to understand.

Mr. MILLS of Arkansas. These are the funds I am talking about. I expect to see these funds built up when we get a lower level of unemployment. It has had moneys in the past when we have had low levels of unemployment. We have permitted the States to use those moneys for administrative purposes.

Mr. BYRNES of Wisconsin. Mr. Chairman, why, then, did the committee report itself state that there is no expectation in the foreseeable future of there ever being a surplus in funds under this Reed Act? Why did you sign the committee report in connection with the very bill that we sent over to the Senate in which that statement is contained?

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

Mr. ULLMAN. I yield to the chairman.

Mr. MILLS of Arkansas. The gentleman from Wisconsin makes a whole lot to-do about the possibility that these people may receive unemployment compensation benefits for a 13-week period out of the general fund of the Treasury. But the gentleman from Wisconsin joined me in helping to pass through the Congress a program of adjustment assistance to workers who lost their jobs as a result of imports, and we are paying benefits to them to the tune of 52 weeks out of the general fund of the Treasury. The gentleman knows as well as I do that the unemployed we are talking about are also unemployed as a result of the action of the Federal Government in taking away contracts and in cutting back on work. What is the difference between unemployment as a result of imports and unemployment as a result of cutting back on military and similar expenditures?

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

Mr. ULLMAN. I yield to the gentleman from Wisconsin.

Mr. BYRNES of Wisconsin. The difference is, Mr. Speaker, that under the adjustment assistance you identify the particular group of employees and specifically relate the unemployment to governmental action. You do not cover every employee in a State who happens to have been employed in a plant that was affected adversely by imports. That is the distinction. This bill covers everyone, including the seasonal worker and everyone else.

Mr. MILLS of Arkansas. That is another technicality that the gentleman injects. But it still is no answer to the man who knows that he is out of a job in the State of Washington, California, Connecticut, or somewhere else as a result of the Government cutting back on procurement of materiel.

Mr. ULLMAN. Mr. Speaker, the fact of the matter is that the States will be charged for the amounts used when this program is triggered. I know the gentleman from Wisconsin is not trying to say that we are going to be in a period of prolonged unemployment on down the line. We are going to get back into an era of prosperity, God help us, and when we do there will be moneys in these funds. When we do, the employers of those States will be the ones who will pay the bill for the moneys used under this program. Just as sure as we are here, we eventually are going to go into a period of prosperity. When we do, we know there will be surpluses in these funds and the excess funds that would then be paid to the States where these emergency benefits are paid will be used to repay the amounts borrowed from the General Fund of the Treasury. In this manner the employers in those States will be the ones who will be paying the bill.

The SPEAKER. The time of the gentleman has expired.

Mr. MILLS of Arkansas. Mr. Speaker, I yield the gentleman from Oregon 5 additional minutes.

The SPEAKER. The gentleman is recognized.

Mr. BYRNES of Wisconsin. Mr. Speaker, I know the gentleman wants to be fair. Will he yield further?

Mr. ULLMAN. I yield to the gentleman from Wisconsin.

Mr. BYRNES of Wisconsin. I assume the gentleman would label the years of the 1960's rather prosperous, would he not?

Mr. ULLMAN. Well——

Mr. BYRNES of Wisconsin. The 1960's—was that a prosperous period? Because even during that period there was surplus in any year that was returned to the States. That is what you are relying on.

Mr. ULLMAN. What the gentleman falis to realize is that in 1970 we increased the tax in order to take care of this problem, and in addition to that, under the extended benefits program the Federal Government was responsible for Federal moneys going into the funds, and the fact of the matter is the administration has not requested funding under this program. These are some of the reasons we have problems of funding today. But under the next tax rates imposed the last year, in a period of prosperity there will be funds building up in this account, and the employers in the States will be the ones who will be paying.

Mr. BYRNES of Wisconsin. Will the gentleman let me agree with him on a point? That tax was put on and was increased in order to build up a fund to take care of the special extended benefit program that we enacted into law. But this is not expected to produce funds reverting to the States to pay back the General Treasury for these emergency benefits. Let us at least be fair about this thing.

Mr. ULLMAN. But quite obviously even last year when we passed the extended benefit program we could not anticipate the levels of unemployment that we have today. We are in a serious national situation or we would not be here asking for these benefits.

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

Mr. ULLMAN. I yield to the gentleman from Arkansas.

Mr. MILLS of Arkansas. Mr. Speaker, the gentleman from Wisconsin is right. The first charge against the new tax was the extended benefit program, but there are amounts over and above those required for the extended benefits, and the gentleman knows they went next to the Reed fund. It finally goes back to the Reed fund.

Mr. BYRNES of Wisconsin. If the gentleman will yield, they will go back to the Employment Security Administration Account, from which we pay administrative costs and various other things. And finally, way down at the bottom, it might go to the Reed Act.

Mr. MILLS of Arkansas. Wait a minute—let us make it clear to all: Finally it will go back to the State fund, and then whenever it gets back to the State fund, but a State fund cannot receive any excess revenues until this debt is paid back.

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

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

Mr. MAHON. Mr. Speaker, funds are raised through the unemployment tax and disbursements are made from the trust fund. The appropriation process does not necessarily come into play. But I am wondering if we are not going to be called upon to make appropriations to the trust fund in order to carry out this program.

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

Mr. MILLS of Arkansas. I yield the gentleman from Oregon 1 additional minute.

Mr. MAHON. Mr. Speaker, if the gentleman will yield, I understand we will be asked by the Senate in connection

with the continuing resolution to agree to certain language pursuant to this program.

Mr. MILLS of Arkansas. Mr. Speaker, if the gentleman will yield, the chairman knows and I know we are called upon to make funds available for the unemployment compensation program, and for other funds. The budget has asked, for 1972, for better than $6.2 billion to be available for unemployment compensation. Is that not correct?

Mr. MAHON. But this would be in addition to that.

Mr. MILLS of Arkansas. That is right, and because there is no money available within the fund charged with this, because the administration has not yet even asked for 50 percent under the extended benefit program, advances will have to be made from the general fund of the Treasury, until these moneys can be paid back into the general fund. This is not the first time that has been done. My friend, the gentleman from Texas, knows that.

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

Mr. FRENZEL. Mr. Speaker, the conference report on H.R. 6065, which originally passed the House on a voice vote, contains a whole new section authorizing extended unemployment benefits for an additional 13-week period—over and above the 13-week extended benefit previously authorized—or 50 percent of the compensation due in the claimant's most recent benefit year.

This country's unemployment compensation programs have been successful and necessary to the Nation's economic health and to the welfare of our wage earners. The systems have been based on the experience ratings of covered employers. So far all of our programs have been financed out of the trust funds which consist solely of employer contributions and interest earned thereon.

This bill makes an important deviation in that it provides for financing of these temporary additional unemployment benefits from the Treasury. What this means is that taxpayers of the State of Minnesota, individual and corporate, must finance unemployment compensation claims from other States while claims of Minnesota's unemployed are financed solely by Minnesota employers.

It seems to me, Mr. Speaker, that if we are going into the general funds for unemployment benefits, our programs ceases to be a standard unemployment program and becomes strictly a welfare program. If we operate it that way, we ought to call it a welfare program.

In this bill we are doing approximately what we did in the black lung bill passed earlier this year. We are using the general revenues of the United States of America to subsidize a difficult situation in a few States to the disadvantage of all of our citizens, many of whom may be in equally difficult situations, in the other States.

What we have here is an inequitable bill which uses a temporary expedient to solve a problem for a few of our citizens. I believe this conference report should be defeated and that the Ways and Means Committee should be encouraged to strengthen our unemployment compensation programs in a uniform and equitable manner.

Mr. ANDERSON of Illinois. Mr. Speaker, I rise to register my strong objection to title II of the conference report called up by the gentleman from Arkansas (Mr. MILLS), the distinguished chairman of the House Committee on Ways and Means. While I have grave reservations about the substantive merits of this amendment, I object even more strongly to the cavalier manner in which the proponents of this measure have completely ignored normal legislative procedures in both the Senate and the House. To begin with, this proposal has not received 1 minute of hearings by the tax committee of either body. Second, it was tacked on as a rider to the revenue bill in the Senate, and then almost completely rewritten in conference. Finally, it comes to the floor of this body after both the reading of the conference report and the statement of the managers has been dispensed with, so that very few Members have even the remotest idea of what is being proposed.

Now, if the amount of money involved were only on the order of a few hundred thousand or perhaps a million dollars, the cause for alarm might not be so great. But this is not the case at all. The chairman of the Ways and Means Committee (Mr. MILLS) has stated that nearly a quarter of a billion dollars would be involved. If we continue to treat our fiscal affairs so lightly, will there ever be any hope of drying up the rivers of red ink that now seem destined to flow out of the Federal budget well into the middle of this decade?

Mr. Speaker, I realize that this proposal addresses itself to a serious problem indeed; but that is precisely why it is incumbent upon this body to produce a serious, carefully considered and developed response. Is it any wonder that the American people "are fed up with government at all levels" to quote from the President's state of the Union address, when we enact major new programs—and this clearly is one—in the haphazard fashion that has characterized the development of this particular piece of legislation.

Mr. Speaker, as I stated previously, I also question the substantive merits of this amendment. First, as the ranking minority member of the Ways and Means Committee, Mr. BYRNES, has forcefully pointed out, the unemployment compensation program is an insurance program financed by a contributory tax, but the measure proposed here would be financed out of general revenues. In the past, Congress after Congress has gone on record strongly reaffirming the principle that the unemployment compensation program should remain an insurance program and should not be financed in such a manner. Why should we now abandon that important principle? What has occurred since we last improved and updated the unemployment compensation program in August of 1970 that requires we set a precedent for financing this program out of the general fund?

Mr. Speaker, let me remind this body that earlier this year we approved a $1 billion public service employment program designed to cope with the very same kind of problem that proponents of this measure have used to justify the proposed 13-week benefit extension: Namely, long-term unemployment due to the conversion of our economy from war to peace. Would it not be prudent in light of the severe strain already on the Federal budget to see whether that public service employment program can do the job before we piggyback another costly program on top of it?

Mr. Speaker, I also have philosophical reservations about the wisdom of continually extending the duration of unemployment benefits. This proposal would make individuals eligible for an entire year, and if the trend continues that eligibility may soon be extended to 15 months, 18 months, 2 years. But let us recall the reason for enactment of this program in the first place. Was it not the case that we were attempting to protect individuals and their families and to maintain purchasing power during periods of cyclical downturn? Was not the basic idea simply that unemployment compensation could provide an "automatic stabilizer" that would prevent the economy from slipping into another great depression like the one we suffered during the 1930's?

In light of this, let us consider the kind of unemployment that currently prevails in places like southern California or Seattle—the areas of the country that would get the lion's share of the funds made available under this program. The unassailable fact is that the unemployment in these areas is not cyclical unemployment stemming from the recent economic downturn, but secular unemployment, to use the jargon of the economists, that has resulted from long-term and permanent shifts of productive activity in the economy. In this case, the cause is conversion from war to peace, but the same kind of secular shift can occur when an industry migrates from one part of the country to another, as occurred in the New England textile industry, or when domestic production is replaced by foreign production, as is now occurring in the area of consumer electronics, or when new technological innovations replace labor intensive production with capital intensive production, as occurred in the coal industry after World War II.

Mr. Speaker, in all of these cases of secular unemployment, the workers directly displaced are certainly entitled to aid and assistance. But the point is this: unemployment compensation is not the answer because it was designed for a totally different purpose and is geared to meeting different circumstances. Unemployment compensation is designed to maintain the purchasing power of workers and their families until the renewed economic activity of the cyclical upswing allows them go back to their previous job or employer. But in the case of secular unemployment, workers can never go back to the old job because it has been permanently displaced. Therefore, what we need in these cases of secular unemployment or permanent job displacement is a broad program aimed at helping and encouraging workers to find new jobs.

Mr. Speaker, we have a precedent for this kind of program in the Trade Adjustment Assistance Act. In its current

form it is very deficient and niggardly to be sure. But it does provide realistic aid to a worker permanently out of a job through an integrated package of retraining, relocation, job development and income maintenance assistance. In my view there is no reason why this kind of program cannot be upgraded and expanded to deal with all types of secular unemployment, not just the trade-related variety. Instead of just adding one more patchwork program that will not solve the problem of those unemployed in Seattle, southern California, and similar areas, it seems to me that this kind of broad manpower adjustment program is what we ought to be seeking to develop.

Mr. MILLS of Arkansas. 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.

Mr. BYRNES of Wisconsin. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 193, nays 149, not voting 89, as follows:

[Roll No. 469]

YEAS—193

Abourezk	Forsythe	Nix
Adams	Fraser	Obey
Addabbo	Gallagher	O'Hara
Anderson, Calif.	Garmatz	O'Konski
	Gaydos	Patten
Annunzio	Giaimo	Pepper
Aspin	Gibbons	Perkins
Aspinall	Gonzalez	Peyser
Badillo	Gray	Preyer, N.C.
Begich	Green, Pa.	Price, Ill.
Bell	Grover	Pryor, Ark.
Bergland	Halpern	Pucinski
Bevill	Hamilton	Rangel
Biaggi	Hanley	Reid, N.Y.
Biester	Harrington	Reuss
Bingham	Harvey	Riegle
Blanton	Hathaway	Rodino
Boggs	Hechler, W. Va.	Roe
Boland	Heckler, Mass.	Rogers
Brademas	Heinz	Roncalio
Brasco	Helstoski	Rooney, N.Y.
Broomfield	Hicks, Mass.	Rooney, Pa.
Brown, Mich.	Hillis	Rosenthal
Burke, Mass.	Hogan	Rostenkowski
Burlison, Mo.	Holifield	Roush
Burton	Hosmer	Roy
Byrne, Pa.	Howard	Roybal
Carey, N.Y.	Hunt	Ruppe
Carney	Hutchinson	Ryan
Celler	Jacobs	Saylor
Chamberlain	Johnson, Calif.	Scheuer
Clark	Jones, Ala.	Seiberling
Clausen, Don H.	Jones, Tenn.	Shoup
	Karth	Shriver
Clay	Keith	Skubitz
Collins, Ill.	Koch	Slack
Conte	Kyros	Smith, Iowa
Corman	Latta	Snyder
Culver	Leggett	Staggers
Curlin	Link	Stanton, J. William
Daniels, N.J.	Long, Md.	
Danielson	McCormack	Stanton, James V.
Davis, Ga.	McDonald, Mich.	
Davis, S.C.		Steed
de la Garza	McFall	Steele
Delaney	McKay	Stephens
Dellums	McKinney	Stokes
Denholm	Madden	Stubblefield
Dent	Mailliard	Symington
Dingell	Matsunaga	Teague, Calif.
Donohue	Mazzoli	Tiernan
Dorn	Meeds	Udall
Dow	Melcher	Ullman
Drinan	Metcalfe	Van Deerlin
Dulski	Mikva	Vander Jagt
Eckhardt	Mills, Ark.	Vanik
Edmondson	Minish	Vigorito
Edwards, Calif.	Monagan	Waldie
Eilberg	Moorhead	Whalen
Esch	Morgan	Widnall
Evans, Colo.	Morse	Wilson, Bob
Fascell	Mosher	Wolff
Fish	Murphy, Ill.	Yates
Flood	Murphy, N.Y.	Yatron
Foley	Natcher	Young, Tex.
Ford, Gerald R.	Nedzi	Zablocki

NAYS—149

Abbitt	Frenzel	Pickle
Abernethy	Frey	Pike
Anderson, Ill.	Galifianakis	Poage
Andrews, N. Dak.	Gettys	Poff
	Goodling	Powell
Archer	Green, Oreg.	Price, Tex.
Arends	Griffin	Purcell
Ashbrook	Gross	Quie
Baring	Gude	Railsback
Bennett	Haley	Rarick
Betts	Hammer-schmidt	Rhodes
Blackburn		Roberts
Bow	Hansen, Idaho	Robinson, Va.
Bray	Harsha	Runnels
Brinkley	Hastings	Ruth
Brotzman	Henderson	Sandman
Brown, Ohio	Hull	Satterfield
Broyhill, N.C.	Hungate	Scherle
Broyhill, Va.	Ichord	Schneebeli
Buchanan	Jarman	Schwengel
Burke, Fla.	Johnson, Pa.	Scott
Burleson, Tex.	Jonas	Sebelius
Byrnes, Wis.	Jones, N.C.	Shipley
Byron	Kazen	Sikes
Cabell	Keating	Smith, N.Y.
Camp	King	Spence
Carter	Kuykendall	Steiger, Ariz.
Chappell	Kyl	Steiger, Wis.
Clawson, Del	Landgrebe	Talcott
Cleveland	Lennon	Taylor
Collier	Lent	Teague, Tex.
Collins, Tex.	Lloyd	Terry
Colmer	McCollister	Thompson, Ga.
Conable	McCulloch	Thomson, Wis.
Coughlin	McDade	Thone
Daniel, Va.	McEwen	Wampler
Davis, Wis.	McKevitt	Ware
Dellenback	Mahon	Whalley
Dennis	Mann	White
Devine	Mathias, Calif.	Whitehurst
Dickinson	Mathis, Ga.	Whitten
Downing	Mayne	Williams
Duncan	Miller, Ohio	Winn
du Pont	Mills, Md.	Wydler
Edwards, Ala.	Minshall	Wylie
Erlenborn	Mizell	Wyman
Findley	Myers	Young, Fla.
Fisher	Nelsen	Zion
Flowers	Nichols	Zwach
Fountain	Passman	
Frelinghuysen	Patman	

NOT VOTING—89

Abzug	Fuqua	Mitchell
Alexander	Goldwater	Mollohan
Anderson, Tenn.	Grasso	Montgomery
	Griffiths	Moss
Andrews, Ala.	Gubser	O'Neill
Ashley	Hagan	Pelly
Baker	Hall	Pettis
Barrett	Hanna	Pirnie
Belcher	Hansen, Wash.	Podell
Blatnik	Hawkins	Quillen
Bolling	Hays	Randall
Brooks	Hébert	Rees
Caffery	Hicks, Wash.	Robison, N.Y.
Casey, Tex.	Horton	Rousselot
Cederberg	Kastenmeier	St Germain
Chisholm	Kee	Sarbanes
Clancy	Kemp	Schmitz
Conyers	Kluczynski	Sisk
Cotter	Landrum	Smith, Calif.
Crane	Long, La.	Springer
Derwinski	Lujan	Stratton
Diggs	McClory	Stuckey
Dowdy	McCloskey	Sullivan
Dwyer	McClure	Thompson, N.J.
Edwards, La.	McMillan	Veysey
Eshleman	Macdonald, Mass.	Waggonner
Evins, Tenn.		Wiggins
Flynt	Martin	Wilson, Charles H.
Ford, William D.	Michel	
	Miller, Calif.	Wright
Fulton, Tenn.	Mink	Wyatt

So the conference report was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Pelly for, with Mr. Crane against.

Mr. Waggonner for, with Mr. Martin against.

Mr. Horton for, with Mr. McClory against.

Mr. Cederberg for, with Mr. Eshleman against.

Mr. Thompson of New Jersey for, with Mr. Derwinski against.

Until further notice:

Mr. O'Neill with Mr. Hall.

Mr. Hébert with Mr. Pirnie.

Mr. Evins of Tennessee with Mr. Baker.

Mrs. Grasso with Mrs. Dwyer.

Mr. Macdonald of Massachusetts with Mr. Lujan.

Mr. Kluczynski with Mr. Springer.

Mr. Charles H. Wilson with Mr. Goldwater.

Mr. Podell with Mr. Robison of New York.

Mr. Moss with Mr. Smith of California.

Mr. St Germain with Mr. Kemp.

Mrs. Griffiths with Mr. Quillen.

Mr. Fuqua with Mr. Belcher.

Mr. Hays with Mr. Clancy.

Mr. Hanna with Mr. Gubser.

Mr. Barrett with Mr. Michel.

Mr. Stratton with Mr. McClure.

Mr. Sisk with Mr. Rousselot.

Mr. William D. Ford with Mrs. Abzug.

Mr. Miller of California with Mr. Veysey.

Mr. Blatnik with Mr. Diggs.

Mrs. Sullivan with Mr. Wiggins.

Mr. Caffery with Mr. Pettis.

Mr. Hawkins with Mr. McCloskey.

Mr. Mollohan with Mr. Wyatt.

Mr. Alexander with Mr. Dowdy.

Mr. Andrews of Alabama with Mr. McMillan.

Mr. Ashley with Mr. Conyers.

Mr. Anderson of Tennessee with Mr. Landrum.

Mr. Rees with Mrs. Chisholm.

Mr. Brooks with Mr. Flynt.

Mr. Fulton of Tennessee with Mr. Hagan.

Mr. Mitchell with Mrs. Mink.

Mr. Casey of Texas with Mr. Kee.

Mr. Wright with Mr. Stuckey.

Mr. Cotter with Mr. Randall.

Mrs. Hansen of Washington with Mr. Sarbanes.

Mr. Montgomery with Mr. Long of Louisiana.

Mr. Kastenmeier with Mr. Hicks of Washington.

Messrs. MONAGAN, BROWN of Michigan, HOGAN, GROVER, BOB WILSON, FISH, YOUNG of Texas, WIDNALL, HUNT, HEINZ, and SAYLOR changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

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

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

There was no objection.

FURTHER CONTINUING APPROPRIATIONS, 1972

Mr. YOUNG of Texas. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 742 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 742

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H.J. Res. 1005) making further continuing appropriations for the fiscal year 1972, and for other purposes, and all points of order against said joint resolution are hereby waived. After general debate, which shall be confined to the joint resolution and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of

the Committee on Appropriations, the joint resolution shall be considered as having been read for amendment. No amendment shall be in order to said joint resolution except amendments offered by direction of the Committee on Appropriations, and said amendments shall be in order, any rule of the House to the contrary notwithstanding, but shall not be subject to amendment. At the conclusion of the consideration of the joint resolution for amendment, the Committee shall rise and report the joint resolution to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Texas is recognized for one hour.

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

Mr. Speaker, House Resolution 742 provides a closed rule with 1 hour of general debate for consideration of House Joint Resolution 1005 making further continuing appropriations for fiscal year 1972. The resolution also provides that all points of order are waived against the joint resolution.

Public Law 92–38, the fiscal year 1972 continuing resolution, which was extended three times, expired on December 8. An extension is needed to cover the Defense appropriation bill, the District of Columbia appropriation bill, and the foreign assistance appropriation bill. In addition, authorizations and appropriations have not been finalized for Radio Free Europe and Radio Liberty, the American Revolution Bicentennial Commission, and the Emergency School Assistance Activities.

The effective date of House Joint Resolution 1005 is December 9 and all points of order are waived for the reasons set forth above.

The gentleman from Texas (Mr. MAHON) has inserted a complete explanation of this crisis in the CONGRESSIONAL RECORD of December 13, 1971.

I urge adoption of the rule.

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

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

Mr. GROSS. I thank the gentleman for yielding.

This is a completely closed rule; is it not?

Mr. YOUNG of Texas. Yes.

Mr. GROSS. On line 3, page 2, of the proposed rule there must be a typographical error, in that this designates the Committee on Appropriations. What did the committee mean by that? These closed rules, of course, always come from the Committee on Ways and Means. Did the committee mean the Ways and Means Committee or did it mean the Appropriations Committee?

Mr. YOUNG of Texas. I must say it is not a typographical error. The Appropriations Committee explained before the Rules Committee that it felt it had to have a closed rule, to bring this session of Congress to a termination before the first of the year.

Mr. GROSS. Whatever the reason, is this not creating something of a precedent, to give the Appropriations Committee a "gag rule?"

Mr. YOUNG of Texas. It will be a precedent between now and adjournment, which we hope will be before long.

Mr. GROSS. Then it is not a typographical error?

Mr. YOUNG of Texas. No.

Mr. GROSS. It is deliberately done for the benefit of the Appropriations Committee?

Mr. YOUNG of Texas. Yes. The gentleman is correct.

Mr. GROSS. Would the gentleman have any idea as to what committee will come next in the line obtaining a "gag rule" for consideration of legislation by the House?

Mr. YOUNG of Texas. No. I do not believe there will be any more this year—I hope.

Mr. GROSS. I hope so, too. I hope for the best and I certainly fear the worst.

Mr. YOUNG of Texas. I thank the gentleman.

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

Mr. YOUNG of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. ROGERS), who wishes to speak out of order.

(By unanimous consent, Mr. ROGERS was allowed to speak out of order.)

Mr. ROGERS. Mr. Speaker, this House has consistently passed appropriations designed to implement the mental health program of this Nation, and until now, all indications were that the Office of Management and Budget was not going to release funds necessary to an effective program.

I became extremely concerned about this and have been in contact with the Secretary of HEW. I am pleased now to report to the House that the Secretary has just notified me that he has been in touch with the Office of Management and Budget twice within the last 24 hours and has received a commitment that the Office of Management and Budget has reversed itself and released much-needed funds for the training of psychiatrists, for children's projects and for staffing and construction of community mental health centers. This is welcome news, as it indicates that the strong congressional mandate for the continuation and expansion of this Nation's efforts against mental illness is being implemented.

If my information is correct OMB has been persuaded to release $56.5 million in withheld funds for vital psychiatric programs and services. This includes $10 million for children services, $6.7 million for residency training, $30 million for staffing additional comprehensive mental health centers, and $9.8 million for construction of additional centers.

I congratulate Secretary Richardson, Assistant Secretary DuVal and National Institute of Mental Health Director Brown on their efforts to secure release of these funds. This is a great victory for the Congress over the accountants at OMB and, more importantly, a great victory for the American people. I hope this represents only the beginning of a trend to adequately fund this country's health programs.

Mr. YOUNG of Texas. Mr. Speaker, I yield now to the gentleman from Illinois (Mr. ANDERSON).

Mr. ANDERSON of Illinois. Mr. Speaker, I rise in support of House Resolution 742 and would urge its adoption by the House in order that we may proceed to the consideration of the continuing resolution.

I think much as any of us in this Chamber may regret the necessity of concluding the business of this first session of the 92d Congress on the note of yet another continuing resolution, it should be pointed out, perhaps, at least, that this continuing resolution has had the benefit of hearings.

Just a moment ago this House debated action on a bill that will obligate the Federal Treasury at the rate of $274 million in 1972, I understand, and without a moment of hearings before any committee in either body.

I would say at least in connection with this resolution on Monday last we had the benefit of testimony by the distinguished chairman of the Committee on Appropriations of the House, the gentleman from Texas (Mr. MAHON) the ranking minority member, (Mr. Bow) and the chairman of the Subcommittee on Foreign Operations (Mr. PASSMAN) who explained the necessity for proceeding in this manner to conclude the business of this Congress.

I think it is important to note that this resolution will amend the date retroactively of the expiring continuing resolution so that it will be effective as of the 9th of December. Obviously that action is necessary to validate some of the actions that have been taken by the agencies and departments affected by this resolution whose actions otherwise might well be illegal because of the lack of any authorization or appropriation bill.

I share the concern of the gentleman from Iowa which he expressed a moment ago at the presentation of a closed rule from the Committee on Appropriations. I would repeat I do not think it constitutes any precedent by that committee to present similar requests in the future.

Given the exigencies of the situation, it was necessary to provide for a closed rule to prevent, I think, a rather extended debate on some rather controversial programs which only quite recently were litigated on the floor of the House. I refer, of course, most particularly to the foreign assistance appropriation bill.

Mr. GROSS. Will the gentleman yield?

Mr. ANDERSON of Illinois. I am pleased to yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for yielding.

I wish to say only this: The necessity or the apparent necessity for this kind of a gag rule is at one and the same time a sad commentary on and an indictment of the conduct of the business of the House of Representatives. That we should come down to this point with a gag rule in order to put through legislation, that ought to have long ago been disposed of by the House and put it over into the next year, I say, is a sad commentary.

Mr. ANDERSON of Illinois. I am certainly disposed to agree with the gentleman, and say that I am disposed to con-

cur with the judgment that has been passed on this Congress by the gentleman from Iowa.

I have heard the distinguished chairman of the House Appropriations Committee rather ruefully, I would say, make the comments before the Rules Committee in the last few weeks that something does seem to be wrong with both the authorization and appropriation process when you come down to the end of an extended session of Congress and find literally billions of dollars of programs that have neither been authorized nor for which appropriations have been made in the normal process.

I think this is a subject that ought to have some real attention given to it on the other side of the aisle as well as Members on both sides of the aisle.

Mr. ROONEY of New York. Mr. Speaker, will the distinguished gentleman from Illinois yield to me at this point?

Mr. ANDERSON of Illinois. Yes, I yield to the gentleman from New York.

Mr. ROONEY of New York. I thank the gentleman. I should like to say to my friend, the distinguished gentleman from Iowa (Mr. GROSS), that that fine speech he made just a few moments ago should have been made by the gentleman to the other body and not here in the House of Representatives.

The delay in concluding appropriation bills has always been caused by the other body rather than here in the House.

The gentleman from Iowa certainly should know that.

Mr. GROSS. Mr. Speaker, will the gentleman from Illinois yield further?

Mr. ANDERSON of Illinois. I yield to the gentleman from Iowa.

Mr. GROSS. The gentleman from New York (Mr. ROONEY) has been around here a little longer than I have and the gentleman from New York (Mr. ROONEY) knows that some of the authorizing bills did not clear this body until a few days ago.

The gentleman from New York knows that, does he not?

Mr. ROONEY of New York. Those are just a few of the bills, but not involving general delays such as the one on authorizing foreign aid.

Mr. GROSS. All right.

Mr. ROONEY of New York. Mr. Speaker, if the distinguished gentleman from Illinois will kindly yield further, I suggest that what is preventing us from adjourning sine die at the moment is taking place over in the other body.

The distinguished gentleman from Iowa harangues us all the time, and sometimes with justification. I happen to be an exception to his haranguing. The gentleman has not done that to me in recent years. The gentleman generally speaks very well with reference to the appropriations bills that we bring in here and the amount of money we saved. So I would suggest to the distinguished gentleman to just take it easy. The Appropriations Committee of the House has worked its hardest year this year in all of the 27 years that I have been a member of that committee.

Mr. GROSS. If the gentleman from Illinois will yield further, I thought the gentleman from New York knew of the esteem and respect in which I held him. I am not taking umbrage at anything the gentleman from New York has done.

Mr. ROONEY of New York. I know that the distinguished gentleman from Iowa is my friend and I said so at the outset. I thank him sincerely.

Mr. GROSS. But the gentleman from New York must know too that the other body is controlled by a Democrat majority as is this body, the Democrat majority representing his party.

Mr. ROONEY of New York. When it comes to appropriations——

Mr. GROSS. And, it is up to that majority to move legislation, whether it be in this body or the other body.

You are in charge. You have the troops to get the legislation through in orderly procedure rather than resort to a gag rule such as confronts us at this moment.

Mr. ROONEY of New York. My bill was concluded long ago. It was passed by both bodies in the heat of last summer.

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

Mr. ANDERSON of Illinois. Yes; I yield to the gentleman from California.

Mr. WALDIE. I thank the gentleman from Illinois for yielding.

There is a story on the wire services to the effect that the Secretary of Defense was on the floor of the House yesterday and today apparently lobbying on behalf of this measure that we will be considering.

I want to simply comment, as a Member of the legislative branch, although I recognize the fact that the Secretary of Defense is also a former Member of this body and, therefore, has the privileges of the floor, it does seem to me it is at least the custom, one that is sound and proper involving the constitutional separation of the powers of the branches of Government that forbids the executive branch from appearing on the floor of the Congress without an invitation on the part of the leadership and the Members of the Congress and the House of Representatives.

Mr. ANDERSON of Illinois. May I say in response to the statement of the gentleman from California I noted the presence on the floor earlier this afternoon of the distinguished Secretary of Defense, our former colleague, Mr. Laird; and I, in fact, had some conversation with him but it related merely to exchanging season's greetings. I did not hear any conversation that in any way indicated he was abusing his privileges as a former Member of this body.

I will, of course, also say that he might well have been here with respect to his interest in the conference report on the Department of Defense appropriation bill. But, that, of course, has passed this body. It is not the subject of this continuing resolution that is before the House.

I would certainly reject any charge that the Secretary of Defense in any way has engaged in any improper activities on the floor of the House.

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

Mr. ANDERSON of Illinois. I yield to the gentleman from California.

Mr. WALDIE. Mr. Speaker, I make no charge, I only comment that it does seem to me that this is a matter that the House should consider in terms of the extent of extending invitations to members of the executive branch insofar as appearances here on the floor of the House are concerned. And this would, it seems to me, extend also to former Members of the House who are now members of the executive branch, be they members of the Presidential Cabinet or what.

I simply want to make the statement that the Secretary of Defense was on the floor during a period involving legislation with which he is concerned.

Mr. ANDERSON of Illinois. Now, let me say in connection with the remarks of the gentleman from California—and I do not intend to extend the debate—that I would certainly hope that the gentleman would not persist in that view that there was anything improper in the appearance of our former colleague, who is now the Secretary of Defense, appearing on the floor. I think we are all glad to see him, indeed, as we are all of our former colleagues.

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

Mr. ANDERSON of Illinois. I yield to the gentleman from Texas.

Mr. MAHON. Mr. Speaker, I saw our former colleague, who is now the Secretary of Defense, on the floor. I visited with him momentarily.

He was also in my office in the Committee on Appropriations. I visited with him there also.

The gentleman did not say anything, or make in any way any reference to the conference report on the defense appropriation bill. I did say to him, "I hope you can live with what we did." He responded that he would have to. The Secretary is always agreeable and cooperative.

That was the extent of his contact with me. Insofar as the continuing resolution, or anything in this legslation, he said not a word about it in our conversation. I for one feel that if he were lobbying with anybody he certainly would be lobbying with me.

He did say one other thing. He said: "GEORGE, when you have time I want to give you more information in regard to some of the developments in the India-Pakistan matter," which did not relate in any significant way to the legislation which is before us.

So, Mr. Speaker, in fairness I feel compelled to make that statement.

Mr. ANDERSON of Illinois. Mr. Speaker, I commend the gentleman from Texas (Mr. MAHON) for the contribution he has just made. I am sure that it will help to remove any doubts that might have arisen in anyone's mind about the propriety of our former colleague, Mel Laird, appearing on the floor of the House.

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

Mr. ANDERSON of Illinois. I yield to the gentleman from Ohio.

Mr. MINSHALL. Mr. Speaker, I am quite surprised and shocked that the gentleman from California (Mr. WALDIE)

would make such an aspersion against a former Member of this body who now holds the very important post of Secretary of Defense.

I know why Mel Laird was up here yesterday, and why he has come to the floor of the House. He has traditionally gone to the Longworth House Office Building to get his hair cut. He got his hair cut yesterday, and when he was here he walked by to say hello to us, as he likes to do. He did not lobby to me one bit about any legislation.

I think the gentleman from California not only owes the Secretary of Defense an apology, but that he should apologize to the gentleman.

Mr. REID of New York. Mr. Speaker, will the gentleman yield?

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

Mr. REID of New York. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I am absolutely certain that the Secretary would have done nothing other than what is absolutely correct. He is entitled to the floor of the House, as a former Member.

Quite frankly, I think this body could learn a little from the British Houses of Parliament, where it is possible to have Members of the executive branch answer questions posed by Members of the Parliament. I see nothing improper in that. I think our Government would benefit.

I believe the gentleman from California owes the Secretary an apology.

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

Mr. ANDERSON of Illinois. I yield to the gentleman from California.

Mr. WALDIE. Mr. Speaker, I simply suggest that I do not intend to apologize to the Secretary, nor did I intend to cast any aspersion on the Secretary. I cast doubt upon the custom of permitting Cabinet members, not alone Secretary Laird, for whom I have the highest respect and affection. If I believed an apology were necessary I would extend an apology to the Secretary.

But I raised the question as to the custom of former Members who are now members of the executive branch appearing on the floor. The custom of the House is that the President can be on the floor of the House only with the invitation of the House. That is the question that I raised.

Mr. ANDERSON of Illinois. Mr. Speaker, I have no further requests for time.

Mr. YOUNG of Texas. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. MAHON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H.J. Res. 1005), making further continuing appropriations for the fiscal year 1972, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H.J. Res. 1005), with Mr. ROSTENKOWSKI in the chair.

The Clerk read the title of the joint resolution.

By unanimous consent, the first reading of the joint resolution was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Texas (Mr. MAHON) will be recognized for 30 minutes and the gentleman from Ohio (Mr. BOW) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Texas (Mr. MAHON).

Mr. MAHON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, when we return to the House I shall ask unanimous consent for all Members to have 5 legislative days to revise and extend their remarks.

RÉSUMÉ OF THE APPROPRIATIONS MEASURES OF THE SESSION

Mr. Chairman, I think it would be appropriate, in briefest summary, to give the House a capsule view of the appropriations business of the session, since the pending resolution is the last appropriation measure to be processed by the House at this session.

Mr. Chairman, with the passage of the pending continuing resolution, the House will have disposed of all the appropriation measures of the session, including the foreign assistance appropriation bill which, however, will not be acted upon by the other body before adjournment; the pending resolution provides a temporary substitute for that bill. Members are familiar with the deadlock on the related authorizing legislation.

Counting all bills and resolutions, we have dealt with a total of 27 measures; namely, 14 regular bills for fiscal year 1972; four emergency and supplemental appropriation measures relating to fiscal year 1972; five continuing resolutions; and four bills and supplemental appropriation measures relating to fiscal year 1971.

MEASURES WITH RESPECT TO FISCAL YEAR 1972

Mr. Chairman, with respect to the appropriation bills dealing with budget requests for the current fiscal year 1972, Congress has concluded action on 13 regular annual bills, three special resolutions dealing with emergency public jobs, summer school feeding programs for children, and Federal unemployment benefits, and the usual session-end supplemental bill. Only the foreign assistance appropriation bill remains unfinished, plus, of course, the pending continuing resolution.

In these 17 measures in respect to the fiscal year 1972, the President's budget requests for new budget obligational authority totaled $154.4 billion. A total of $153.7 billion has been approved, a net reduction of $640 million. Of the 17 measures, eight are above the related budget requests; seven are below the related budget requests; two are at the budget amount.

The foreign assistance appropriation bill, as passed by the House, was reduced $1.340 billion below the budget requests.

On this tentative basis, therefore, in all appropriation measures relating to fiscal year 1972, the specific reductions in the appropriations considered aggregate about $2 billion—specifically, $1.980 billion.

The net overall decrease, as I mentioned, in these 17 measures—that is, excluding foreign aid—is $640 million. However, taking into account the net decrease of $600 million from first, the $1 billion in the budget as a proposed supplemental for special revenue sharing for one-half year funding in certain housing and urban development programs where we, in the Appropriation Act, made full-year provision for present programs, and second, the $400 million not included in the education appropriation bill, but requested in the budget—and accounted for as a budget item in the bill—for purchase of student loans from colleges and universities contingent upon legislative authority not yet enacted, the net overall decrease would be $600 million more, or $1.240 billion. Legislation for the $1 billion item and for the $400 million item has not been enacted, but substitute provisions were made in the appropriation bills for on-going programs to which they relate.

Adding the $600 million net adjustment for these two items that were in the budget for special revenue sharing for housing and certain education programs proposed as new legislation, but for which substitute provisions were made in the appropriation bills, results in an overall reduction of $2.580 billion from the overall budget totals.

These figures refer to new budget obligational authority—appropriations, for all practical purposes—not budget expenditures. The President's original appropriations budget—which has of course been supplemented and amended from time to time—was about a quarter of a trillion dollars. His original spending budget was about $229 billion, which has been revised upward by the administration to about $232 billion. The expenditure budget of course, in addition to expenditures from new budget authority, include billions of dollars of expenditures from carryover balances of appropriations made in previous years, and also expenditures from certain so-called permanent appropriations, such as interest on the public debt and a number of trust funds which Congress is not required to act upon at each session.

I should note further in respect to the appropriations budget that while the original total request was about one-fourth of a trillion dollars, about $80 billion—figured on a net basis—does not require annual action by Congress. These are the so-called permanent appropriations, encompassing most all the social trust funds and such Federal funds items as interest on the public debt.

FISCAL YEAR 1972 BILLS IN THE HOUSE

Mr. Chairman, in the appropriation bills the House, while we increased some bills above the budget, we made sharp cuts in others, especially in foreign assistance, and defense. The overall House cut was $4 billion. Let me cite the totals

in respect to the fiscal year 1972 appropriation measures:

	In billions		
	Budget	House	Net reduction
17 measures (not counting foreign aid)	$151.7	$149.0	−$2.7
Foreign aid	4.3	3.0	−1.3
Totals, House, fiscal year 1972	156.0	152.0	−4.0

FISCAL YEAR 1972 BILLS IN THE SENATE

The Senate, in addition to considering the same budget requests as the House, also considered later supplements and amendments and certain regular budget items deferred by the House for lack of legislative authorization—notably health manpower programs and the economic opportunity program. But even allowing for this factor, the other body raised the appropriations in a number of significant amounts in relation to the House bills and budget requests. Excluding the foreign assistance appropriation bill on which the Senate plans to defer action until next year, the overall picture as to Senate actions on the fiscal year 1972 bills is about as follows:

	In billions		
	Budget	Senate	Net increase
17 measures for fiscal year 1972	$154.4	$156.5	+$2.1
Foreign aid (not yet considered)	4.3	?	?
Total, Senate, fiscal year 1972	(158.7)	?	?

The Senate approved nine of the appropriation bills at amounts above the budget; six in amounts below the budget; and two at the budget amounts.

FISCAL YEAR 1971 APPROPRIATION MEASURES AT THIS SESSION

Mr. Chairman, at every session we deal with supplemental appropriations relating principally to 2 fiscal years—in this session, fiscal years 1971 and 1972.

We had four such supplemental measures this session dealing with fiscal year 1971. They involved about $8.9 billion. Congress reduced them by about $910 million.

COMPREHENSIVE BUDGET SCOREKEEPING

Mr. Chairman, while most of the spending side of the budget on which Congress annually acts is handled in the appropriation bills, congressional actions—and inactions—on budget proposals in certain legislative bills significantly affect the budget and fiscal picture—as to obligating authority, as to expenditures, and of course as to revenues. These actions are reported on frequently in the so-called budget scorekeeping reports of the Joint Committee on Reduction of Federal Expenditures.

It is a bit early to say precisely what the final scorekeeping report for the session will show, but probably in all its actions—

First. Congress will show a substantial net reduction in relation to the Executive recommendations in respect to new budget obligational authority.

Second. Congressional actions in their impact on the spending budgetary recommendations of the Executive may well be about a standoff.

Third. In respect to revenue proposals by the Executive, congressional actions and inactions may vary to some extent, but in the overall, the figures will probably not be too far apart.

HIGHER APPROPRIATIONS, BIGGER SPENDING, RISING DEFICITS

Mr. Chairman, every year the authorization totals exceeds the year before. Congress continues to authorize and appropriate beyond the revenues in hand or in sight. Budget deficits and rising debt to meet the shortfalls are the inevitable result. Presidential budgets continue to be submitted on a deficit basis.

In the 18 appropriation measures relating to fiscal year 1972—counting foreign assistance in the form as it passed the House—the appropriations exceed the fiscal year 1971 level by about $11 billion.

On a Federal funds basis, the deficit in fiscal 1970 was $13.1 billion.

The Federal funds budget deficit for fiscal 1971—last year—was $29.9 billion.

In September, the Federal funds deficit was officially calculated to be about $33 billion for the current fiscal year 1972. I would estimate it may range between $35 billion and $40 billion.

The fiscal year 1973 budget will be submitted early in the next session. I believe it entirely safe to say that for the 4 fiscal years, 1970–73, the Federal funds deficit will probably exceed $100 billion.

Mr. Chairman, I include two tables on the appropriation measures for fiscal year 1972 showing further details in support of some of the total figures I have cited:

NEW BUDGET (OBLIGATIONAL) AUTHORITY IN THE APPROPRIATION BILLS, 1972, AS OF DEC. 15, 1971

[Note.—As to fiscal year 1972 amounts only]

Bill	Budget requests considered	Approved	Change (+) or (−)
IN THE HOUSE			
1. Education	$5,068,343,000	$4,800,088,000	[1] −$268,255,000
2. Legislative	455,744,595	449,899,605	−5,844,990
3. Agriculture-Environmental and Consumer Protection	12,104,813,850	[2] 12,423,896,050	[2] +319,082,200
4. State-Justice-Commerce-Judiciary	4,204,997,000	3,684,183,000	[3] −520,814,000
5. Treasury-Postal Service-General Government	4,780,576,000	4,487,676,190	−292,899,810
6. Interior	2,164,569,035	2,159,508,035	−5,061,000
7. HUD-Space-Science-Veterans	17,457,017,000	[2] 18,115,203,000	[2] +658,186,000
8. Transportation	2,833,229,997	[4] 2,559,048,997	[4 5] −274,181,000
Advance 1973 appropriation	(174,321,000)	(174,321,000)	
9. Labor-HEW	19,942,996,000	20,361,247,000	+418,251,000
10. Public Works-AEC	4,616,082,000	4,576,173,000	−39,909,000
11. Military construction	2,129,805,000	2,012,446,000	−117,359,000
12. Defense	73,543,829,000	71,048,013,000	−2,495,816,000
13. District of Columbia (Federal funds)	289,197,000	268,597,000	−20,600,000
14. Foreign assistance	4,342,635,000	3,003,461,000	−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. Federal unemployment benefits and allowances (H.J. Res. 915)	270,500,000	270,500,000	
18. Supplemental, 1972	769,341,154	786,282,654	+16,941,500
Total, House bills	155,973,675,631	[6] 152,023,222,531	[6] −3,950,453,100
IN THE SENATE			
1. Education	5,153,186,000	5,615,918,000	[1] +462,732,000
2. Legislative	535,349,607	532,297,749	−3,051,858
3. Treasury-Postal Service-General Government	4,809,216,000	4,752,789,690	−56,426,310
4. Agriculture-Environmental and Consumer Protection	12,104,813,850	[3] 13,621,677,050	[3] +1,516,863,200
5. Interior	2,194,594,035	2,226,023,035	+31,429,000
6. State-Justice-Commerce-Judiciary	4,216,802,000	4,098,083,000	−118,719,000
7. HUD-Space-Science-Veterans	17,457,017,000	[2] 18,698,518,000	[2] +1,241,501,000
8. Transportation	2,686,006,997	[4] 2,784,608,997	[4] +98,602,000
Advance 1973 appropriation	(174,321,000)	(174,321,000)	
9. Labor-HEW	20,123,637,000	21,018,317,000	+894,680,000
10. Public Works-AEC	4,616,082,000	4,716,922,000	+100,840,000
11. Military construction	2,129,805,000	2,002,312,000	−127,493,000
12. Defense	73,543,829,000	70,849,113,000	−2,694,716,000
13. District of Columbia (Federal funds)	289,197,000	285,597,000	−3,600,000
14. Foreign assistance			
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. Federal unemployment benefits and allowances (H.J. Res. 915)	270,500,000	270,500,000	
18. Supplemental, 1972	3,254,924,371	3,998,045,371	+743,121,000
Total, bills cleared Senate	154,384,959,860	[6] 156,487,721,892	[6] +2,102,762,032

Footnotes on following page.

NEW BUDGET (OBLIGATIONAL) AUTHORITY IN THE APPROPRIATION BILLS, 1972, AS OF DEC. 15, 1971—Continued

[Note.—As to fiscal year 1972 amounts only]

Bill	Budget requests considered	Approved	Change (+) or (−)
ENACTED			
1. Education	5,153,186,000	5,146,311,000	[1] −6,875,000
2. Legislative	535,349,607	529,309,749	−6,039,858
3. Treasury-Postal Service-General Government	4,809,216,000	4,528,986,690	−280,229,310
4. Agriculture-Environmental and Consumer Protection	12,104,813,850	[3] 13,276,900,050	[2] +1,172,086,200
5. State-Justice-Commerce-Judiciary	4,216,802,000	4,067,116,000	−149,686,000
6. Interior	2,194,594,035	2,223,980,035	+29,386,000
7. HUD-Space-Science-Veterans	17,457,017,000	[3] 18,339,738,000	[2] +882,721,000
8. Transportation	2,686,006,997	[4] 2,730,989,997	[4] +44,983,000
Advance 1973 appropriation	(174,321,000)	(174,321,000)	
9. Labor-HEW	20,123,637,000	20,704,662,000	+581,025,000
10. Public Works-AEC	4,616,082,000	4,675,125,000	+59,043,000
11. Military construction	2,129,805,000	2,037,097,000	−92,708,000
12. Defense	73,543,829,000	70,518,463,000	−3,025,366,000
13. District of Columbia (Federal funds)	289,197,000	272,597,000	−16,600,000
14. Foreign assistance			
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. Federal unemployment benefits and allowances (H.J. Res. 915)	270,500,000	270,500,000	
18. Supplemental, 1972	3,254,924,371	3,406,385,371	+151,461,000
Total, bills enacted	154,384,959,860	[6] 153,745,160,892	[6] −639,798,968

[1] As passed by both House and Senate, the education appropriation bill did not include $400,000,000 requested in the budget for purchase of student loan notes from colleges and universities, contingent upon legislative authority not yet enacted. If the $400,000,000 is excluded from all of the figures shown, the amount in the House approved bill is in effect a net increase of $131,745,000 over the budget requests considered by the House; the Senate approved bill on the same basis is $862,732,000 over the budget requests considered by the Senate; and the enacted bill on the same basis is $393,125,000 over the budget requests considered.

[2] There was $1,000,000,000 in the budget as a proposed supplemental for special revenue sharing or ½ year funding in certain housing and urban development programs. Taking into account that $850,000,000 of that amount was for the HUD-Space-Science-Veterans bill, the House bill is $191,814,000 below the budget requests; the Senate bill is $391,501,000 above the requests; and the enacted figure is $32,721,000 above the requests. Taking into account the remaining $150,000,000 of the proposed supplemental which was for the agriculture-environmental and consumer protection bill, the House bill is $169,082,200 above the budget requests; the Senate bill is $1,366,863,200 above the requests; and the enacted figure is $1,022,086,200 above the requests.

[3] $352,715,000 of this figure is apparent, not real, because all maritime programs and one judiciary item were struck by floor points of order.

[4] House bill does not include $248,000,000 floor addition to "Federal payment to airport and airway trust fund" since, technically, it is not new budget authority until appropriated out of the trust fund. Senate bill adds another $219,800,000 to this "Federal payment" account. Conference report adds $239,000,000 to the budget for this "Federal payment."

[5] Includes $235,000,000 related to prior decision to terminate the SST.

[6] Considering footnotes 1 and 2 ($400,000,000 for the purchase of student loan notes from colleges and universities and $1,000,000,000 for the proposed supplemental for special revenue sharing), the House bills are $4,550,453,100 below the budget requests; the Senate bills are $1,502,762,032 above the requests; and the enacted figure is $1,239,798,968 below the requests.

Note: Prepared Dec. 15, 1971, in the House Committee on Appropriations.

APPROVED FISCAL YEAR 1972 APPROPRIATION MEASURES, AS OF DEC. 15, 1971

[Note.—Fiscal year 1972 new budget (obligational) authority only]

Bill	Total approved	Over or under fiscal year 1971	Over or under fiscal year 1972 budget requests
1. Education	$5,146,311,000	+$563,104,500	[1] −$6,875,000
2. Legislative	529,309,749	+86,405,430	−6,039,858
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] +1,172,086,200
5. State-Justice-Commerce-Judiciary	4,067,116,000	+243,763,700	−149,686,000
6. Interior	2,223,980,035	+189,759,135	+29,386,000
7. HUD-Space-Science-Veterans	18,339,738,000	+1,342,850,000	[1] +882,721,000
8. Transportation	2,730,989,997	−253,630,608	+44,983,000
Advance 1973 appropriation	(174,321,000)	(+174,321,000)	
9. Labor-HEW	20,704,662,000	+3,149,983,500	+581,025,000
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	70,518,463,000	+937,761,750	−3,025,366,000
13. District of Columbia (Federal funds)	272,597,000	+137,334,000	−16,600,000
14. Foreign assistance	[2] (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	
18. Supplemental, 1972	3,406,385,371	+1,036,780,371	+151,461,000
Gross subtotal, 17 measures	153,745,160,892	+11,954,295,068	−639,798,968
Net adjustment of $600,000,000 to the budget requests (that is, a combination of (1) an amount which should be excluded from fiscal year 1972 budget requests—$400,000,000 not included in the education appropriation bill but requested in the budget for purchase of student loan notes from colleges and universities, contingent upon legislative authority not yet enacted, and (2) an amount which should be included in fiscal year 1972 budget requests—$1,000,000,000 which was a proposed supplemental for special revenue sharing which was to make up for only ½ year funding requested in the budget for certain housing and urban development programs but for which Congress, revenue sharing not having been adopted, funded on a regular 12-month basis)			−600,000,000
Net total, 17 measures	153,745,160,892	+11,954,295,068	−1,239,798,968

[1] These amounts are the ones affected by the net adjustment of $600,000,000 detailed near the end of the table.

[2] Total approved by House.

Note: Prepared Dec. 15, 1971, in the House Committee on Appropriations.

THE PENDING CONTINUING RESOLUTION

Mr. Chairman, this afternoon we grapple again with that unpopular monster called the continuing resolution. I am sure all of us have heard enough about it at this session. We regret that the Congress through its appropriate committees has not found it possible to authorize some programs in time for appropriations to be made during the period of say May, June, and July. That has not been done in many cases and that is the difficulty here today: the foreign aid authorization which has never been finally enacted.

Now we are considering this resolution under a closed rule. It is for the convenience of the House that we requested a closed rule.

With respect to foreign aid, we are simply asking you to reenact in broad outline the foreign aid appropriation bill which was passed by the House on December 8. The House is just being asked to do the same thing that was done with respect to this matter just last week.

But the House is also asked to do something vastly more than that in this measure.

The previous continuing resolution which expired on December 8 has not been supplanted by other legislation and several agencies and activities such as the District of Columbia and the Department of Defense and others have continued really without authority.

It is absolutely necessary that we pass this continuing resolution in order to validate and legalize the operation of these agencies from the 8th day of December through the period until the President affixes his signature to the pertinent bills. A hiatus exists which must be bridged. It is imperative that

this be done before the end of this Congress.

When this bill goes to the other body, it will undoubtedly be amended to some extent. I hope it will be amended in only a relatively limited way but highly controversial matters may be attached to it. Members may be tempted to leave Washington after this long session, but it seems to me that we cannot as a responsible body afford to depart this city until we make sure that we have validated certain operations of the Government—the portion of the Government which is affected by this continuing resolution.

The foreign aid program must be provided for in some form. I do not know what the other body may do in this respect. In the measure before you, as in the measure which you approved on December 8, we are about $1.3 billion below the budget estimates.

We are $833 million below last year's appropriations in this resolution. In this measure we are $24 million below the so-called Passman appropriation bill, which the gentleman from Louisiana so well presented to the House on December 8. I would hope, in view of the fact that we have been over this ground in the authorization bill and in the appropriation bill quite recently, it will not be necessary to discuss this aspect in great detail.

As I see it, regardless of one's views on foreign aid—and many of us have voted for sharp cuts in foreign aid—this measure must be enacted into law. To do otherwise would be irresponsible. We cannot go home and leave a very important and essential function of the Government stranded.

For example, we would leave stranded the Export-Import Bank. This measure provides for the continuation of the Export-Import Bank, which is so essential to American labor, American business, American agriculture, and American export trade generally. That is one of the reasons why this bill must be enacted. One of our major economic problems is the unfavorable balance of payments and the unfavorable balance of trade position in which we find ourselves. As all Members know the dollar is under heavy pressure. This is just one of the many reasons to vote for this measure.

Under the leadership of the gentleman from Louisiana (Mr. PASSMAN) and the leadership of the gentleman from Kansas (Mr. SHRIVER) we have reduced this measure as best we could under all the circumstances at this time.

The gentleman from Ohio (Mr. Bow) the ranking minority Member, and I have worked closely on this measure. We have held it to the best total we could, let me say to the so-called conservatives. And let me say to the so-called liberals that we could not go higher without using bad judgment and without jeopardizing the passage of this joint resolution.

Let me mention Israel. Not to exceed $500 million is provided for the continuation of military credit sales to Israel. We took it out of the Defense bill and put it with the foreign aid programs where it belongs. But do not be excited by thinking the whole $500 million will be spent momentarily. This authority has existed for more than 4 months, but the executive branch has, in the 4-month period since the beginning of this fiscal year, obligated only about $30 million. I hope that much of this sum can be saved.

I do hope and believe that in the administration of these funds the best interest of the United States and the cause of peace, will be served. Let me emphasize that the action taken in connection with foreign aid is only temporary. Congress will reconvene early next year. This resolution only extends until March 15, and we can do whatever may appear to be necessary in the interim.

We extended this resolution beyond February 27, because that is when the President is scheduled to return from Peking. We did not want to be in the midst of another continuing resolution at that time. We have set the expiration date at March 15.

I wanted to tell the Members more about what we have done and I will place in the RECORD a more expansive statement about the measure at this time

EXPLANATORY STATEMENT ON THE HOUSE JOINT RESOLUTION MAKING FURTHER CONTINUING APPROPRIATIONS FOR THE PERIOD DECEMBER 9, 1971—MARCH 15, 1972

THE UNFINISHED APPROPRIATIONS BUSINESS

The fiscal year 1972 continuing resolution—Public Law 92–28—as thrice extended, expired last Wednesday, December 8. An extension is needed to cover—

First. The defense appropriation bill, H.R. 11731, awaiting final conference action early this week.

Second. The District of Columbia appropriation bill, H.R. 11932, likewise awaiting final conference action early this week.

Third. The foreign assistance appropriation bill, H.R. 12067, which passed the House December 8—but which is not scheduled for Senate action until early next session because of a conference deadlock on the related authorizations, S. 2819 and S. 2820.

Fourth. Fiscal year 1972 authorizations and appropriations that have not been finalized for the following ongoing programs that have been operating since July 1 under the continuing resolution—

First. Radio Free Europe and Radio Liberty—$32.2 million in final supplemental but contingent on enactment of authorization legislation still pending.

Second. American Revolution Bicentennial Commission—$1.4 million in final supplemental but contingent on enactment of authorization legislation still pending.

Third. Emergency school assistance activities—operating at not to exceed last year's rate; authorization legislation passed House as part of H.R. 7248, Higher Education Act Amendments, but still pending.

PROVISIONS IN THE CONTINUING RESOLUTION—OTHER THAN FOREIGN ASSISTANCE

Section 2 mends the gap between the time the previous resolution expired—December 8—and the date of approval of this new resolution by making it effective December 9.

Subparagraph (1) rewrites section 102 to incorporate the new expiration date of March 15, 1972, in clause (c) and by adding the words "which is available" in clause (a), assuring interim continuation of Radio Free Europe and Radio Liberty and the American Bicentennial Revolution Commission.

Radio Free Europe and Radio Liberty would continue, for the time being, at not to exceed last year's rate of $31.6 million, as compared to the $32.2 million in the supplemental bill. The Bicentennial Commission would continue, for the time being, at not to exceed last year's rate of $670,000, as compared to the $1.4 million in the supplemental bill.

Subparagraph (3) would add a new section 109 to permit emergency school assistance activities to continue to operate, for the time being, at not to exceed last year's rate—but limited to administrative operations only—pending final disposition of the question of authorization. They have operated since July 1 under the continuing resolution at not to exceed last year's appropriation rate of $75 million. We are advised that approximately $73 million has been obligated this year. Section 109 does not enlarge the interim appropriation; it merely extends its time period.

CONTINUATION PROVISIONS FOR FOREIGN ASSISTANCE

Subparagraph (2) rewrites section 108 of the expired resolution to incorporate a new set of ground rules with respect to the interim rates for operations for foreign assistance and related activities for which provision would be made in the foreign assistance appropriation bill, H.R. 12067, passed by the House last Wednesday, December 8.

From July 1 to November 15, these activities basically operated at not to exceed the lower of the fiscal year 1971 rate or the fiscal year 1972 budget estimate rate—section 101(b) of the continuing resolution. Under section 101(d) of the continuing resolution, military credit sales to Israel were authorized to be conducted at not to exceed the fiscal year 1971 level which was $500,000,000, that had been appropriated in the Supplemental Act for 1971, Public Law 91–665, based on authority in section 501 of Public Law 91–441.

From November 16 to December 8, the interim rate for operations was stepped down by roughly $700 million through addition of section 108 in the last extension of the continuing resolution. Section 108 cranked into the "lower of" formula the authorization bills passed by the two Houses—H.R. 9910 and S. 2819 and S. 2820.

The new continuing resolution, in the rewritten section 108—with the exception of military credit sales to Israel, and several items not dealt with in pending authorization bills, discussed below—drops any reference to the fiscal year 1971 rate or the fiscal year 1972 budget rate and instead hitches the interim rates to the lowest of—

First. The applicable rate in H.R. 9910, the House authorization bill.

Second. The applicable rate in S. 2819 or S. 2820, the Senate authorization bills, or

Third. The applicable rate in H.R. 12067, the House foreign assistance appropriation bill.

The interim rates for items not involved in pending authorization bills are

hitched to "not to exceed" the rates that would be permitted under H.R. 12067, the appropriation bill as passed by the House. They are:

Indus basin development fund, loans—sharply below budget; slightly below last year.

State administrative expenses—below budget; slightly above last year.

OPIC—same as budget; slightly over last year.

Peace Corps—sharply below budget and last year.

Ryukyu Islands administration—below budget; below last year.

Cuban refugee program—sharply below budget; below last year.

Migration and refugee program—same as budget; above last year.

Inter-American Development Bank—sharply below budget and last year.

Export-Import Bank—same as budget; sharply above last year.

These items are dealt with in the last proviso of section 108.

MILITARY CREDIT SALES

The new continuing resolution has these two provisos:

Provided, That military credit sales to Israel may be conducted at not to exceed the rate for operations provided for under section 101(d) of this joint resolution: *Provided further,* That foreign military credit sales activities (other than with respect to Israel) may be conducted at a rate of operations not exceeding $175,000,000:

The first proviso merely continues unchanged, for this interim period, the authority that has been in the continuing resolution since July 1, which authorized a fiscal year 1972 rate of "not to exceed" the fiscal year 1971 appropriated rate; namely, $500 million—worldwide, including Israel, the total fiscal year 1971 appropriation was $700 million.

The fiscal year 1972 budget estimate is $510 million, worldwide, with no separate earmarking for Israel. The amount tentatively programed by the executive branch for Israel exceeds 50 percent of this sum and since this is considerably less than the $500 million authorized rate in the continuing resolution, the program of the executive branch is considerably below the authorized rate.

It should be pointed out that while the executive branch under the pending resolution is authorized to proceed during the interim period at the level not to exceed $675 million for worldwide military credit sales, the House foreign aid authorization bill, H.R. 9910, provided for only the budget estimate of $510 million.

The House appropriation bill, H.R. 12067, provided an appropriation of $510 million.

The Senate authorization bill provided for an authorization of $400 million for worldwide military credit sales.

Nevertheless, as stated, under this resolution the maximum interim rate available to the executive branch is $675 million for military credit sales worldwide. This is not to say that the rate will be at that level because the executive branch is proceeding at a rate of about $300 million for military credit sales to Israel despite the availability of an authorized level not to exceed $500 million.

It must be borne in mind that funds expended during the life of a continuing resolution are always charged to the final appropriation bill whenever it is enacted into law. And this will determine the final total of funds which may be available for expenditure for military credit sales during the current fiscal year.

It should be pointed out that the continuing resolution as amended expired on November 15. It was renewed effective as of that date. In the renewed continuing resolution, section 108 was added which had the effect of setting an interim rate for military credit sales worldwide of not to exceed $400 million. Such resolution, of course, expired as of December 8 and for this interim of 23 days the maximum rate for military credit sales worldwide was $400 million.

As of October 31 only $30 million had been obligated for military sales. This is typical of the operation of the sales program. Usually the authorization and appropriation come late in the fiscal year and normally obligations for the program fall heavily in the latter part of the fiscal year.

FOREIGN ASSISTANCE TOTALS IN CONTINUING RESOLUTION

Rates for operation are determined by applying the "lower of" ground rules and the special provisions on an individual program and activity basis in line with the appropriation structure. The aggregate appropriation rate with respect to this new continuing resolution—December 9–March 15 period—as it relates to foreign assistance and related programs is $2,648,255,000 with respect to titles I and II of H.R. 12067, which deal with foreign economic, supporting, and military assistance and sales, and $2,979,-161,000 for the resolution as a whole.

This is $24,300,000 below the total of H.R. 12067.

It is $1,255,000 above the Senate authorization totals.

It is $1,363,474,000 below the budget requests.

And it is $833,096,000 below last year's appropriations.

Pertinent comparisons are:

[In thousands of dollars]

	Titles I and II	Other	Total
This resolution	2, 648, 255	330, 906	2, 979, 161
The appropriation bill	2, 672, 555	330, 906	3, 003, 461
House authorization	3, 443, 350	(1)	(1)
Budget estimate	3, 595, 218	747, 417	4, 342, 635
1971 appropriation	3, 142, 685	669, 572	3, 812, 257

1 Not available.

For simplicity and ease of identification, these amounts are the specific new authorizations or new appropriations and thus exclude certain estimated receipts, reimbursements, and reobligational resources available for operations, principally—though not entirely—in development loan programs. The agency had this type authority last year; it was proposed in the budget estimates; it has been available this year under the continuing resolution; H.R. 12067 would continue it; and it is intended that it continue to be available, as usual, during the interim covered by this extension resolution. Very roughly, something like $447 million is involved this year.

FOREIGN ASSISTANCE ALLOCATIONS UNDER THE CONTINUING RESOLUTION (NEW OBLIGATIONAL AUTHORITY)

Item	Fiscal year 1971 appropriation (includes supplementals)	Fiscal year 1972 estimate	House authorization levels	Senate authorization levels	Appropriation bill as passed House	Continuing resolution
TITLE I—FOREIGN ASSISTANCE ACT ACTIVITIES ECONOMIC ASSISTANCE						
Worldwide, technical assistance	$166, 750, 000	$232, 929, 000	$183, 500, 000	$175, 000, 000	$150, 000, 000	$150, 000, 000
Alliance for Progress, technical assistance	82, 875, 000	129, 745, 000	90, 750, 000	75, 000, 000	75, 000, 000	75, 000, 000
International organizations and programs	103, 810, 000	141, 000, 000	143, 000, 000	139, 000, 000	41, 000, 000	41, 000, 000
Programs relating to population growth	(100, 000, 000)	(100, 000, 000)	100, 000, 000	(125, 000, 000)	50, 000, 000	50, 000, 000
American schools and hospitals abroad	12, 895, 000	10, 175, 000	30, 000, 000	15, 000, 000	17, 200, 000	15, 000, 000
Suez Canal (special foreign currency program)			(1)	(10, 000, 000)		
Indus Basin Development Fund, grants	4, 925, 000	15, 000, 000	5, 000, 000	15, 000, 000	7, 500, 000	5, 000, 000
Indus Basin Development Fund, loans	6, 980, 000	12, 000, 000			6, 000, 000	6, 000, 000
United Nations Relief and Works Agency:						
(Arab refugees)	1, 000, 000		1, 000, 000	(included above)		
Special foreign currency program			(1, 000, 000)	(1, 000, 000)		
Contingency fund	22, 500, 000	100, 000, 000	30, 000, 000	30, 000, 000	30, 000, 000	30, 000, 000
Refugee relief assistance (East Pakistan)		250, 000, 000	100, 000, 000	250, 000, 000	175, 000, 000	100, 000, 000
Alliance for Progress, development loans	287, 500, 000	235, 000, 000	287, 500, 000	150, 000, 000	150, 000, 000	150, 000, 000
Development loans	420, 000, 000	400, 000, 000	400, 000, 000	250, 000, 000	250, 000, 000	250, 000, 000
Administrative expenses:						
AID	51, 000, 000	60, 200, 000	57, 600, 000	45, 000, 000	54, 600, 000	45, 000, 000
State	4, 100, 000	4, 555, 000			4, 255, 000	4, 255, 000
Subtotal, economic assistance	1, 164, 335, 000	1, 590, 604, 000	1, 428, 350, 000	1, 144, 000, 000	1, 010, 555, 000	921, 255, 000

Footnotes at end of table.

FOREIGN ASSISTANCE ALLOCATIONS UNDER THE CONTINUING RESOLUTION (NEW OBLIGATIONAL AUTHORITY)—Continued

Item	Fiscal year 1971 appropriation (includes supplementals)	Fiscal year 1972 estimate	House authorization levels	Senate authorization levels	Appropriation bill as passed House	Continuing resolution
Military assistance	$690,000,000	$705,000,000	$705,000,000	$452,000,000	$552,000,000	$452,000,000
Security supporting assistance	569,600,000	764,614,000	800,000,000	[2] 651,000,000	575,000,000	575,000,000
Subtotal	2,423,935,000	3,060,218,000	2,933,350,000	2,247,000,000	2,137,555,000	1,948,255,000
Overseas Private Investment Corp., reserves	18,750,000	25,000,000			25,000,000	25,000,000
Inter-American Social Development Institute (limitation on obligations)	(10,000,000)	(11,000,000)				
Total, Title I, Foreign Assistance Act activities	2,442,685,000	3,085,218,000	2,933,350,000	2,247,000,000	2,162,555,000	1,973,255,000
TITLE II—FOREIGN MILITARY CREDIT SALES						
Foreign military credit sales	200,000,000	510,000,000	510,000,000	[3] 400,000,000	510,000,000	175,000,000
Military credit sales to Israel	500,000,000					[4] 500,000,000
Total, Title II, Foreign Military Credit Sales	700,000,000	510,000,000	510,000,000	400,000,000	510,000,000	675,000,000
Total, Titles I and II	[5] 3,142,685,000	[6] 3,595,218,000	3,443,350,000	2,647,000,000	[6] 2,672,555,000	[6] 2,648,255,000
TITLE III—FOREIGN ASSISTANCE (OTHER)						
Peace Corps	90,000,000	82,200,000	77,200,000	77,200,000	68,000,000	68,000,000
Limitation on administrative expenses	(31,400,000)	(28,400,000)	(28,400,000)	(28,400,000)	(24,000,000)	(24,000,000)
Ryukyu Islands, Army, administration	6,736,000	4,564,000			4,216,000	4,216,000
Assistance to refugees in the United States (Cuban program)	112,130,000	144,103,000			100,000,000	100,000,000
Migration and refugee assistance	5,706,000	8,690,000			8,690,000	8,690,000
Asian Development Bank (paid-in capital)	20,000,000					
Inter-American Development Bank:						
Paid-in capital	25,000,000	75,000,000			13,240,000	13,240,000
Callable capital	200,000,000	136,760,000			136,760,000	136,760,000
Fund for special operations	50,000,000	50,000,000				
Subtotal, IDB	275,000,000	261,760,000			150,000,000	150,000,000
International Bank for Reconstruction and Development:						
Paid-in capital		24,610,000				
Callable capital		221,490,000				
Subtotal, IBRD		246,100,000				
International Development Association	160,000,000					
International Monetary Fund (quota increase)	(1,540,000,000)					
Total, Title III, Foreign Assistance (other)	669,572,000	747,417,000			330,906,000	330,906,000
TITLE IV—EXPORT-IMPORT BANK OF THE UNITED STATES						
Limitation on program activity	(4,075,483,000)	(7,323,675,000)			(7,323,675,000)	(7,323,675,000)
Limitation on administrative expenses	(7,048,000)	(8,072,000)			(8,072,000)	(8,072,000)
Total, Title IV, Export-Import Bank of the United States	(4,082,531,000)	(7,331,747,000)			(7,331,747,000)	(7,331,747,000)
Grand total, Titles I, II, III, new budget (obligational) authority	3,812,257,000	4,342,635,000			3,003,461,000	2,979,161,000

[1] Sums as necessary.
[2] Includes $85,000,000 separate item for Israel.
[3] A credit ceiling of $550,000,000 has been set and $300,000,000 of this total ceiling is earmarked for Israel.
[4] Represents extension of outside ("not to exceed") ceiling in section 101(d) of the existing continuing resolution, which is hitched to the fiscal year 1971 rate. Final amount for fiscal year 1972 is subject to determination whenever H.R. 12067 (the fiscal year 1972 appropriation bill) is enacted. S. 2819, the authorization bill, says that of the $550,000,000 credit sales ceiling, "not less than" $300,000,000 shall be made available to Israel only.
[5] In addition, certain estimated receipts, reimbursements, and reobligational resources.
[6] In addition, certain estimated receipts, reimbursements, and reobligational resources are available for operations. This amount is estimated to approximate $450,000,000 in fiscal year 1972.

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

Mr. MAHON. I yield to the gentleman from Florida.

Mr. PEPPER. Mr. Chairman, I was pleased to hear the statement of the able chairman about the aid included in this resolution making available certain military assistance to Israel. I merely want to know if those funds will be available to Israel if the President decides to allow them to purchase Phantom jets.

Mr. MAHON. Funds would be available for that purpose or for any other military sales credit purchase.

Mr. BOW. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I think this is a good continuing resolution. I think it should pass. I would like to see it pass as soon as possible.

Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Kansas.

Mr. SHRIVER. Mr. Chairman, I will speak very briefly to urge all of you to support this very important continuing resolution.

To me, this continuing resolution, at least the foreign aid part of it, is an "end the war" resolution. It is a "bring the boys home" resolution. We as a Nation have invested nearly 50,000 American lives and billions of dollars in Vietnam. The relatively small investment in building up South Vietnam's own defense and economic resources which is included in this resolution is needed so that our larger and tragic investment will not be in vain.

Our foreign aid program will have no authority to continue if this resolution is not passed. This aid program finances over half of South Vietnam's badly needed imports which make up for the loss of foreign exchange earnings which had been coming indirectly through our Armed Forces presence in that country. If this support is lost, South Vietnam's economy and war efforts in its own behalf will collapse. It is obvious to all that this would not be in our own national interest.

This bill also will provide funds to continue assistance to the forces of Cambodia, which have been so instrumental in the protection of American troops during our withdrawal. This assistance must be continued in the face of increased North Vietnamese pressure. Not to do so would seriously endanger not only the Cambodian future, but the lives of our American boys.

This continuing resolution is also needed to enable our Government to assist Israel in its struggle against its aggressive neighbors. We can argue about when additional weapons sales should be allowed to build up the Israeli defense, but without continued authority to make such sales, the President will have no choice but to halt these sales.

It has been made clear in testimony before our committee that Israel is qualified for assistance under the supporting assistance provisions which would be continued under this resolution. It is becoming more apparent that as the Soviet Union greatly increases its economic and military support to Israel's neighbors, we must do our part to keep Israel strong enough to maintain a reasonable balance of power in that crucial and explosive region. World peace is at stake.

Continued authority for the Export-Import Bank to make loans and aid our balance of payments position is also in this resolution. The demise of AID would result in the loss of $900 million worth of commodity purchases and 50,000 jobs in our already depressed economy in the first year and probably twice that in later years.

There are many reasons to vote for this resolution: Vietnamization; continued withdrawal of American troops; humanitarian relief; UNICEF; popula-

tion control; world drug abuse control activities; American schools and hospitals abroad; Cuban and iron curtain refugee assistance programs.

This is not the best way to legislate the continuation of these programs. But at this point in the year, there is no rational alternative. I strongly urge you to vote yea on this resolution.

It is practically the same bill passed a week ago. In fact it is $24 million less.

Mr. BOW. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. REID).

Mr. REID of New York. Mr. Chairman, I thank the distinguished ranking minority member for yielding.

Mr. Chairman, I would merely say I have noted in this report that there are $32 million in funds provided herein for Radio Free Europe and Radio Liberty.

I have discussed this matter with both the ranking minority member and the chairman, in the light of the fact that 75 percent of these funds are spent overseas, mostly in Germany where both stations have their broadcasting studios and some of their transmitters, and that therefore they have to be converted into deutsche marks. Because there is a 13-percent short fall, and because wage levels in Germany have risen by about 4 percent, I would merely note tonight that this may bear watching in the future to guard against any substantial reduction either in programing or in personnel for the radios.

Mr. GROSS. Mr. Chairman, will the gentleman yield for a question?

Mr. BOW. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. Would the gentleman have any idea as to how many billions of dollars are covered under the continuing resolution, or involved, I should say, rather than covered? Does the gentleman have any estimate? I realize it must be an estimate, and I am talking about all phases.

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

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

Mr. MAHON. The continuing resolution, of course, covers to some extent the $70 billion in the defense bill which is necessary because the bill has not been signed into law. Also covered to the same extent are the funds for the District of Columbia and a number of other items.

The amount in the continuing resolution, insofar as foreign aid is concerned, would be in the area of $2.9 billion to include everything.

Mr. GROSS. Mr. Chairman, if the gentleman will yield further, this, of course, goes far beyond the foreign handout program.

Mr. BOW. The amount for foreign aid itself, $2,648 million, is less than the total, but other chapters have been added, for the Export-Import Bank and others.

Mr. GROSS. I was just trying to get some horseback estimate as to how much we are dealing with in this continuing resolution. I realize the question is difficult to answer under the circumstances. There is the Export-Import Bank and the Inter-American Development Bank. An education appropriation apparently is also contained in this. At least it is mentioned.

I am not sure just what other funding is covered.

Mr. BOW. As I say, in addition to the foreign aid of $2,648 million there have been added other chapters, other than the bill of the gentleman from Louisiana. I cannot give the exact figure for a total.

Mr. GROSS. I understand.

Mr. MAHON. Mr. Chairman, I yield such time as he may consume to the distinguished chairman of the Subcommittee on Foreign Operations Appropriations, the gentleman from Louisiana (Mr. PASSMAN).

Mr. PASSMAN. Thank you, Mr. Chairman. Since we discussed the regular foreign aid appropriation bill in such great detail only 1 week ago, I feel it is unnecessary to repeat essentially the same statements this afternoon. I therefore have no comments to make at this time on the resolution.

Mr. SCHEUER. Mr. Chairman, will the gentleman yield to answer a question?

Mr. PASSMAN. I yield, and I will try to answer the question of the gentleman from New York.

Mr. SCHEUER. I appreciate the gentleman's yielding. I am particularly concerned about the matter of appropriations for family planning. I should like to ask the distinguished chairman of the subcommittee whether, in view of the fact that we have been constantly increasing our appropriations for family planning—from $35 million in fiscal year 1968 to $50 million in fiscal year 1969 to $75 million in fiscal year 1970 and to $100 million in fiscal year 1971—we are to understand that this continuing resolution which seems to fund the House-passed authorization of $100 million at only $50 million, is in effect going to force us to halve our operations abroad in the essential field of family planning? Can the subcommittee chairman enlighten us?

Mr. PASSMAN. Did the gentleman make a statement or ask me a question?

Mr. SCHEUER. I asked a question.

Mr. PASSMAN. The fact is that in the other body they have been insisting the Agency spend more money for family planning than they could intelligently spend. This caused them to waste money. Even this year they have considerable undistributed funds for their programs.

As I understand it, we are not moving on any authorization at this time because we have no authorization bill. But the Senate, in its authorization measure, did not provide any funds for family planning as such.

The Senate indicated that $125 million, out of the total provided for foreign, aid should be spent on family planning but they did not designate out of what account this amount should be taken. The House Appropriations Committee thought, inasmuch as we had a family planning program, there should at least be a line item in the bill so that we could keep up with the family planning program. Therefore we reduced the technical aid program to $150 million, and placed a line item in the bill for $50 million for family planning.

We have no idea as to what the future holds for this item or whether or not there will be increases or decreases. This is only a continuing resolution. I can assure the gentleman that this committee, as far as I am concerned and I am sure that others on the committee feel the same way about it—will be completely fair about funding the family planning program, but we will be very careful in not forcing the people to spend more than they really need and cause waste.

Mr. SCHEUER. Would it be the intention of the conferees at least to maintain the current level of spending for family planning?

Mr. PASSMAN. We do not know what the requests will be. We cannot say what figure we will come back with. It all depends on what can be justified when we have a look at it and what the Members of the other body say they want to do with it. However, in regard to the regular appropriation bill, we will try to do what we think is proper.

Mr. SCHEUER. I appreciate the gentleman yielding.

Mr. MAHON. Mr. Chairman, I yield to the gentleman from New York to ask a question.

Mr. DOW. Mr. Chairman, this Congressman sympathizes with those in the other body who want to see the end of the war amendment attached to the foreign aid legislation. Some of us also harmonize with expressions in the other body that would reduce the military spending in foreign aid bills, because such spending is a needless contribution by this Nation to the shedding of blood in many distant lands.

Moreover, the President's recent concession that the dollar must be devalued is the most convincing admission that our military outlays overseas, which have yielded us nothing, are a major cost to us, indeed.

Time and again, a minority of us in this Chamber have come before you to plead for an end to our Indochina involvement. It is incomprehensible, truly, to a number of us why Members of this body appear to have no sympathy with the thousands of Indochinese in the several nations who are constantly suffering and dying due to American bombs, and no perception of how this strikes down men, women, and children alike.

It is a kind of cold, Anglo-Saxon judgment that we are handing down from a lofty position upon these tragic people. It is a judgment made without understanding their efforts for liberation from foreign influence, without understanding their culture, and one that is executed only because we have the steely weapons to carry it out, while they do not have means to counter. It is a raw manifestation of might makes right.

Moreover, the outcome in Indochina is growing constantly more obscure to the point where any likelihood of eventual solution that realizes the original American desires is well nigh unattainable. What is the purpose of our actions in far-off Laos? What is the purpose of our actions in far-off Cambodia? Even our pur-

poses in South Vietnam are vanishing fast.

We have to appeal again to you gentlemen to rethink your attitudes, to face the futility of America's further involvement in Indochina, to recognize the cost and how it has bled our economy, and especially to question the humanity of our military activities in far-off Indochina.

I do not particularly urge the defeat of this foreign aid appropriation, although I will vote against it myself. But I do hope you will be more attentive to questions about our Indochina involvement and more tolerant of leaders in the other body who are attempting somehow to free our Nation finally from the fetters of a colossal mistake.

Mr. MAHON. Mr. Chairman, I cannot yield further to the gentleman at this time. All Members will have permission to revise and extend their remarks.

We are all familiar with the gentleman's views, which are sincerely held. I think we all want to see the war brought to an early and favorable conclusion in the best national interest and under conditions which reasonable men would call honorable.

I hope we can now vote on the continuing resolution.

Mr. GALLAGHER. Mr. Chairman, I am concerned that the continuing resolution provides only $100 million for Bangla Desh refugee relief. I appreciate that the Appropriations Committee arrived at the $100 million by taking the lower of three figures—$250 million authorized by the Senate, $175 million appropriated by the House, and $100 million authorized by the House. That is the way continuing resolutions work. However, $100 million is hardly sufficient to meet refugee relief and rehabilitation needs on the Indian subcontinent over the next 3 months.

I understand that there was some possibility that the continuing resolution would reflect this urgent need by specifically earmarking $175 million—rather than $100 million—for refugee relief. This certainly would represent the will of the House. The $175 million is the later of the two figures for refugee relief enacted by this Chamber. And $175 million itself hardly would be sufficient. The administration requested $250 million before the outbreak of war on the subcontinent. Clearly, the requirement is greater than that today.

Unfortunately, other sources of funds for refugee relief have about been exhausted. There is $30 million available in the contingency fund. But $18 million in contingency funds have already been used for refugee relief. And much of the balance is now committed. So the contingency fund is no answer.

Nor is much authority available to commit foreign assistance funds under the Migration and Refugee Assistance Act. Up to $10 million can be transferred and used under this authority. And already $5 million—or half—has been drawn down.

This is why it is so important that the administration rely on its authority under section 632(g) to use funds available in other accounts for refugee relief. The understanding, of course, is that these accounts will be replenished by the end of the fiscal year. A substantial amount of money programed for India and Pakistan is now available for refugee relief. AID requested a total of $330 million to finance new loans to India and Pakistan. It also asked for about $20 million in technical assistance for both countries. With the cutoff of aid this money is now available for refugee relief. And it can be used under this transfer—and payback authority.

There is another authority available whereby AID can transfer funds between accounts—in this case on a permanent basis. It is section 610. Up to 10 percent of the funds in any account can be shifted to another account, so long as the other account's funds are not increased by more than 20 percent. So development assistance programed for India and Pakistan, for instance, could be shifted to the contingency fund or to supporting assistance to finance refugee relief.

I would hope that—when and if we get an appropriations act for foreign assistance—it provides something in the order of $250 million for refugee relief. For one thing, any funds transferred under section 632(g) have to be replenished by the end of the year.

In addition, the need for such relief for the refugee camps in India is obvious. There are also refugees in Bangla Desh who need help now. And, of course, there is the massive rehabilitation and reconstruction task ahead in Bangla Desh to be undertaken under the continuing resolution.

The CHAIRMAN. Under the rule, the joint resolution is considered as having been read for amendment.

The joint resolution is as follows:

H.J. RES. 1005

Joint resolution making further continuing appropriations for the fiscal year 1972, and for other purposes

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint resolution of July 1, 1971 (Public Law 92-38), as amended, is hereby further amended as follows:

(1) Section 102 is amended to read:

"SEC. 102. Appropriations and funds made available and authority granted pursuant to this joint resolution shall remain available until (a) enactment into law of an appropriation which is available for any project or activity provided for in this joint resolution, or (b) enactment of the applicable appropriation Act by both Houses without any provision for such project or activity, or (c) March 15, 1972, whichever first occurs."

(2) Section 108 Is Amended To Read:

"SEC. 108. Except as hereinafter provided in this section, and notwithstanding the provisions of any other sections of this joint resolution, obligations incurred hereunder for foreign economic assistance, military assistance and sales, security supporting assistance, the Overseas Private Investment Corporation, and activities provided for in titles III and IV of H.R. 12067, 92d Congress, shall not exceed the lowest of (i) the rate for operations which would be authorized under H.R. 9910, 92nd Congress, as passed by the House, (ii) the rate for operations which would be authorized under S. 2819 and S. 2820, 92nd Congress, both as passed by the Senate, or (iii) the rate for operations which would be provided by H.R. 12067, 92nd Congress, as passed by the House: *Provided*, That military credit sales to Israel may be conducted at not to exceed the rate for operations provided for under section 101(d) of this joint resolution: *Provided further*, That foreign military sales activities (other than with respect to Israel) may be conducted at a rate of operations not exceeding $175,000,000: *Provided further*, That activities for the Indus Basin development fund (loans), administrative and other expenses (other than section 637(a)), the Overseas Private Investment Corporation, the Peace Corps, Ryukyu Islands administration, assistance to refugees in the United States, migration and refugee assistance, the Inter-American Development Bank, and the Export-Import Bank of the United States may be conducted at not to exceed the rates which would be provided for under H.R. 12067, 92nd Congress, as passed by the House."

(3) by adding a new section as follows:

"SEC. 109. Notwithstanding section 102 of this joint resolution, as amended, emergency school assistance activities for which an appropriation was made in the Office of Education Appropriation Act, 1971, may continue to be conducted at a rate for administrative operations not to exceed the fiscal year 1971 rate."

SEC. 2. This joint resolution shall take effect December 9, 1971.

The CHAIRMAN. No amendments are in order except amendments offered by direction of the Committee on Appropriations.

Are there any committee amendments?

Mr. MAHON. There are no amendments, Mr. Chairman.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ROSTENKOWSKI, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the joint resolution (H.J. Res. 1005) making further continuing appropriations for the fiscal year 1972, and for other purposes, pursuant to House Resolution 742, he reported the joint resolution back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the joint resolution.

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

MOTION TO RECOMMIT OFFERED BY MR. MYERS

Mr. MYERS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the joint resolution?

Mr. MYERS. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. MYERS moves to recommit House Joint Resolution 1005 to the Committee on Appropriations.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the joint resolution.

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

Mr. DOW. 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 234, nays 86, not voting 111, as follows:

[Roll No. 470]

YEAS—234

Adams	Frenzel	O'Hara
Addabbo	Gallagher	Passman
Alexander	Garmatz	Patman
Anderson, Calif.	Gibbons	Patten
	Gonzalez	Pepper
Anderson, Ill.	Gray	Perkins
Annunzio	Green, Oreg.	Peyser
Arends	Green, Pa.	Poff
Aspin	Griffin	Powell
Aspinall	Gude	Preyer, N.C.
Badillo	Halpern	Price, Ill.
Begich	Hamilton	Pryor, Ark.
Bergland	Hanley	Pucinski
Betts	Harrington	Purcell
Biaggi	Harsha	Quie
Biester	Harvey	Railsback
Bingham	Hastings	Rangel
Boggs	Hathaway	Reid, N.Y.
Boland	Heckler, Mass.	Reuss
Bow	Heinz	Rhodes
Brademas	Helstoski	Riegle
Brasco	Henderson	Robinson, Va.
Broomfield	Hicks, Mass.	Rodino
Brotzman	Hillis	Roe
Brown, Mich.	Hogan	Rooney, N.Y.
Brown, Ohio	Holifield	Rooney, Pa.
Broyhill, N.C.	Hosmer	Rosenthal
Broyhill, Va.	Howard	Rostenkowski
Buchanan	Hull	Roy
Burke, Mass.	Jacobs	Roybal
Burleson, Tex.	Johnson, Calif.	Ryan
Burlison, Mo.	Johnson, Pa.	Scheuer
Byrne, Pa.	Jonas	Schwengel
Byrnes, Wis.	Jones, Ala.	Scott
Cabell	Karth	Seiberling
Carey, N.Y.	Kazen	Shipley
Carney	Keating	Shoup
Carter	Keith	Shriver
Chamberlain	Koch	Sikes
Chappell	Kyl	Skubitz
Clark	Kyros	Slack
Clausen, Don H.	Leggett	Smith, N.Y.
	Lent	Stanton, J. William
Clay	Link	
Cleveland	Lloyd	Stanton, James V.
Collins, Ill.	Long, Md.	
Conte	McCormack	Steele
Corman	McCulloch	Steiger, Wis.
Coughlin	McDade	Stokes
Culver	McEwen	Symington
Daniels, N.J.	McFall	Talcott
Danielson	McKay	Teague, Calif.
Davis, Ga.	McKevitt	Teague, Tex.
Davis, S.C.	McKinney	Terry
Davis, Wis.	Madden	Thomson, Wis.
de la Garza	Mahon	Thone
Dellums	Mailliard	Tiernan
Dennis	Mathias, Calif.	Udall
Dent	Matsunaga	Van Deerlin
Dingell	Mayne	Vander Jagt
Donohue	Mazzoli	Vanik
Downing	Meeds	Vigorito
Drinan	Melcher	Wampler
Dulski	Metcalfe	Ware
Duncan	Mikva	Whalen
du Pont	Mills, Ark.	White
Eckhardt	Mills, Md.	Whitehurst
Edmondson	Minish	Whitten
Edwards, Ala.	Minshall	Widnall
Eilberg	Monagan	Williams
Erlenborn	Moorhead	Wilson, Bob
Esch	Morgan	Winn
Evans, Colo.	Morse	Wolff
Findley	Mosher	Wyman
Fish	Murphy, Ill.	Yates
Flood	Murphy, N.Y.	Yatron
Foley	Nedzi	Young, Tex.
Ford, Gerald R.	Nelsen	Zablocki
Forsythe	Nix	Zwach
Fraser	Obey	

NAYS—86

Abbitt	Galifianakis	Pickle
Abernethy	Gaydos	Pike
Abourezk	Gettys	Poage
Archer	Goodling	Price, Tex.
Ashbrook	Gross	Rarick
Baring	Grover	Roberts
Bennett	Haley	Rogers
Bevill	Hammer-schmidt	Roush
Blackburn		Runnels
Blanton	Hechler, W. Va.	Ruth
Bray	Hungate	Satterfield
Brinkley	Hunt	Saylor
Burke, Fla.	Hutchinson	Scherle
Byron	Ichord	Schneebeli
Camp	Jarman	Smith, Iowa
Clawson, Del	Jones, N.C.	Snyder
Colmer	Jones, Tenn.	Spence
Curlin	Landgrebe	Staggers
Daniel, Va.	Latta	Steed
Denholm	Lennon	Steiger, Ariz.
Devine	McCollister	Stephens
Dickinson	Mann	Stubblefield
Dorn	Mathis, Ga.	Taylor
Dow	Miller, Ohio	Thompson, Ga.
Edwards, Calif.	Mizell	Waldie
Fisher	Myers	Whalley
Flowers	Natcher	Wylie
Fountain	Nichols	Young, Fla.
Frey	O'Konski	Zion

NOT VOTING—111

Abzug	Frelinghuysen	Mollohan
Anderson, Tenn.	Fulton, Tenn.	Montgomery
	Fuqua	Moss
Andrews, Ala.	Giaimo	O'Neill
Andrews, N. Dak.	Goldwater	Pelly
	Grasso	Pettis
Ashley	Griffiths	Pirnie
Baker	Gubser	Podell
Barrett	Hagan	Quillen
Belcher	Hall	Randall
Bell	Hanna	Rees
Blatnik	Hansen, Idaho	Robison, N.Y.
Bolling	Hansen, Wash.	Roncalio
Brooks	Hawkins	Rousselot
Burton	Hays	Ruppe
Caffery	Hébert	St Germain
Casey, Tex.	Hicks, Wash.	Sandman
Cederberg	Horton	Sarbanes
Celler	Kastenmeier	Schmitz
Chisholm	Kee	Sebelius
Clancy	Kemp	Sisk
Collier	King	Smith, Calif.
Collins, Tex.	Kluczynski	Springer
Conable	Kuykendall	Stratton
Conyers	Landrum	Stuckey
Cotter	Long, La.	Sullivan
Crane	Lujan	Thompson, N.J.
Delaney	McClory	Ullman
Dellenback	McCloskey	Veysey
Derwinski	McClure	Waggonner
Diggs	McDonald, Mich.	Wiggins
Dowdy		Wilson, Charles H.
Dwyer	McMillan	
Edwards, La.	Macdonald, Mass.	Wright
Eshleman		Wyatt
Evins, Tenn.	Martin	Wydler
Fascell	Michel	
Flynt	Miller, Calif.	
Ford, William D.	Mink	
	Mitchell	

So the joint resolution was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Moss for, with Mr. Waggonner against.

Mrs. Abzug for, with Mr. Randall against.

Mr. Barrett for, with Mr. Kastenmeier against.

Mr. Ashley for, with Mrs. Chisholm against.

Mr. Celler for, with Mr. Evins of Tennessee against.

Mr. Fascell for, with Mr. Andrews of North Dakota against.

Mr. Frelinghuysen for, with Mr. Rousselot against.

Mr. Thompson of New Jersey for, with Mr. Quillen against.

Mr. Podell for, with Mr. Martin against.

Mr. Hays for, with Mr. King against.

Mr. Horton for, with Mr. Baker against.

Mr. Robison of New York for, with Mr. Schmitz against.

Mr. Bell for, with Mr. Goldwater against.

Mr. Macdonald of Massachusetts for, with Mr. Eshleman against.

Mr. Mitchell for, with Mr. Collier against.

Mr. St Germain for, with Mr. William D. Ford against.

Mr. Blatnik for, with Mr. Dowdy against.

Mr. O'Neill for, with Mr. Crane against.

Mr. Hanna for, with Mr. Clancy against.

Mrs. Hansen of Washington for, with Mr. Michel against.

Mr. Kluczynski for, with Mr. Montgomery against.

Mr. McClory for, with Mr. Kuykendall against.

Mr. Pirnie for, with Mr. Smith of California against.

Mr. Brooks for, with Mr. Pettis against.

Mr. Diggs for, with Mr. Collins of Texas against.

Mrs. Griffiths for, with Mr. Belcher against.

Mr. Miller of California for, with Mr. McMillan against.

Mr. Sisk for, with Mr. Long of Louisiana against.

Until further notice:

Mr. Stratton with Mr. Cederberg.

Mr. Anderson of Tennessee with Mr. Dellenback.

Mr. Burton with Mr. Conyers.

Mr. Delaney with Mr. Hall.

Mr. Fuqua with Mr. Sebelius.

Mrs. Grasso with Mrs. Dwyer.

Mr. Hawkins with Mr. Charles H. Wilson.

Mr. Andrews of Alabama with Mr. Hansen of Idaho.

Mr. Caffery with Mr. Conable.

Mr. Roncalio with Mr. McClure.

Mr. Giaimo with Mr. Sandman.

Mr. Wright with Mr. Springer.

Mrs. Sullivan with Mr. Gubser.

Mr. Daniel of Virginia with Mr. Pelly.

Mr. Rees with Mr. Wiggins.

Mrs. Mink with Mr. McCloskey.

Mr. Flynt with Mr. Kemp.

Mr. Casey of Texas with Mr. Lujan.

Mr. Kee with Mr. Wydler.

Mr. Cotter with Mr. Ruppe.

Mr. Fulton of Tennessee with Dr. Derwinski.

Mr. Hicks of Washington with Mr. Wyatt of Oregon.

Mr. Hébert with Mr. Veysey.

Mr. Ullman with Mr. McDonald of Michigan.

Mr. Hagan with Mr. Stuckey.

Mr. Landrum with Mr. Mollohan.

Messrs. HELSTOSKI, ROY, and DELLUMS changed their votes from "nay" to "yea."

Messrs. CURLIN and LATTA changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the joint resolution just adopted and that I may include in my remarks certain extraneous as well as tabular material.

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

The was no objection.

AMENDING DISTRICT OF COLUMBIA ELECTION ACT

Mr. MIKVA. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 2878) entitled "An Act to amend the District of Columbia Election Act, and for other purposes," with Senate amendments to the House amend-

ment to the bill, and consider the Senate amendments to the House amendment.

The Clerk read the title of the bill.

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

Page 4, of the House engrossed amendment, strike out all after line 10 over to and including line 25 on page 6 and insert:

"(b) (1) The Board shall, on the first Tuesday after the first Monday in May of each presidential election year, conduct a presidential preference primary election within the District of Columbia in which the registered qualified voters therein may express their preference for candidates of each political party of the District of Columbia for nomination for President.

"(2) No person shall be listed on the ballot as a candidate for nomination for President in such primary unless there shall have been filed with the Board no later than forty-five days before the date of such presidential primary election a petition on behalf of his candidacy signed by the candidate and at least one thousand qualified electors of the District of Columbia who are registered under section 7 of this Act, and of the same political party as the nominee.

"(3) Candidates for delegate and alternates where permitted by political party rules to a particular political party national convention convened to nominate that party's candidate for President shall be listed on the ballot of the presidential preference primary held under this Act as—

"(A) full slates of candidates for delegates supporting a candidate for nomination for President if there shall have been filed with the Board, no later than forty-five days before the date of such presidential primary, a petition on behalf of such slate's candidacy signed by the candidates on the slate, the candidate for nomination for President supported by the slate, and by at least one thousand qualified electors of the District of Columbia who are registered under section 7 of this Act and are of the same political party as the candidates on such slate;

"(B) full slates of candidates for delegates not committed to support any named candidate for nomination for President if there shall have been filed with the Board, no later than forty-five days before the date of such presidential primary, a petition on behalf of such slate's candidacy, signed by the candidates on the slate and by at least one thousand qualified electors of the District of Columbia who have registered under section 7 of this Act and are of the same political party as the candidates on such slate;

"(C) an individual candidate for delegate supporting a candidate for nomination for President if there shall have been filed with the Board, no later than forty-five days before the date of such presidential primary, a petition on behalf of such candidate, signed by the candidate and by at least one thousand qualified electors of the District of Columbia who have registered under section 7 of this Act and are of the same political party as the candidate; or

"(D) an individual not committed to support any named candidate for nomination for President if there shall have been filed with the Board, no later than forty-five days before the date of such presidential primary, a petition on behalf of such candidate, signed by the candidate and by at least one thousand qualified electors of the District of Columbia who have registered under section 7 of this Act and are of the same political party as the candidate.

No candidate for delegate or alternate may be listed on the ballot unless such candidate was properly selected according to the rules of his political party relating to the nomination of candidates for delegate or alternate.

"(4) The Board shall (A) arrange the ballot for the presidential preference primary so as to enable each voter to indicate his choice for presidential nominee and for the slate of delegates and alternates pledged to support that prospective nominee with one mark, and provide an alternative to vote for individual delegates or uncommitted slates of delegates, and (B) clearly indicate on the ballot the candidate for nomination for President which a slate or candidate for delegate supports.

"(5) The delegates and alternates, of each political party within the District of Columbia to the national convention of that party convened for the nomination of the candidate of that political party for President, elected in accordance with this Act, shall only be obligated to vote for the candidate for nomination who received at least a plurality of the votes cast in the presidential preference primary for all such candidates of that party for President held in the District of Columbia at which such delegates were elected on the first and second ballots cast at that convention for nominees for President, or until such time as such candidate receiving a plurality of such vote cast in the presidential preference primary withdraws his candidacy, whichever occurs first.

"(6) The Board shall by regulation specify such additional details as may be necessary and proper to effectuate the purposes and provisions of this subsection."

Page 7, line 16, of the House engrossed amendment, strike out "one thousand" and insert "five hundred".

Page 8, line 1, of the House engrossed amendment, strike out "two hundred" and insert "one hundred".

Page 9, line 20, of the House engrossed amendment, strike out all after "less." down to and including line 23 and insert: A nominating petition for such a candidate for the office of Delegate may not be circulated for signature before the ninety-ninth day preceding the date of such election and may not be filed with the Board before the seventieth day preceding such date. The Board may prescribe rules with respect to the preparation and presentation of such nominating petitions.

Page 10, of the House engrossed amendment, strike out lines 8 to 11, inclusive, and insert:

"(m) (1) Designation of offices of local party committees to be filled by election pursuant to clause (4) of the first section of this Act shall be effected, in accordance with the provision of this subsection, by written communication signed by the chairman of such committee and filed with the Board not later than ninety days before the date of such election.

"(2) Such designation shall specify separately (A) the titles of the offices and the total number of members to be elected at large, if any, and (B) the title of the offices and the total number of members to be elected by ward, if any.

"(3) In the event that a party committee designates members to be elected by ward pursuant to clause (B) of paragraph (2) this subsection, the number of such officials to be elected from each of the wards shall be based on the relative numerical strength of such party in such ward, as compared with the total numerical strength of such party in the District, in each case as measured by the total number of registered voters of such party residing in each ward, (as shown by the records of the Board as of one hundred and twenty days before such election) based on the method known as the method of equal proportions, with no ward to elect less than one member. The Board shall by regulation specify such additional details as may be necessary and proper to effectuate the purpose of this subsection."

Page 11, line 17, of the House engrossed amendment, strike out "date." and insert "date".

Page 11, after line 17, of the House engrossed amendment, insert:

"(s) In the case of petitions nominating candidates for the office of Delegate and for member of the Board of Education, they shall be accompanied by a guarantee of $200 in the form of currency, surety, or a bond, at the choice of the candidate. Such guarantee shall be forfeited by the candidate in the event he fails to receive at least 5 per centum of the vote cast in the election for which he has presented a petition to the Board. In the event such candidate received at least 5 per centum of the vote cast, the guarantee shall be returned in full."

Page 13, line 16, of the House engrossed amendment, strike out "five hundred" and insert "three hundred and fifty".

Page 13, line 20, of the House engrossed amendment, strike out "delegate or alternate," and insert "delegate, or alternate".

Page 13, line 23, of the House engrosed amendment, strike out "delegate or alternate,". and insert "delegate, or alternate".

Page 14, line 17, of the House engrossed amendment, strike out "tenth" and insert "fifth".

Page 17, after line 6, of the House engrossed amendment, insert:

(26) Subsection (b) of section 4 of such Act (D.C. Code, sec. 1–1104) is amended by striking "$50 per day, with a limit of $2,500 per annum" and inserting "$75 per day with a limit of $11,250 per annum" in lieu thereof.

(27) Paragraph (2) of subsection (a) of section 5 of such Act (D.C. Code, sec. 1–1105) is amended by inserting immediately before the semicolon a comma and the following: "including, upon approval by majority vote of the District of Columbia Council, referendums, advisory elections, and other community elections such as those for model cities programs, as part of any regular election".

(28) Paragraph (6) of subsection (a) of section 5 of such Act (D.C. Code, sec. 1–1105) is amended by striking out "paragraphs (1), (2), (3), or (4)" and by inserting in lieu thereof "paragraph (1), (2), or (3)".

(29) Subsection (d) of section 5 of such Act (D.C. Code, sec. 1–1107) is amended by striking "persons not absent from the District but who are physically unable" and inserting "either persons temporarily absent from the District or persons physically unable" in lieu thereof.

(30) Subsection (a) of section 7 of such Act (D.C. Code, sec. 1–1107) is amended by striking in the second sentence "person" and inserting "qualified elector".

(31) Paragraph (1) of subsection (d) of section 7 of such Act (D.C. Code, sec. 1–1107) is amended (A) by striking from clause (A) the words "odd-numbered calendar year and of each presidential election year" and inserting "calendar year" in lieu thereof, and (B) by striking from clause (B) the words "presidential election" and inserting "even-numbered" in lieu thereof, and (C) by inserting in clause (C), after the word "special", the words, "or runoff".

(32) Subsection (c) of section 8 of such Act (D.C. Code, sec. 1–1108) is amended to read as follows:

"(c) (1) In each election of officials referred to in clause (1) of the first section of this Act, and in each election of officials designated for election at large pursuant to clause (4) of such section, the Board shall arrange the ballot of each party to enable the registered voters of such party to vote separately or by slate for each official duly qualified and nominated for election to such office.

"(2) In each election of officials designated, pursuant to clause (4) of the first section of this Act, for election from a ward, the Board shall arrange the ballot of each party to enable the registered voters of such party, residing in such ward, to vote separately or

by State for each official duly qualified and nominated from such ward for election to such office from such ward."

(33) Subsection (f) of section 8 of such Act (D.C. Code, sec. 1–1108) is amended by striking out "August 15" and inserting "the third Tuesday in August" in lieu thereof.

(34) Paragraphs (1) and (2) of subsection (n) of section 8 of such Act (D.C. Code, sec. 1–1108) are each amended by striking out "qualified electors" and inserting "duly registered voters" in lieu thereof.

SEC. 2. Section 302(i) of the Federal Corrupt Practices Act, 1925 (2 U.S.C. 241(1)) is amended by inserting immediately before the period at the end thereof a comma and the following: "and the District of Columbia".

Page 17, line 7, of the House engrossed amendment, strike out "SEC. 2" and insert "SEC. 3.".

Page 18, line 17, of the House engrossed amendment, strike out "SEC. 3." and insert "SEC. 4.".

Mr. MIKVA (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the Senate amendments to the House amendment be dispensed with.

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

There was no objection.

The SPEAKER. Is there objection to the request of the gentleman from Illinois to consider the Senate amendments to the House amendment?

There was no objection.

MOTION OFFERED BY MR. MIKVA

Mr. MIKVA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Motion offered by Mr. MIKVA: Mr. MIKVA moves that the House concur in the Senate amendments except Senate amendments numbered 6, 7 and 12.

The motion was agreed to.

So Senate amendments numbered 1, 2, 3, 4, 5, 8, 9, 10, 11, 13 and 14 were concurred in.

The SPEAKER. The Clerk will report Senate amendment No. 6.

The Clerk read as follows:

Senate amendment No. 6: Page 11, line 17, of the House engrossed amendment, strike out "date." and insert "date".

MOTION OFFERED BY MR. MIKVA

Mr. MIKVA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MIKVA moves that the House disagree to Senate amendment No. 6.

The motion was agreed to.

The SPEAKER. The Clerk will report Senate amendment No. 7.

The Clerk read as follows:

Senate amendment No. 7: Page 11, after line 17, of the House engrossed amendment, insert:

"(s) In the case of petitions nominating candidates for the office of Delegate and for member of the Board of Education, they shall be accompanied by a guarantee of $200 in the form of currency, surety, or a bond, at the choice of the candidate. Such guarantee shall be forfeited by the candidate in the event he fails to receive at least 5 per centum of the vote cast in the election for which he has presented a petition to the Board. In the event such candidate received at least 5 per centum of the vote cast, the guarantee shall be returned in full."

MOTION OFFERED BY MR. MIKVA

Mr. MIKVA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MIKVA moves that the House disagree to Senate amendment No. 7.

The motion was agreed to.

The SPEAKER. The Clerk will report Senate amendment No. 12.

The Clerk read as follows:

Senate amendment No. 12: Page 17, after line 6, of the House engrossed amendment, insert:

"(26) Subsection (b) of section 4 of such Act (D.C. Code, sec. 1–1104) is amended by striking '$50 per day, with a limit of $2500 per annum' and inserting '$75 per day with a limit of $11,250 per annum' in lieu thereof.

"(27) Paragraph (2) of subsection (a) of section 5 of such Act (D.C. Code, sec. 1–1105) is amended by inserting immediately before the semicolon a comma and the following: 'including, upon approval by majority vote of the District of Columbia Council, referendums, advisory elections, and other community elections such as those for model cities programs, as part of any regular election'.

"(28) Paragraph (6) of subsection (a) of section 5 of such Act (D.C. Code, sec. 1–1105) is amended by striking out 'paragraphs (1), (2), (3), or (4)' and by inserting in lieu thereof 'paragraph (1), (2), or (3)'.

"(29) Subsection (d) of section 5 of such Act (D.C. Code, sec. 1–1105) is amended by striking 'persons not absent from the District but who are physically unable' and inserting 'either persons temporarily absent from the District or persons physically unable' in lieu thereof.

"(30) Subsection (a) of section 7 of such Act (D.C. Code, sec. 1–1107) is amended by striking in the second sentence 'person' and inserting 'qualified elector'.

"(31) Paragraph (1) of subsection (d) of section 7 of such Act (D.C. Code, sec. 1–1107) is amended (A) by striking from clause (A) the words 'odd-numbered calendar year and of each presidential election year' and inserting 'calendar year' in lieu thereof, and (B) by striking from clause (B) the words 'presidential election' and inserting 'even-numbered' in lieu thereof, and (C) by inserting in clause (C), after the word 'special', the words, 'or runoff'.

"(32) Subsection (c) of section 8 of such Act (D.C. Code, sec. 1–1108) is amended to read as follows:

"'(c)(1) In each election of officials referred to in clause (1) of the first section of this Act, and in each election of officials designated for election at large pursuant to clause (4) of such section, the Board shall arrange the ballot of each party to enable the registered voters of such party to vote separately or by slate for each official duly qualified and nominated for election to such office.

"'(2) In each election of officials designated, pursuant to clause (4) of the first section of this Act, for election from a ward, the Board shall arrange the ballot of each party to enable the registered voters of such party, residing in such ward, to vote separately or by State for each official duly qualified and nominated from such ward for election to such office from such ward.'

"(33) Subsection (f) of section 8 of such Act (D.C. Code, sec. 1–1108) is amended by striking out 'August 15' and inserting 'the third Tuesday in August' in lieu thereof.

"(34) Paragraphs (1) and (2) of subsection (n) of section 8 of such Act (D.C. Code, sec. 1–1108) are each amended by striking out 'qualified electors' and inserting 'duly registered voters' in lieu thereof.

"SEC. 2. Section 302(i) of the Federal Corrupt Practices Act, 1925 (2 U.S.C. 241(1)) is amended by inserting immediately before the period at the end thereof a comma and the following: 'and the District of Columbia'."

MOTION OFFERED BY MR. MIKVA

Mr. MIKVA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MIKVA moves that the House concur in Senate amendment No. 12 with the following amendments:

On page 8 of the Senate engrossed amendments, strike out lines 7 through 13.

On page 8 of the Senate engrossed amendments, insert immediately after line 6 the following:

"(27) Section 13 of such Act (as amended by paragraph (25) of this Act) is amended by adding after subsection (e) the following new subsection:

"(f)(1) Subsection (e) of this section shall not require—

"(A) registration under subsection (e)(1) of any independent committee or party committee which is registered as a political committee under section 303 of the Federal Election Campaign Act of 1971,

"(B) filing of any statement under paragraph (2) of such subsection (e) with respect to an election for Federal Office by a candidate or committee required to file a report with respect to such election under section 304 of the Federal Election Campaign Act of 1971, or

"(c) the filing of any statement under paragraph (4) of such subsection (e) with respect to any election for Federal office by any person required to file a report with respect to such election under section 305 of the Federal Election Campaign Act of 1971.

"(2) Paragraphs (5), (6), and (7) of subsection (e) of this section shall not apply to any committee which is not required to register under subsection (e)(1) of this section.

"(3) For purposes of this subsection, the terms "election" and "Federal office" have the same meaning as such terms have under section 301 of the Federal Election Campaign Act of 1971.

"(4) This subsection shall take effect on the date on which title III of the Federal Campaign Act of 1971 takes effect."

Mr. MIKVA (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the House amendments to the Senate amendment No. 12 be dispensed with and that they be printed in the RECORD.

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

There was no objection.

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

Mr. MIKVA. Mr. Speaker, the first item—part of amendment No. 12—approved by the Senate as an amendment to S. 2878, as amended by the House, which the House is requested to disagree to, deals with the question of voter registration. The Senate amendment to present law would permit the Board of Elections by regulation to register persons temporarily absent from the District. Present law permits the Board to register persons not absent from the District but physically unable to register in person. Under the Senate amendment, the Board could register "either persons temporarily absent from the District or persons physically unable" to register. The House District Commitee disagrees to the Senate amendment.

The second item—amendment No. 7—approved by the Senate as an amendment to S. 2878, as amended by the House, provides as follows:

In the case of petitions nominating candidates for the office of Delegate and for member of the Board of Education, they shall be accompanied by a guarantee of $200 in the form of currency, surety, or a bond, at the choice of the candidate. Such guarantee shall be forfeited by the candidate in the event he fails to receive at least 5 per centum of the vote cast in the election for which he has presented a petition to the Board. In the event such candidate received at least 5 per centum of the vote cast, the guarantee shall be returned in full.

The House amendment contained no such provision. In fact, the House bill itself deleted requirement for filing fee, and the House District Committee disagrees with the foregoing Senate provisions as to guarantee required of each candidate.

The third item—amendment No. 6—is a technical amendment.

SUMMARY OF SENATE AMENDMENTS TO HOUSE AMENDMENT TO S. 2878 CONCURRED IN BY THE HOUSE

Following is a résumé of the amendments as made by the Senate to S. 2878 as amended and passed by the House:

(1) *Compensation of Board Members.*—The Senate added a provision increasing the compensation of Members of the Board of Election from $50 a day, with a maximum of $2500 per year, to $75 per day with a maximum of $11,250 per year. The House amendments had no such provision for increase in compensation.

(2) The Senate added a provision permitting the Board of Election, with approval by a majority vote of the District of Columbia Council, to conduct referendums, advisory elections, and other community elections such as those for model cities programs, *as part of any regular election.* Such authority is presently given to party officials who may in their party elections include such as the foregoing. The Senate amendment thus transfers the authority from the party machinery to the Board of Elections, subject to the approval of a majority vote of the City Council.

(3) *Petition for presidential candidate.*—The Senate amendment provides that any petition circulated for a presidential candidate in the District of Columbia must be signed by the candidate. The House provision had only required that the petition be accompanied by a written statement affirming the candidacy of the person in question.

Also, as to presidential preference primary and delegates to the presidential convention, the Senate provision included authority for committed slates, uncommitted slates, committed individuals and uncommitted individuals. The House provisions had left this up to party rules and regulations.

(4) *Nominating petitions for party officials.* The Senate provision required nominating petitions for national committeemen and party members and officials, elected at large, to contain 500 signatures, and those for members elected from a ward 100 signatures of ward residents. The House required 1000 signatures for those elected at large and 200 signatures for those elected from a ward.

(5) *Procedure for designating officials to be elected.* The Senate provisions specifically designated what political party offices were to be filled by election, whereas the House had left this up entirely to the political parties in question.

(6) *Recount and Cost thereof.* The Senate amendment provides that a petitioner of a recount would not be required to pay cost thereof in the case of an election at large, where the difference is less than 1% or 350 votes, which ever is less. The House amendment similarly exempted a petitioner from payment of cost, in case of election at large, where the difference is less than 1% or 500 votes, which ever is less.

(7) *Campaign expenditures and report thereof.* The Senate amendment adopted the provisions of the House amendment with respect campaign reports and filing thereof except to require a campaign treasurer and candidate to file within 5 days before an election and within 30 days after election the itemizations, etc. required. The House amendment had required that such reports be filed on the 10th day before the election and within 30 days after an election.

Mr. MIKVA. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Louisiana (Mr. BOGGS).

(Mr. BOGGS asked and was given permission to proceed out of order.)

FIRST SESSION OF THE 92D CONGRESS

Mr. BOGGS. Mr. Speaker, I take this time for the purpose of making an announcement and also for the purpose of extending thanks and gratitude to a great many people in the House of Representatives.

Now, that the House, with the adoption of this continuing appropriations bill and several other matters of a rather minor nature, has completed its work for this first session of the 92d Congress, I believe we can say that this has been a productive session of Congress.

Despite the fact that my party, the Democratic Party, has controlled both Houses of Congress and the opposition party has controlled the executive branch of Government, our record has been a very constructive one.

I am proud to say that the Congress itself has initiated a great many pieces of constructive legislation. On that list are such measures as the Economic Stabilization Act, the constitutional amendment for the 18-year-old vote, the constitutional amendment providing equal rights for women, the Emergency Employment Act, the Consumer Protection Act, and the Federal Election Reform Act. I shall catalog all of the actions of the House following these remarks, and ask unanimous consent to include that material in my remarks.

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

There was no objection.

Mr. BOGGS. Mr. Speaker, I want to especially commend and congratulate you on the manner in which you have conducted the high office of Speaker of the House of Representatives. This is indeed the greatest representative body in the world. It is one that all of us come to after great difficulty, and most of us do our very best to stay here because we admire and love this institution and what it stands for.

I would say, Mr. Speaker, that you have performed in the highest tradition of the office of Speaker of the House of Representatives, and I commend you as we conclude this first year under your administration, the first session of the 92d Congress. [Applause, the Members rising.]

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the distinguished minority leader, the gentleman from Michigan (Mr. GERALD R. FORD).

Mr. GERALD R. FORD. Mr. Speaker, I am deeply grateful to the distinguished majority leader for yielding. The applause which has just occurred commending the Speaker I think accurately reflects the views of the Members of the House on both sides of the aisle in our opinion of the Speaker, as a person, and our opinion of him as the Presiding Officer. He has been an extraordinarily fine Speaker of the House, and all of us are pleased and honored to serve under him.

Mr. Speaker, I would like to take one moment, if I might, to make an observation and comment about the record of this Congress. I am proud of the record of the House of Representatives. In my judgment the House, even though controlled by the gentleman's party, has responded, particularly in a constructive way, in the matter of foreign policy. We have had our differences on some domestic issues, but even in those areas we have not divided necessarily on partisan lines.

I say these things about the House, but add a reservation about the record of the Congress as a whole, because of some differences I have with the record with the other body. I will not elaborate beyond that, but I think that view is shared by a good many people in the House itself.

I would like to reiterate what I have said before, and what the gentleman from Louisiana (Mr. BOGGS) has said, and that is this body, the House, is the people's House. It is closest to the 205 million Americans of any legislative body in the whole world, and what we do is a true reflection of the feelings of our constituents as a whole in meeting their problems, in responding to their needs, and with their wishes our record has been an excellent one this year, and I am sure it will be in 1972.

Mr. BOGGS. Mr. Speaker, I appreciate the very generous remarks of the gentleman from Michigan. I would like to say that the gentleman from Michigan has been, in his capacity as minority leader, extremely helpful to the Democratic leadership, and we are very grateful to the gentleman for his unfailing cooperation.

Mr. Speaker, we have tried, in our roles as leaders of this great body, to be as helpful as possible to the Members of the House on both side of the aisle. For the first time this year we attempted to set forth a program for the session, and we were able to establish a schedule of recesses and holidays, including the summer holiday and the Thanksgiving holiday. I believe this has been very helpful to the Members in enabling them to plan trips to their districts and to handle the many tasks that they must perform.

I might say that we break a precedent this afternoon in announcing the program for the forthcoming second session of the 92d Congress, and that session will convene, as most of you know, on January 18, which is a Tuesday.

We expect to consider that week con-

ference report on S. 382 the election reform bill, which is ready for consideration. The conference report has been approved by the conferees. We also expect to consider the bill, H.R. 8787, providing nonvoting delegates to the House from Guam and the Virgin Islands.

It is of course customary for the President to deliver his state of the Union address during that week.

Finally, let me say this, Mr. Speaker: That all of us connected with the leadership are most grateful for everyone who works with us, and that includes, of course, the new majority whip, THOMAS "TIP" O'NEILL, and his deputy and assistant whips, and the minority leader, Mr. GERALD R. FORD, and his whip, Mr. LES ARENDS, and their deputy whips; our Parliamentarian, without whom none of us could function, the great Lewis Deschler, and his staff, the Chaplain, the Clerk, the Sergeant at Arms, the Doorkeeper, the Postmaster, and their able staffs the Official Reporters of Debate, and the page boys and their retiring Chief Turner Robertson and Bob Rota in the cloak room, all of whom are dedicated to this institution.

Certainly not last and not least, the people with whom we do business every day—those hardworking reporters who sit in the press gallery and with whom we sometimes disagree but with whom we are really never disagreeable.

Finally, let me say a word about the Members who stay here each evening to adjourn the House, sometimes after many special orders that run late into the evening. That is a special type of dedication. So I would like to thank the gentleman from South Dakota (Mr. DENHOLM) who performed this task 32 times and will make it 33 tonight; and the gentleman from Utah (Mr. MCKAY) who performed this task 18 times; and the gentleman from South Carolina (Mr. DAVIS) who performed this job 17 times. The gentleman from South Carolina (Mr. DAVIS) came here late, but he almost caught up with the others.

To all of you, to your families, and to all who work so closely with all of us, may I wish all of you happy holidays, a very, very Merry Christmas and a Happy New Year.

The record of the House in the first session of the 92d Congress follows:

RECORD OF THE HOUSE OF REPRESENTATIVES, 92D CONGRESS, FIRST SESSION

AGRICULTURE

Sugar Act extension (P.L. 92–138)

On October 4, 1971, the 92d Congress passed the Sugar Act of 1948, as amended, which extended the act for three years through December 31, 1974, and adjusted the production quotas for foreign and domestic producers. The Sugar Act is designed primarily to protect the domestic sugar industry and as such guarantees domestic sugar growers a large share of the U.S. Market. The remainder is assigned to foreign countries who are most eager to receive quotas since the U.S. price is normally higher than the world price. Thirty-four foreign countries received sugar quotas in this act. Three nations, Paraguay, Malawi and Uganda, received quotas for the first time, although the Malawi quota will not take effect until 1973.

The extension act also increased the allotments for domestic producers by about 300,000 tons, while the relative share of several of the largest foreign suppliers were reduced.

Strategic Storable Agricultural Commodities Act (H.R. 1163 and H.R. 8290)

This year's record crop reflects the response of farmers to the threat to corn supplies by corn blight which did not materialize to the degree expected. Because the farmers responded by planting extra acreage to assure adequate supplies of feed grain at home and abroad, the big crop has brought a sharp drop in the corn prices. Twenty years ago in 1951 corn was selling for $1.66 a bushel. Today the price is 92 cents. If corn prices had kept pace with the rest of the economy during these two decades, 1971 prices would be about $2.60 per bushel.

On November 8, the House passed H.R. 1163 and H.R. 8290, to establish, maintain, and dispose of a separate strategic reserve of soybeans, corn, grain sorghum, barley, oats and wheat, and provide a 25 percent two year boost in minimum loan rates for protecting producers' incomes when rebuilding reserve stocks of wheat or grain feeds. The maximum price for the feed grains and wheat would be not more than the previous 5-year average price received by farmers. The bill also authorizes the reserve to be used in any distress area or disaster area in the United States and Virgin Islands so designated by the President.

The cost of acquiring the grain under H.R. 1163 would be $1.45 billion with an annual storage and handling cost of $215 million, and the estimated cost of the loan program will be $28 million for fiscal year ending June 30, 1972.

The aims of these bills is to prevent a depression in the Farm Belt and to close the gap between the income of farmers and the rest of our Nation.

Farm Credit Act of 1971 (S. 1483)

In order to achieve better distribution of our population and a more balanced economic growth between rural and urban America, the 91st Congress passed S. 1483 the Farm Credit Act of 1971 which expands the activities of the Farm Credit Administration of the Department of Agriculture.

In particular it authorizes the federal land banks and production credit associations to loan 15 percent of their outstanding funds to rural non-farm residents for housing. Rural areas were defined as communities of 2,500 or less. In order to insure that farmers receive preference over non-farm residents the legislation provides that in tight-money periods farmers will receive preference.

The act also allows the federal land banks to make loans in amounts up to 85 percent of the appraised value of the borrower's farm, rather than 65 percent as under the existing law. Moreover, the legislation authorizes the banks to loan money to cooperatives if 80 percent of its stock was held by farmers, rather than the 90 percent requirement in the existing law.

This act is part of a broad rural development program which has as its design to encourage farm families to stay in rural areas and for urban citizens to move to rural areas.

State and local law enforcement in National Forests (P.L. 92–82)

The sheer number of people trying to enjoy our national forest land, and recreational facilities has created a temporary law enforcement problem and a strain on State and local law enforcement agencies to provide adequate protection to the visitors and the forests. For example, the total population of Alpine County in California is 484 persons. However, in 1970 the national forests in that county (which comprises a majority of the land of the county) was visited by the equivalent of 1,113,000 1-day tourists.

This bill authorizes the Secretary of Agriculture to cooperate with any State or political subdivision in the enforcement of local law on lands within the national forest system. This cooperation may include reimbursement for expenditure where necessary.

Cooperative animal disease control (P.L. 92–152)

In an effort to prevent the spread of communicable disease of animals the 92nd Congress passed a law to extend the authority of the Secretary of Agriculture to cooperate with 10 countries in the Western Hemisphere in the prevention and control of communicable diseases of animals and poultry.

The need for this authorization became very apparent when the horse sleeping sickness which has existed in Venezuela since 1935 spread to Brownsville, Texas this year. The 10 countries included in this law are Mexico, Guatemala, El Salvador, Costa Rica, Honduras, Nicaragua, British Honduras, Panama, Columbia, and Canada.

This law will insure American consumers that they can continue to consume meat and poultry products of the highest standards.

COMMERCE AND INDUSTRY

Small Business Administration (S. 1905; S. 1260, P.L. 92–16)

Two bills affecting the Small Business Administration have received attention by Congress during this session.

S. 1905, passed by the Senate and now under consideration by the House, broadens SBA responsibility to include a new program of grants to reduce interest costs to small business, expansion of existing SBA programs, establishment of four new programs to assist businesses which affect or are affected by environmental regulations and pollution, and authorization for research into the causes of small business failures.

S. 1260 (P.L. 92–16), enacted into law this session, increased by $900 million (from $2.2 billion to $3.1 billion) the amount of loans, guarantees, and other obligations or commitments which may be outstanding at any one time from the business loan and investment fund of the Small Business Administration.

CIVIL RIGHTS

Additional authority for the U.S. Equal Employment Opportunity Commission (H.R. 1746)

On September 16, 1971, the House passed H.R. 1746, a bill which authorizes the EEOC to seek enforcement of equal employment opportunity through the Federal courts. Under this bill the Commission, in the event that conciliation fails, could bring a civil action 30 days after the filing of a charge in Federal district court for an order granting an injunction against discrimination and requiring affirmative action on the part of the respondent who has discriminated, including payment of back pay for up to two years. H.R. 1746 preserves the right of an aggrieved person to file a civil suit in Federal district court—he may do so 180 days after he has filed a charge with the EEOC if the Commission has not resolved his charge by conciliation or has failed or refused to bring his case to court. The court may permit the Attorney General to intervene in such a private suit if the Attorney General certifies that the case is of general public importance. H.R. 1746 gives the EEOC authority to go to court as soon as a charge is filed to obtain a preliminary or temporary injunction against discrimination if delay in receiving judicial relief would mean "substantial and irreparable injury" to the plaintiff.

Among other provisions, H.R. 1746 obliges the EEOC to notify an employer, employment agency, or labor union of a charge against it within five days after the charge has been filed. The bill prohibits class actions under Title VII—it limits judicial relief to persons named in charges—but preserves the right of the Attorney General to bring "pattern-or-practice suits" to combat institu-

tionalized discrimination. H.R. 1746 makes Title VII the exclusive remedy for denial of equal employment opportunity rights.

The Senate had yet to vote on the measure as of December 6.

Increases in authorized appropriations for the U.S. Commission on Civil Rights (H.R. 7271, P.L. 92–64)

On May 17, 1971, the House passed H.R. 7271, which raises the authorized appropriation for the U.S. Commission on Civil Rights from $3.4 million to $4 million for fiscal year 1972 and for each year thereafter until January 31, 1973, the expiration date of the Commission. The Senate subsequently passed the bill without amendment, and H.R. 7271 became P.L. 92–64.

Repeal of the Emergency Detention Act of 1950 (H.R. 234, P.L. 92–128)

On September 14, 1971, the House passed H.R. 234, a bill which repeals Title II of the Internal Security Act of 1950 and which prohibits detention by the Federal Government of any citizen except pursuant to an act of Congress. The Senate subsequently passed the bill without amendment, and H.R. 234 became P.L. 92–128.

Title II of the Internal Security Act of 1950 was the Emergency Detention Act. It authorized the Attorney General in event of an "internal security emergency" to arrest anyone "as to whom there is reasonable ground to believe that such person probably will engage in, or probably will conspire with others to engage in, acts of espionage or sabotage." The Act empowered an administrative hearing officer to order the detention of a detainee for the duration of the emergency. The detainee's first appeal was not to a court but to an administrative tribunal called the Detention Review Board. Only after the Board had reviewed his case could he appeal to a U.S. court of appeals. The detainee was accorded the right to counsel and the right to cross-examine witnesses. But at every stage of proceedings—before the hearing officer, before the Board, and even before the appeals court—the Attorney General could withhold evidence or witnesses and thereby deprive the detainee of due process of law. And the detainee could have been incarcerated for an indefinite period of time not for having committed espionage or sabotage but merely on the belief that he might do so. It is little wonder that many people in the country and many Members of Congress were indignant and apprehensive because the Executive Branch had such power to deal arbitrarily and unjustly with individuals.

The Emergency Detention Act involved not only deprivation of due process of law but possible inhibition of the exercise of First Amendment rights as well. If a man knows that in event of a national emergency he may be put in a concentration camp merely on suspicion of disloyalty he may feel constrained to avoid political activities which would render him suspect in the eyes of the Justice Department.

One advantage of the Emergency Detention Act was that it regulated the manner in which the President could detain people in a time of emergency. If Congress had merely repealed the Act the President would not be so regulated and he could incarcerate whole groups of people as the President did in ordering the relocation of Americans of Japanese origin in World War II by an exercise of his war powers. In order to avoid repetition of such executive arbitrariness and injustice Congress provided in P.L. 92–128 that at no time shall any citizen be detained or imprisoned by the Federal Government except in accordance with a law enacted by Congress.

Equal rights amendment

On October 12, 1971, the House of Representatives passed an Equal Rights Amendment (H.J. Res. 208) to the United States Constitution, which provides:

"Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.

"The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

"This amendment shall take effect two years after the date of ratification."

It is expected that the Senate will consider the measure early in the Second Session.

Introduced each year for 48 years, the Amendment was passed by the House for the first time in the 91st Congress, following a successful drive to release the bill from committee by means of the discharge rule. The Senate attached two amendments to that measure, then laid it aside.

Under the Amendment, men and women would share equally, under the law, the rights and responsibilities of American citizenship.

COMMUNICATIONS

Rural Telephone Bank (P.L. 92–12)

On March 24, 1971, the House passed S. 70 (passed by the Senate on March 1st) and established a government-sponsored rural telephone bank to provide capital for financing telephone cooperatives and companies serving rural areas. This rural telephone bank act is patterned after the federal land banks. After an initial government financing, the telephone bank will eventually be privately owned and controlled. The primary aim of the act was to bring funds from the private money market into the rural telephone program in order to augment existing Rural Electrification Administration loans. It was noted during House floor debate that "communication in many rural areas would be almost nonexistent if it were not for rural telephone associations or cooperatives. And the job of providing area-wide service, which the cooperatives undertook in spite of distances and few customers per mile, could not have been done without 2 percent loan money" from the Government.

Communications Act of 1934—Aliens eligible to operate radio stations (Public Law 92–81)

On August 2, 1971, the House passed S. 485 which amended the Communications Act of 1934 to permit the Federal Communications Commission to issue licenses for operation of amateur radio stations to aliens who have been admitted to the United States for permanent residence and who have in addition, filed a declaration of intention to become citizens of the United States. Moreover, the act permits the FCC to issue a license for an amateur radio station to an alien who has filed a declaration of intention to become a citizen of the United States.

This act will enable potential U.S. citizens to engage in radio broadcasting on an amateur basis and as such provides them with the freedoms and liberties available to all American citizens.

CONSUMER AFFAIRS

Consumer Protection Act of 1971 (H.R. 10835)

One of the most important pieces of consumer legislation to come before a vote in the House has been the Consumer Protection Act of 1971 providing extensive coverage for the American consumer through representation and protection of consumer interests.

The House consumer legislation authorizes programs of consumer education and information; procedures for handling consumer complaints and making those complaints available to the public; a limited amount of product testing in connection with the consumer representation and safety functions and the dissemination of test results; and studies of household product safety. All Federal agencies are required in taking actions within their responsibility to give due consideration to the interests of consumers. Provisions are also contained in H.R. 10835 prohibiting the disclosure of trade secrets and other confidential information, as are requirements for fair and equitable procedures in implementing the objectives of the measure.

Title I establishes within the Executive Office of the President an Office of Consumer Affairs, with a director and deputy director appointed by the President and confirmed by the Senate. The Office is delegated the responsibility of aiding the President in coordinating federal programs affecting consumers, assuring that consumers' interests were observed in setting policy and operating programs, making recommendations to the President and Congress on improvement in consumer programs, investigating consumer problems not being dealt with by other federal agencies, aiding consumer education and counseling programs, aiding research on consumer matters, providing technical assistance to state and local governments on consumer matters, working with private enterprise in the promotion and protection of consumer interests and publishing a consumer register or other publication in nontechnical language.

Title II creates a Consumer Protection Agency with an administrator and a deputy administrator appointed by the President and confirmed by the Senate. The Agency is authorized to represent consumers in formal proceedings conducted by other federal agencies and in certain court suits. It is empowered also to intervene as a party in or institute a court review of a proceeding by another federal agency in which it participated, and the Administrator may request another federal agency to initiate a proceeding or take an action in the interest of consumers. The Agency is required to encourage and support testing of consumer products by other federal or non-federal agencies and to study a system of tagging products to inform consumers of pertinent information.

Flammable Fabrics Act appropriations (H.R. 5066)

In order to continue the enforcement and administration of the Flammable Fabrics Act, the House in April passed H.R. 5066 authorizing $4 million for fiscal 1972. Previous authorization of funds for administration expired at the end of fiscal 1970.

The Flammable Fabrics Act was first enacted into law in 1953, in response to increasing consumer complaints over flammable products. That act applied to wearing apparel only. In 1967, the act was amended to apply to all articles of wearing apparel and to interior furnishings used in homes, offices and other places of accommodation. Under the 1967 amendments, the Secretary of Commerce was authorized to determine appropriate flammability standards where he determined a need to protect the public from unreasonable risk of fire. While the Department of Commerce sets standards, the Department of Health, Education and Welfare is authorized to conduct studies and analyses of injuries and burns resulting from burning fabrics, and the Federal Trade Commission is charged with enforcement of standards.

DISTRICT OF COLUMBIA

The Congress continued competently to execute its Constitutional and statutory responsibilities for the Nation's Capital. The 1st Session of the 92nd Congress was witness to House activity on five major bills, all profoundly associated with the economic development, social welfare, and expanding electoral opportunities of Washingtonians.

District of Columbia Revenue Act (H.R. 11341)

The Congress generously responded to the pressing revenue problems facing the District government by authorizing a record increase in the Federal payment for the fiscal

year beginning July 1, 1971. The $173 million authorization represents an increase of $47 million over the Federal payment figure in the District budget of the past fiscal year. An additional Federal payment authorization of $6 million for District employee salaries was included, should Congress approve a pay raise for government workers.

The House and Senate District Committees took the unprecedented step in this Congress of approving in advance a Federal payment authorization of $178 million for the fiscal year beginning July 1, 1972, plus an additional $12 million to cover the full year cost of an anticipated increase in the pay of government employees. This action was taken in an effort to enable the District government to better plan and formulate its next budget. In the past, the District government had submitted its spending requests to the Office of Management and Budget and the Congress and then asked for an increase in the Federal payment or new taxing authority to balance the budget requests.

The District revenue bill (H.R. 11341) also contained a provision authorizing the District government to deduct rent payments from monthly welfare checks, if recipients withhold their payments. The District would then pay the rent directly to the landlord if it was determined that no code violations existed in the rented units involved.

Additionally, in a major House action the Congress demonstrated its continued support of rapid rail transit development in the District by authorizing a $72 million payment to the Washington Metropolitan Area Transit Authority. This action was greeted with renewed enthusiasm by Washington metropolitan area residents and assures that a large part of the Metro subway system will be operating in time to convey the massive influx of visitors expected in the Capital for the 1976 bicentennial celebration of the Nation's birth.

District Government organization (Public Law 92–25)

The House has long been concerned with providing the District of Columbia with an efficient, effective, and responsive government, and toward this end the House on June 4 approved H.R. 5765 (P.L. 92–25). This legislative action extends through March 1972 the operational life of the Commission on the Organization of the Government of the District of Columbia (established by the 91st Congress). This Commission, commonly called the "Nelsen Commission" (after its chairman, Representative Ancher Nelsen) or the "Little Hoover Commission," is studying the operation of the District government and must report its findings and recommendations to Congress by April 1972. An interim report outlining its areas of study was included in the House Report on the D.C. Revenue Act (No. 92–598) as Appendix A.

District election law reform (S. 2495)

Another legislative action by the House during the 92nd Congress, the passage of S. 2495 in September, represents a significant step forward in the effort to reform District election laws; this legislation could also aid in altering a major inadequacy of the Federal Corrupt Practices Act. The bill contains reforms on D.C. residency requirements, procedures for getting candidates and public issues on the ballot, and provisions for a tax credit on campaign contributions. Another provision of this bill would consider the District as a State for purposes of enforcement of the Federal Corrupt Practices Act. Such legislative action would make it mandatory for any campaign funding organization operating in the District to file annual financial reports. Currently, many such groups accept and make contributions for candidates in Federal elections through offices located in the District, thereby escaping existing Federal reporting requirements.

EDUCATION

The House passed S. 659 which would authorize $19 billion in federal aid to post-secondary education in fiscal years 1972–1975; extend existing programs of federal aid to colleges and college students and vocational education programs through fiscal 1975 and establish as a primary tenet of federal policy that every qualified and needy student had a right to federal aid in meeting the expenses of a post-secondary education.

As approved by the House, S. 659 authorized $24 billion in federal aid for institutions of higher education and college students for fiscal year 1972–1976, and for desegregating school districts for fiscal years 1972–1973. House passed bill forbade the use of funds in the desegregation aid program to pay the cost of busing.

Bills are in Conference.

ENVIRONMENT AND NATURAL RESOURCES

The preservation of our environment is of paramount concern in the Nation today. Almost every agency of government today with any remote connection with environmental problems is placing this matter foremost in their budgets and justifications to Congress. The problems of our environment, however, are myriad. Yet, never before has there been such a period of environmental concern and, nowhere has this concern been more evident than in Congress.

This Congress has passed major legislation to protect and preserve our environment, legislation to protect our waterways, both inland and off our ocean shores, to preserve endangered wildlife, to encourage reuse of our natural resources, and to guarantee the environmental quality for all, balanced with the continued progress of our country.

National environmental data system (H.R. 56)

In response to a vital need for coordinated information services concerning the environment, the House passed legislation providing for the establishment within the Executive branch of the National Environmental Data System. H.R. 56, passed May 17, authorizes $1 million for fiscal year 1972, $2 million for fiscal year 1973 and $3 million for fiscal year 1974, for a central facility to serve as a clearing house for new and existing information on environmental matters. The legislation specifies that this information be gathered from the Federal Government, state and local governments, private institutions, including educational institutions, and foreign sources. Data is to be made available to Congress and to Federal, state and local governments without charge and to private individuals and groups at a reasonable fee.

Presently, there are numerous and diverse studies, programs, and projects generating date on the Environment. There is, however, the need to establish a system to collect, assimilate and disseminate such information to those concerned Federal agencies, local governments and private citizens in light of the increasing commitment of Congress toward the goal of an enhanced environment. Not only should the date be readily available for analysis and evaluation, but there should be the means to insure that all available scientific and technical information affecting the environment be quickly located and evaluated by responsible parties.

This legislation amends the National Environmental Policy Act of 1969 to add a new title III to the act to be called the National Environmental Data System. In addition to providing for the collection and dissemination of date, H.R. 56 provides for the position of National Environmental Data System Director, required to serve full time to (1) administer and manage the operations of the date system under the guidance of the Council on Environmental Quality; (2) institute a study to evaluate and monitor the methods on information technology and utilize new and improved techniques for accomplishing the purposes of the act; (3) utilize knowledge developed during the study to develop criteria and guidelines to govern to selection of data, including the development of predictive ecological models; (4) develop and implement a plan to establish and maintain an environmental information network; (5) develop procedures and standards by which existing and new information systems would be integrated; and (6) develop and publish from time to time environmental quality indicators.

Each department and agency of the Federal government would be required to make available to the data system all information as soon as possible for possible incorporation in the system. In addition, all Federal agencies providing financial assistance would be required to take such steps as necessary to insure that environmental information, knowledge, or data resulting from their assistance be made available to the data system.

Joint Committee on the Environment (H.J. Res. 3, S.J. Res. 17)

In the field of environmental protection we find that there is an incredibly broad range of topics and jurisdictions involved. This Congress both Houses have taken steps to provide not only the legislative branch but the executive branch and the general public with a long-range overview of environmental problems. The House in July and the Senate in June passed legislation creating a Joint Committee on the Environment offering the chance to stand back, to assimilate, organize and offer plans for the future in the whole environmental field. Although the committee will not have legislative power, it will play a vital role in furnishing information to other committees to help insure effective action on short as well as long term environmental problems which come under their jurisdictions.

The Committee would continually study future environmental changes and their effect on population, communities, and industries, giving consideration to the effects of environmental changes on the need for public and private planning and investment in such areas as water, resources, pollution control, housing, food supplies, education, fish and wildlife, forestry, mining, transportation and power supplies. Second, this Committee will study ways to use financial and technical assistance to create and maintain conditions in which man and nature can live harmoniously while fulfilling our social and economic needs. Moreover, the Committee will seek to develop policies to encourage maximum private investment in ways to improve environmental quality.

Saline water conversion (Public Law 92–60)

Congress has approved legislation authorizing a continuation of the saline water conversion program, a program that has proven very successful and useful. Public Law 92–60 provides for this authorization under the Secretary of the Interior who is required to continue programs of research, development and demonstration of processes for the conversion of saline and other chemically contaminated water for beneficial use.

A program of research projects for the desalting of saline waters has been underway since 1952, the year in which the program was initiated by Congress. Existing authority for the Saline Water Conversion Act provides for continuation of the program through fiscal year 1972. The new act, however, extends the basic authority for the program to reflect experience with the program in recent years to conform to the current needs of the Nation. The most significant objectives of the new language is to bring the desalting effort into closer coordination with ongoing conventional water resources planning efforts and to accelerate work leading to development of a large-scale prototype desalting plant. A total of $27,025,000 has been authorized for fiscal year 1972 to carry out

the provisions with $15,675,000 for research and development; $7,385,000 for design, construction, acquisition, operation and maintenance of saline water conversion test beds and test facilities; and $1,450,000 for administration and coordination programs.

Water Resources Planning Act (Public Law 92–27)

Both Houses have approved legislation, now Public Law 92–27, amending provisions of the Water Resources Planning Act which imposes a ceiling on the annual appropriations authorized for the administration of titles I and II of the act. The amendment places a limitation of $1,500,000 annually on the combined appropriations for the administrative expenses of the Council on Water Resources. It is the Council which has responsibility to maintain an assessment of the Nation's water resources, review and establish standards and procedures for Federal water resource development, and review comprehensive river basin plans. The continued funding will maintain the establishment of joint Federal-state river basin commissions, created to perform comprehensive water resources planning for various regions and to coordinate water resource development activities in these regions.

Marine Protection, Research, and Sanctuaries Act of 1971 (H.R. 9727)

The volume of waste dumping is growing rapidly, and with many major cities running out of landfill areas, they will be looking more and more toward the oceans as a depository for wastes. It has been estimated that in 1968 alone slightly over 48 million tons of waste were dumped at sea off the shores of the United States. Congress has been continually aware of the fact that we have had no policy for the protection from dumping for coastal zones, which have significant ecological, environmental, and biological values.

Recognizing the need for regulation, the House and Senate have passed legislation to control the dumping of waste materials into coastal and offshore waters. Legislation providing strong and effective measures aimed at regulating ocean dumping is long overdue, for the ever increasing pollution of waterways is a constant threat to the health and welfare of us all.

H.R. 9727 vests the Environmental Protection Agency with final authority to regulate this dumping of waste and foreign material in coastal zones. To this end, Congress gives the Administrator of the Environmental Protection Agency, and the Secretary of the Army, the power to issue permits for ocean dumping only under specific circumstances. Penalties would then be provided for persons dumping material into waters without such a permit. The bill also provides for termination of the depositing of radiological, chemical and biological warfare agents into the ocean, and authorizes the Secretary of State to seek effective international action and cooperation through the United Nations to insure the protection of the marine environment by all nations.

Title I of this legislation authorizes the Administrator of EPA to issue permits for the transportation and dumping of material and requires a determination by the Administrator that such dumping would not unreasonably harm the environment or human health. The Administrator is required to establish criteria for evaluating permit applications which would take into account the effect on the marine environment and human welfare and an evaluation of alternative locations and methods of disposal. Any persons giving information leading to conviction under the act would be paid part of the criminal fines, subject to an overall limitation of $2,500 per offense.

Title II requires extensive monitoring and research on the effects of ocean dumping activities permitted under title I. It authorizes the Director of the National Science Foundation to undertake a comprehensive program of research on global and long-range effects of man-induced changes to ocean ecology. Such studies are essential, as our knowledge, however rapidly expanding, of the consequences of our actions in ocean dumping is still very limited.

Title III requires that marine sanctuaries be established for the purpose of preserving or restoring for their conservation, recreational and ecological values in areas of oceans, coastal waters and the Great Lakes. These sanctuaries will immediately preserve vital areas of our coastline from further damage.

Permits are to be handled through the Secretary of the Army for dredged or fill material, and through the Administrator of the Environmental Protection Agency for all other materials. When an application for a permit is received, the responsible officer is to review the application in accordance with the established criteria and require the applicant to furnish such information as may be necessary. The permit applicant is to be required to furnish all necessary information, and this information is to be a matter of public record, subject to public inspection through every stage of the evaluation. In establishing criteria, the Administrator of EPA will take into account the need for the proposed dumping, its effect upon the area in which it is to take place, including the living resources and the marine ecology, as well as the permanence of those effects and the volume and concentration of the particular proposed dumping. The criteria also cover appropriate locations for the dumping and available alternate methods of disposal.

While the actual cost of permit processing and enforcement will vary according to the number of permit applications, it is estimated that the cost of Title I during fiscal year 1972 will be $3.6 million. These costs are expected to increase to $5.5 million in fiscal year 1973; $5.9 million in fiscal year 1974, and thereafter it should gradually decrease as the need for dumping in the ocean decreases.

Water Resources Research Institutes (Public Law 92–175)

An amendment to the Water Resources Research Act of 1964, increasing the authorization for water resources research institutes has been passed by both Houses. H.R. 10203 makes a number of improvements in the act on behalf of more effective and efficient program administration, authorizes the creation of three additional research institutes for jurisdictions where there now are none, and, most important, increases the amount authorized to be appropriated for the annual allotment grant program from $100,000 to $250,000.

Authorizations will assist in fulfilling the needs of the fifty-one water resources research institutes established in the 50 states and Puerto Rico, pursuant to the Water Resources Research Act of 1964 for additional funds for annual grants, simplification of fiscal aspects of their programs, changes in accounting procedures, and simplification of methods by which the institutes can acquire excess Federal property used by them in this work. The bill also fulfills the needs of the District of Columbia, the Virgin Islands and Guam for the establishment of research facilities for water related problems by adding those three areas to the list of States and territories authorized to receive grants under the act for water resources research.

The District of Columbia and the territories have land-grant colleges that would, under this bill, be eligible for research and training programs. In fact, the District of Columbia has two such institutions that would qualify, the Federal City College and the Washington Technical Institute. These areas have water related resource requiring research unique to each locality and they have the prerequisites necessary to qualify as recipients under the act.

Section 2 makes mandatory by congressional action the dissemination of information developed as a result of these federally supported research projects. Section 3 requires better consultation among the states and Federal government in the development of research activities and programs, insuring that funds expended through the Office of Water Resources Research will be spent on the most relevant and practical studies possible. Section 4 simplifies the accounting procedures of the various institutes participating in the program. Section 5 requires annual reports to Congress on the program, providing Congress with a more effective oversight and insuring that the overall program is kept in its proper perspective.

The bill retains the cooperative Federal-State concept and nature of water resources research grants and improves that relationship by providing for simplification of State programs and project proposal budgets and providing for reduced record-keeping. In order to increase the effectiveness of research programs of the several research institutes, the bill requires that programs funded through allotment grants be created in consultation with State or jurisdictional water resource officials. It is hoped that this requirement will increase results by adding an additional measure of practical direction to research undertaken by these institutions.

Timely resolution of these jurisdictions' water resources related problems demands that a research capability be created in each jurisdiction and that adequate funding be provided. This amendment provides an important step in fulfilling that need. The new amendment will also facilitate a wider distribution of the output of Research Institutes, so that their findings can be quickly available to all interested parties for study and implementation.

Federal Environmental Pesticide Control Act of 1971 (H.R. 10729)

Regulations on the manufacture and use of pesticides such as DDT which have been assistance to farmers and homeowners but often a hazard to health and the environment have been approved by the House. H.R. 10729 requires approval by the Environmental Protection Agency of new pesticides and would empower the Agency to suspend their use if they are later found harmful. The 60,000 different pesticide products would be divided into two categories of use, general and restricted, with highly toxic pesticides in the restricted category available only by a certified expert. Criminal penalties have been provided for issue.

Use of pesticides to kill harmful insects and other pests prevents crop losses estimated at $20 billion each year. In addition, there are also about 75,000 cases of pesticide poisoning causing about 1,000 deaths each year. In fact, a court suit brought by private environmental groups has forced the Environmental Agency to conduct hearings on whether the use of DDT should be forbidden altogether. Under the bill, states would be permitted to enforce their own pesticide laws if they are tougher than Federal standards. Finally, provision is made for the federal government to pay users and manufacturers for stocks on hand if a pesticide, after first being approved by the Agency, was later ordered withdrawn.

H.R. 10729 specifies that restricted use of pesticides could be used only or under the supervision of a certified pesticide applicator or subject to other regulatory restrictions. New Procedures are set for the EPA administrator to register and suspend registration of all pesticides. A committee on the National Academy of Science would be required to advise on scientific matters. Penalties for violations of the act are set at up to $5,000

per violation. Violation by private applicators would be punishable by fines of up to $1,000. In addition, the Environmental Protection Agency is authorized to engage in pesticide research and to establish a national plan for monitoring pesticides. Open-ended authorizations for fiscal years 1972 through 1974 are set for administration of act.

Extension of Federal Water Pollution Control Act (Public Law 92–50)

Since June 30, 1971, the programs and authorizations under the Federal Water Pollution Control Act have been carried out and continued under the authority of three temporary resolutions. Both Houses approved early in the session legislation extending through September 30, 1971 authorizations for these expiring federal water pollution control programs. Public Law 92–50 authorized grants for state water pollution control programs at $2,500,000 and construction grants at $500 million for the three month period. Fiscal 1970 authorizations for the programs had been set at $1.25 billion annually. Final total authorizations approved in Public Law 92–50 were set at $1,500,000. Subsequently, the fiscal 1972 agricultural-environmental and consumer appropriations bill approved by Congress in July contained appropriations for fiscal 1972 for construction grants at $2 billion.

Water Pollution Control Act extension—One month (Public Law 92–137)

The Senate on September 29 and the House September 30 passed S. 2613 extending authorizations for federal water pollution control programs for one month. Public Law 92–137 was the second interim extension of water pollution control programs in 1971. Authorizations were increased by the act by $150 million to $650 million for grants to local governments for constructing water treatment facilities. Under the previous extension $500 million was authorized for the three-month period from July 1 through September 30. Other authorizations to cover the month of October included an increase of $7 million for research under the jurisdiction of the Environmental Protection Agency and $1.5 million for state water pollution programs.

Federal Water Pollution Control Act extension (H.R. 11423)

A third extension of the Federal Water Pollution Control Act until January 31, 1972 was passed by the House in October and the Senate in November. Section 1 of H.R. 11423 extends section 5 of the act and provides an additional authorization of $20 million for the four month period for research, investigations, training, and information programs. Section 2 authorizes $7 million in addition to funds previously appropriated this year for financing research and development grant programs. Section 3 provides an additional $6 million for continuation program planning by the states. Consequently, this makes a total of $10 million for the seven-month period ending January 31, 1972 for state program planning. Section 4 increases the authorization for the basic grant program for waste treatment facilities to $1,250,000,000. In addition, section 4 provides for extending the eligibility requirement to certain states to be reimbursed for the Federal share on such projects as have been financed under the provisions of the act.

National Advisory Committee on the Oceans and Atmosphere (Public Law 92–125)

For more than a decade there has been a growing concern among Members of Congress and among segments of the general public that the Nation has been deficient in addressing attention to the vast resources of the oceans and the development of inland water bodies. That concern culminated in the Marine Resources and Engineering Act of 1966, in which congressional intent was made clear that a coordinated and vigorous national ocean program was of major importance and that it should be developed promptly.

As a part of the act, a Commission on Marine Science, Engineering and Resources was established to develop background information and to propose recommendations upon which the program could be based. One of the major recommendations to be made by that body was the creation of an advisory body to serve as a link between the Federal government, on the one hand, and state and local governments, private industry, and the scientific and academic communities, on the other.

During this session Congress has formalized this recommendation by approving H.R. 2587, new Public Law 92–125, creating the National Advisory Committee on the Oceans and Atmosphere. The act provides for the creation of a 21 member body to be appointed by the President primarily to assist executive agencies in policy and program formulation. Each department and agency of the Federal government concerned with marine and atmosphere matters is to designate a senior policy official to assist in the committee's work and to serve as a point of liaison with their agencies.

The Committee is authorized to perform a continuing review of the progress of the marine and atmospheric science and service programs of the country, and to advise the Secretary of Commerce with respect to implementing the purposes of the National Oceanic and Atmospheric Administration. Finally, the Committee is to submit an annual report which will hopefully reflect the broad experience of the members by the inclusion of specific recommendations which will insure the most practical approach to the thorough and expeditious implementation of a complete and coordinated national ocean program.

Preservation of Pacific coral reefs (S. 1733)

Authorizations for the study and preservation of the Pacific Coral Reefs was approved by the Senate in September. S. 1733 amends Public Law 91–427 to provide support for the coordination in the National Oceanic and Atmospheric Administration of existing research and control efforts which have been or are being conducted by diverse agencies and institutions at the national and local levels. Public Law 91–427, approved September 26, 1970, established the National Oceanic and Atmospheric Administration (NOAA) with the purpose of coordinating oceanic activities of the Federal Government. S. 1733 places joint responsibility with the Smithsonian Institution for administration of Public Law 91–427 in NOAA under the Secretary of Commerce rather than the Secretary of the Interior. That act has provided for the joint administration of the Crown of Thorns starfish study and control program by Secretary of the Interior and the Smithsonian Institution. This new legislation authorizes the appropriation of $4.5 million for the period ending June 30, 1975 and provides for cooperation with and assistance to the State of Hawaii and the territories and possessions of the United States in their study and control of the Crown of Thorns starfish.

International moratorium on killing of whales (H. Con. Res. 387, S.J. Res. 115)

In response to the plea for an end to the appalling slaughter of whales, the House and Senate have passed separate legislation calling for a temporary moratorium on the killing of all species of whale, porpoise and dolphin. Both bills, H. Con. Res. 387 and S.J. Res. 115, provide for a moratorium of ten years, during which time international accord on future conservation and utilization of the world's whale population could be pursued. Both are designed to protect the whale from complete annihilation at a time when their numbers are in rapid decline. In one year alone, in 1969, it is estimated that a total of 200,000 whales were killed by the Japanese whaling industry alone. In 1940, it is further estimated that the blue whale numbered about 100,000. Today, however, fewer than 3,000 remain alive. The population of the finback whale has also decreased, from an estimated 400,000 to approximately 100,000. Only the grey whale has managed to increase its population, and that was achieved by the joint efforts of the United States and Mexican Governments to protect it from total extermination. In view of the rapidly depleting numbers of the whale family from the oceans and the impending dangers from fishing and massacre which confronts them, these resolutions will assist us in avoiding the disaster that the whale's extinction would represent.

Hunting animals from aircraft (Public Law 92–159)

Both Houses have approved legislation amending the Fish and Wildlife Act of 1956, providing a criminal penalty for the shooting at birds, fish and other animals from aircraft. Public Law 92–159 calls for a fine up to $5,000 and up to a year in prison for killing animals from the air without special permission. The prohibition against shooting, however, is not applicable to any person carrying out duties in the administration and protection of land, water, wildlife, livestock, domesticated animals, human life, or crops, if such a person is an employee, authorized agent or operating under license or permit of any state of the Federal government. While many states have already enacted legislation or regulation to regulate the use of hunting while airborne, this act supplements these state laws by establishing nationwide uniform regulations.

Protection of wild horses and Burros on public lands (Public Law 92——)

A clearly justified concern for the protection of wild horses and burros roaming on public land in the Western states has increased at a time when there is virtually no protection for these animals. The House, with the Senate concurring, has passed S. 1116, now Public 92——, authorizing the establishment of ranges for wild horses and burros, providing for the elimination of old, sick, or weak animals, and setting penalities for anyone selling, harming, killing, or harassing wild horses and burros. It totally prohibits the processing into commercial products any wild horse or burro. Importantly, the law provides that no wild horse or burro may be destroyed by anyone except agents of the Secretary of the Interior. In such instances, the destruction of old or ailing animals may occur only if it is deemed necessary by the Secretary as the only practical means of removing excess animals from an area which cannot sustain them. A fine of $2,000, imprisonment of up to one year, or both penalties, may be prescribed for anyone violating any of the provisions of the bill.

This legislation provides for not only the protection of wild mustangs and burros, but for their management and control as well. The Secretary of Interior is authorized to establish and maintain at least 12 ranges for these animals and it is so stipulated in the law that the ranges should be managed so as to attain and maintain a sound, natural environment. The Secretary is further directed to establish a nine-member Joint Advisory Board to advise him on the care and protection of these animals.

It has been estimated that the number of wild horses roaming the western grasslands has been reduced from an estimated 2 million to fewer than 17,000 since the beginning of the century. This decimation has resulted from their being hunted down for sport and slaughtered for pet food, as well as from epidemics of disease and starvation. Wild horses and burros may face extinction within a few

years without controls, protection and proper care. This new law answers this need for action by offering sound protection and preservation in their habitat without undue interference or unnecessary confinement.

Fishermen's Protective Act amendment (H.R. 3304)

In October, the House approved and sent to the Senate H.R. 3304 known as the Fishermen's Protective Act, to conserve and protect Atlantic salmon of North American origin. As passed, the bill authorizes the President of the United States to prohibit the importation into this country of fishery products from nations that do not conduct their fishing operations in a maner that is consistent with international fishery conservation programs. Although the bill would cover all species of fish, it is designed to protect mainly the salmon.

H.R. 3304 amends the Fishermen's Protective Act of 1967 by adding a new section providing that whenever the Secretary of Commerce determines that nationals of a foreign country are conducting fishing operations in a manner which diminishes the effectiveness of an international fishery conservation program under an agreement to which the United States is signatory, the Secretary of Commerce would be required to certify this fact to the President of the United States. Upon receipt of such certification, the President, in turn, would be authorized to direct the Secretary of Treasury to prohibit the importation into the United States of any or all fish products of the offending country for such duration as he may deem appropriate and to the extent such prohibition is sanctioned by the General Agreement on Tariffs and Trade.

This legislation makes it unlawful for any person subject to the jurisdiction of the United States to knowingly bring or import into the United States any fish products prohibited by the Secretary of the Treasury. Violators would be subject to a $10,000 fine for the first offense and a $25,000 fine for each subsequent offense. In addition, all fish products illegally imported into the United States would be subject to forfeiture or the monetary value thereof and, in general, all provisions of law relating to seizure, judicial forfeiture, and condemnation of cargo for violation of the customs laws would be applicable. Enforcement responsibilities would be vested in the Secretary of Treasury and judges of the United States district courts and United States Commissioners would be authorized to issue warrants or other processes as would be necessary to enforce the provisions of this act.

Protection of the salmon in high seas crossing territorial and international boundaries requires full cooperation of all nations involved if these species of fish are to be preserved for future use and enjoyment. H.R. 3304 accomplishes this purpose, not only with the Atlantic salmon, but with other species of fish that may be covered by an international agreement to which the United States is signatory. The authority set forth in this legislation will prove invaluable in our Nation's attempts to stop the exploitation of the fisheries resources off our coasts, while hopefully providing the means to effectively enforce international fishery conservation programs.

Alaska Native land claims (H.R. 10367)

Congress approved H.R. 10367, providing for the settlement of certain land claims of Alaska natives. The legislation has one main purpose: to settle native land claims by terminating all native claims of aborginal title, in return for which the natives are to be granted a certain acreage and a specific payment. Since 1867, when Alaska was purchased from Russia, the United States has held the responsibility for the natives, to leave undisturbed the native's possession, use, and occupancy of Alaskan land. Congress reserved to itself the determination of their title. The Alaskan native people, however, have no clear legal remedy or recourse to advance their claims except as is specifically provided by Congress. Following the passage of the Alaska Statehood Act, the State of Alaska began to select land from the 103 million acre land grant that had been accorded by Congress. These State land selections together with private development, under the public land laws, brought increased pressures on the native people. Beginning in 1961, a series of protests based upon the doctrine of aborginal rights were filed with the Bureau of Land Management protesting the granting away of lands claimed by native groups to the State and to others. In April 1968, there were 296 million acres subject to the land claim protest.

Amending the Small Reclamation Loan Program Act (Public Law 92–167)

The House and Senate have both approved legislation amending the Small Reclamation Projects Act of 1954 by removing the requirement that irrigation be the primary purpose of a reclamation project and by increasing the limit on the total cost of each eligible project under the act. Public Law 92–167 further increases the amount of loan funds authorized for each proposal and increases total authorization for program appropriations.

In permitting assistance for nonirrigation projects, the new act is consistent with the present trend from rural to urban development. The term "project" in the 1954 act has been interpreted to mean any complete water development having irrigation as a purpose authorized to be constructed pursuant to the Federal reclamation laws. This preserves the basic purpose of the 1954 act of assisting small irrigation projects, while at the same time giving the Secretary of the Interior flexibility for approval of projects having environmental, recreational and other public benefits and avoiding possible duplication of other Federal programs for municipal and industrial purposes.

The existing limit of $10 million on the maximum construction cost of an eligible proposal under the act is amended to provide for cost indexing to reflect price level changes since 1956. The present limit of $6.5 million on the amount of Federal financing for a single proposal is increased to 65 percent of the current indexed maximum cost. Such indexing costs are based on engineering cost indexes.

FOREIGN AFFAIRS NATIONAL DEFENSE

Extension of the draft (H.R. 1653, P.L. 92–129)

Criticism of the draft system led the President to request that Congress approve an all-volunteer armed forces by mid-1973. His proposals were based, in part, on the report of the Advisory Commission on an All-Volunteer Armed Force, issued in February 1970, which stated that the draft could be abolished by mid-1971. The Senate and House, however, deferred judgment on that proposal and agreed only to extend the draft for another two years.

After three days of debate the House approved, on April 1, a two-year extension of the draft.

The Senate completed action on the House bill on June 24. As cleared for the President's signature, the bill provided a two-year extension of the draft, pay increases and other types of compensation for servicemen, a lottery selection system, authority to draft college students entering school after the spring of 1971, expanded procedural rights for draft registrants, drug treatment and alcoholic treatment programs for the military, ceilings on active duty forces and the number of draftees for fiscal 1972, an extension of statute limitations for those failing to register for the draft, and a sense of Congress resolution urging the President to negotiate a Vietnam cease-fire and withdrawal of U.S. troops at the earliest possible date. The measure was signed into law, P.L. 92–129, on September 28.

Concerning the war powers of the President and Congress (H.J. Res. 1)

Hearings held in the 92d Congress have centered around the constitutional roles of the President and the Congress in foreign affairs. The House, August 2, approved H.J. Res. 1, reflecting this concern. The resolution provides that the President will report to Congress when, without specific prior authorization by Congress, he commits United States military forces to armed conflict.

This legislation would codify procedures for consultation and reporting in certain extraordinary and emergency circumstances. It would require not only that the President consult with Congress before committing troops, but that consultation should continue on a periodic basis for the duration of the conflict. It would further require that the President promptly submit a full and formal report to Congress setting forth the circumstances necessitating his action, and any other information he may deem useful to the Congress in the fulfillment of its constitutional responsibilities.

While the resolution recognizes the prerogative of the President to defend the Nation without prior congressional authorization, it also expresses congressional consensus that the Legislative Branch must reassert its constitutional role in the decision-making process as to whether the country should go to war.

Our foreign policy cannot be effectively and responsibly conducted if that relationship does not exist between the President and the Congress. H.J. Res. 1 is a step in the right direction.

Approved by the House on August 2, H.J. Res. 1 provides that the President seek appropriate consultation with the Congress before involving U.S. forces in conflict. Prior authorization of Congress is not required, according to the resolution, when the President shall submit to the Congress a report on the reasons for the action, the authority for the action, scope of the activities and any other pertinent information.

Other defense actions

On October 4 the House, by a 369–0 roll-call vote, passed a resolution, H. Con. Res. 374, calling for the humane treatment of American servicemen held prisoner by North Vietnam and its allies and endorsing efforts to win their release.

The Congress passed a measure, H.R. 8311 extending the life of the Renegotiation Board for two years through June 30, 1973. The legislation was signed into law, P.L. 92–41, on July 1.

The House also has before it a bill, H.R. 10422, which limits the ways in which a person may be discharged from the military under conditions other than honorable. The measure passed the House on October 4.

International finance (S. 748, S. 749, H.R. 5013, H.R. 5014)

On October 19 the Senate passed a bill, S. 748, adding a provision to the Inter-American Development Bank Act which authorizes the U.S. Governor of the Bank to pay to the Fund for Special Operations two annual installments of $450 million each. On the following day the Senate passed a measure, S. 749, authorizing U.S. contributions to the Special Funds of the Asian Development Bank. Related bills in the House, H.R. 5014 and H.R. 5013 respectively, have been approved by the House Banking and Currency Committee but have not been reported.

International trade (S. 581, P.L. 126; H.R. 7117; H.R. 9181, P.L. 92–87)

On August 17, 1971, the Export Expansion Finance Act of 1971 was signed into law, P.L. 92–126. S. 581 passed the Senate on

April 5, 1971. The House passed its version of the bill, H.R. 9181, on July 8.

The legislation amends the Export-Import Bank Act of 1945 to exclude Bank receipts and expenditures from the Budget and exempt them from budget outlay limitations. It also makes certain changes in the Banks' guarantee and insurance authority, aggregate transaction authority, credit transactions, and statutory life.

On August 2, the House passed a measure, H.R. 7117, to amend the Fishermen's Protective Act of 1967 to expedite reimbursement of United States vessel owners in cases of illegal seizure of ships by foreign countries. No action has been taken on the bill in the Senate.

On August 11 the Northwest Atlantic Fisheries Act Amendment, H.R. 9181, became P.L. 92-87. The legislation passed the House on July 6 and was approved in the Senate two weeks later. The amendment makes certain clarifications and extensions in the Northwest Atlantic Fisheries Act which concerns regional fishing rights and regulation.

GENERAL GOVERNMENT

Each year we pass legislation which concerns, in general, the operations of the Government. This can include Congressional operations, executive branch reorganization, federal employees, legislative-executive relationships, and the like.

In this section of the report are summarized those bills passed by both Houses, or just one of them, during this session in this area.

Campaign financing (S. 382, H.R. 11280, H.R. 11060, H.R. 11231)

During the 91st Congress we passed S. 3637, a bill to limit expenditures for radio and television advertising by political candidates. The President vetoed that measure, citing, among other reasons, that it unfairly singled out the broadcasting industry to bear the brunt of the effort to limit campaign costs.

That abortive effort, however, was instrumental in making campaign finance regulation and expenditure limitation one of the priority items of debate in the 92d Congress. Hearings on the subject were held by the Senate Commerce and Rules and Administration Committees and by the House Administration and Interstate and Foreign Commerce Committees.

The Senate-passed bill, S. 382, provides for: (1) repeal of the equal time provision of the Communications Act for all major party candidates for Federal office; (2) the lowest unit cost for TV and radio advertising time for political candidates during the 45 days preceding a primary election and the 60 days preceding a general or special election; (3) the same for non-broadcast media (newspaper, magazine, periodical, and billboard advertising); (4) a limitation of 5¢ per eligible voter for non-broadcast spending, or $60,000, whichever is larger, with provision to transfer up to 20 percent from one category to the other; (5) each candidate to be responsible for all spending on his behalf and (6) the limitation in presidential primaries to be the eligible voting age population in the entire State.

S. 382 also rewrites the Corrupt Practices Act to broaden coverage to include all elections and virtually all political committees. It requires fuller disclosure of contributions received and expenditures made by candidates, and their commitees, for Federal office. A Federal Elections Commission would be established to oversee reporting and to publicize the data.

In addition, the Senate bill would place a ceiling on the contributions which can be made by any candidate or his immediate family to his own campaign as follows: President, and Vice President $50,000; Senator, $35,000; and Representative, $25,000.

Finally, the Senate version provides for the Civil Aeronautics Board, the Federal Communications Commission, and the Interstate Commerce Commisison to promulgate regulations with respect to the extension of credit without collateral to or in behalf of any candidate for Federal office.

In the House three bills were reported to the floor for consideration: H.R. 11060 from the House Administration Committee, H.R. 11231 from the Interstate and Foreign Commerce Committee, and H.R. 11280 identical to the Senate bill.

After nearly eight hours of debate the House passed S. 382, as amended, November 30. The major changes in the Senate bill which were made are: (1) to require that reports be filed with the Secretary of the Senate and the Clerk of the House for House and Senate candidates, and with the Comptroller General for presidential candidates, rather than with a Federal Elections Commission; (2) to eliminate filing of contributions and expenditures reports with local Federal District Courts; (3) to eliminate the requirement that $100 contributors be identified in reports; (4) to eliminate the requirement for the lowest unit cost; and (5) to eliminate repeal of the equal time provision.

Conferees will report to the House early next year.

Public funding of presidential elections (H.R. 10947)

Attached in the Senate to the Revenue Act of 1971 (H.R. 10947) was provision for public funding of presidential elections. Essentially the old Presidential Campaign Fund Act of 1966 was resurrected. That Act has lain dormant on the books since 1967 when the Senate refused to fund it.

The new Fund would not be effective until the election of 1976. Money for the Fund would come from taxpayers who will have the privilege of earmarking $1 of their taxes owed for the Fund. The taxpayer may designate the party to which he wishes his dollar to go or may choose to have it go into the general fund. Minor parties which poll a sufficient vote can qualify for assistance.

The amount which a candidate of a major party can draw from the Fund is determined by multiplying 15 cents times the eligible voting age population. Major party candidates would receive equal amounts if each chose public financing. A candidate can refuse public funding. The House accepted this in conference with deferment of implementation until 1976.

FEDERAL EMPLOYEES

Bills which affect Federal employees have once again caught the interest of Congress. The House has passed legislation to liberalize the civil service retirement system with regard to cost of living increases (S. 1681, amended, May 17, 1971), to eliminate some of the unnecessary reporting requirements subsequent to employee training (H.R. 134, July 19, 1971), and to provide equality of treatment for married women Federal employees with respect to preference eligible employment benefits and separate maintenance allowances in foreign areas (H.R. 3628, August 2, 1971). The more than 2.8 million Federal employees will benefit from these measures, which await Senate action.

There are two other areas of major fiscal concern to Congress. These are salary increases for Federal classified employees and establishing a prevailing rate pay system for Federal blue-collar employees.

Federal employees salary increases, disapproval action (H. Res. 596 and S. Res. 169)

Public Law 91-656 provided President Nixon with the authority to increase salaries of Federal classified employees on January 1, 1972. If the President determined that a national economic emergency existed, he could submit an alternate plan to Congress. Congress then would have thirty days in which to disapprove the alternate plan.

The alternate plan submitted by the President on August 29, as a result of his New Economic Program, provided for a delay of the salary increases until July 1, 1972. Many Members felt that this plan imposed an unfair burden on employees of the Federal Government. Resolutions of disapproval were introduced in both the House and Senate. H. Res. 596 failed of passage October 4, 1971. S. Res. 169 met the same fate October 7, 1971.

When the wage freeze was lifted, several Members introduced bills to allow the January 1 salary increase for Federal employees to take effect with the limitation that the rate of increase be held to that prescribed by the Pay Board for the private sector. The Senate and House have acted to add this provision as an amendment to the Economic Stabilization Act of 1971 (S. 2891 and H.R. 11309). About 2.8 million Federal employees will receive an increase of approximately 5.5 percent on January 1, 1972.

Federal blue-collar wages (H.R. 9092)

The House, on July 28, passed H.R. 9092, which would establish an equitable statutory system for fixing and adjusting the rates of pay for Federal prevailing rate employees. On January 1 of this year President Nixon vetoed similar legislation approved by the 91st Congress. More than 800,000 Federal employees have their wage rates set under a system which has been established and administered by the executive branch alone. We in Congress agreed with the unions that all Federal employees should have their salary systems covered by statute. If the Senate concurs this will be effected. And at the same time, the 140,000 employees of non-appropriated fund activities of the armed forces will be included in the prevailing rate system as they have not been in the past.

Extension of Reorganization Act (H.R. 6283; P.L. 92—)

Over twenty years ago the Congress approved the Reorganization Act of 1949, which gives the President authority to submit reorganization plans in order to accomplish certain needed organizational changes in the executive branch of the government. The plans become effective automatically within 60 days unless rejected by either the House or the Senate. The rationale for enacting this kind of legislation (which some critics have referred to as a "reverse method of legislating") was to provide the President with an effective and relatively rapid means by which certain internal reorganizations could be effected. The original act ran for four years; since then it has been extended usually for two years at a time. This allows the Congress to review the reorganization authority periodically to determine whether it should be modified in some ways. Changes have been made in the act over the years, refining it and shaping it better to conform to Congressional intent.

The Reorganization Act was extended in 1969 to April 1, 1971. The question of a further extension thus arose during this first session of the 92nd Congress. On February 1 the Office of Management and Budget, on behalf of the President, requested a two-year extension of the President's reorganization authority to April 1, 1973, "to help the President continue with a never-ending task of providing sound machinery to administer our laws." Hearings were held by the Legislation and Military Operations Subcommittee of the House Committee on Government Operations on March 25 and 29, 1971. The House Committee reported the bill on April 22, with three major amendments: (1) to extend the authority from April 1, 1971 to April 1, 1973; (2) to limit the number of plans the President may submit to Congress to not more than one within any period of 30 consecutive days; and (3) to prohibit the submission of a plan that deals with more than one logically consistent subject matter. The bill was approved, as reported, on May 3, 1971.

The Subcommittee on Executive Reorganization and Government Research of the

Senate Committee on Government Operations held hearings on this legislation on March 24 and subsequently reported out the House-passed bill on November 17 with three amendments: (1) to change from 10 calendar days to 20 calendar days the period the committee has to consider a disapproval resolution before a discharge petition may be filed; (2) to revise language in the original law to simplify and clarify its provisions without effecting any substantive changes; and (3) to amend certain language in the statute relating to the Board of Commissioners of the District of Columbia to reflect the change in the District's government from the board to a single commissioner. The bill, as amended, was passed by the Senate on November 19, cleared for the President by the House on December 1.

The Reorganization Act of 1949, as amended, is one of the essential tools the President has to manage the executive branch and to insure that the laws enacted by Congress are implemented as efficiently and effectively as possible. It has been granted to, and used by, every President since Herbert Hoover in some form. Although some Members of Congress over the years have maintained that it is an unconstitutional delegation of legislative authority, from a practical point of view it has been useful in allowing the President to make certain organizational changes in executive agencies that he thinks are necessary. And, of course, the Congress can always exercise its option to reject a particular plan or to amend the use of the reorganization authority as it sees fit when the act is being considered for extension.

Reorganization Plan No. 1 of 1971—Action

The only reorganization plan submitted by the President during 1971 was sent to Congress on March 24, shortly before his reorganization authority lapsed on April 1. The purpose of the plan was to consolidate various volunteer programs operating in different agencies into one new, independent, agency to be called Action. Programs involved were: Volunteers in Service of America (VISTA) and Auxiliary and Special Volunteer Programs for OEO; Foster Grandparents and Retired Senior Volunteer Program (RSVP) from the Administration on Aging, HEW; and Service Corps of Retired Executives (SCORE) and Active Corps of Executives (ACE) from the Small Business Administration. The President also declared that if the plan were approved, he would delegate the principal authority for the Peace Corps (from State) and for the Office of Voluntary Action (from HUD) to the new agency.

The rationale for this reorganization was to consolidate the several existing voluntary citizen service programs, to systematize volunteer service, to expand innovations in voluntary actions, to develop new opportunities for volunteer service, to combine domestic and foreign voluntary programs, and to provide for a more effective system of recruitment, training, and placement of citizen volunteers.

Some valid questions about the workability of this plan were raised by various Members of Congress. They were fully explored in hearings held by the Legislation and Military Operations Subcommittee of the House Government Operations Committee on April 29, May 3, and 4, 1971. A disapproval resolution (H. Res. 411) was unfavorably reported by the Committee on May 20, and the resolution was rejected (so that the plan was approved) on May 25.

The Senate Subcommittee on Executive Reorganization and Government Research of the Government Operations Committee held hearings on the plan on May 5 and 6, reported unfavorably a disapproval resolution (S. Res. 108) on May 26, and approved the plan by rejecting the resolution on June 3. The plan and the creation of Action became effective on July 1, 1971.

OBSCENE MAIL

H.R. 8805, a bill to prohibit the use of the mails to send obscene matter to minors, and to protect the right of privacy of others by defining obscene matter, passed the House July 7, 1971, by a 356–25 roll call vote.

This measure has three purposes: (1) to create a new category of nonmailable obscene matter with respect to minors; (2) to define the term "obscene" with respect to matter that is mailed; imported, broadcast, or transported in interstate commerce; and (3) to provide mail patrons with a means not to receive unsolicited "potentially offensive sexual material." Present provisions in the law relating to the mailing of obscene matter have been ineffective, primarily because no provision of Federal law provides a definition of "obscene." H.R. 8805 establishes definitions of "obscene" matter that will be nonmailable to minors under the age of 17, and provides a definition of "obscene" matter for general application to distribution of matter through the United States mails.

Rules of the House (H. Res. 5)

With passage of House Resolution 5 on January 22, 1971, the House re-adopted the rules of the 91st Congress together with all applicable provisions of the Legislative Reorganization Act of 1946, as amended, especially by the Legislative Reorganization Act of 1970. In addition, H. Res. 5 made the following changes: (1) the Select Committee on Small Business became a permanent select committee; (2) committees shall adopt written rules; (3) committees shall provide in their rules of procedure for the application of the five-minute rule in interrogating witnesses, until each committee member who so desires has had an opportunity to question the witness; (4) the minority party on any standing committee is entitled to fair consideration in the appointment of committee staff; (5) the Resident Commissioner to the United States from Puerto Rico, in his committee assignments, shall possess the same powers and privileges as other members; and (6) the Delegate from the District of Columbia shall be elected to serve on the Committee of the District of Columbia and other committees and shall possess in all committees on which he serves the same powers and privileges as other members.

Lowering the Voting Age to 18—26th Amendment (S.J. Res. 7 and H.J. Res. 223)

The 26th Amendment became part of the U.S. Constitution on July 1, 1971 when the Ohio Legislature ratified the amendment. This action culminated recent efforts to lower the voting age. In the 91st Congress Title III of the 1965 Voting Rights Act Amendments provided that 18 year olds could vote in all elections. Immediately following passage of the Act it was brought before the Supreme Court to test its constitutionality. On December 21, 1970 the Supreme Court ruled that Congress could statutorily lower the voting age for Federal elections but not for State and local elections. Thus, a problem of a dual voting and registration system resulted which would have added an undue burden on the States. This prompted quick Congressional action to pass a Constitutional Amendment in the 92nd Congress. The Senate resolution, S.J. 7, was passed on March 10 and the House resolution, H.J. Res. 223, (identical to S.J. Res. 7) passed on March 23, 1971.

Ratification of the 26th Amendment was made in the record time of 99 days. As a result of this Amendment 11 million 18-20 year olds will be eligible to vote in the 1972 elections. Of these newly enfranchised 18-20 year-olds the Bureau of the Census said, 900,000 are in high school, 4 million in college, 4.1 million working full time, 1 million housewives, 800,000 in the armed services, and the rest in hospitals, prisons or other institutions. As we stated in the report of the Constitutional Amendments Subcommittee to the Senate Committee on the Judiciary: "It is right to extend the vote to 18 year olds in all elections: because they are mature enough in every way to exercise the franchise; because they have earned the right to vote by bearing the responsibilities of citizenship and because our society has so much to gain by bringing the force of their idealism and concern and energy into the constructive mechanism of elective government."

HEALTH AND HEALTH INSURANCE

Black lung benefits (H.R. 9212)

This legislation amends the black lung benefit provisions of the Federal Coal Mine Health and Safety Act of 1969. The bill provides benefits for the 2000 children who are double orphans and whose father died of black lung. It exempts the benefits from black lung payments from the computation of income for the purpose of drawing social security benefits and removes the requirement that X-ray evidence, or the lack of it, be the sole determining requirement in the affirmation or denial of black lung benefits. Benefits are extended to miners who work above the ground (strip miners). It also extends for two years the timetable for transfering the black lung program from the Federal Government to the States.

The Comprehensive Health Manpower Training Act of 1971 (H.R. 8629, P.L. 92–157)

The mounting health-care crisis in this country is a matter of concern to all of us. Access to quality health care is a right for all Americans, as Congress has recognized for a number of years by authorizing Federal funds to enable Amercans to purchase health care. It is now imperative that we improve the capacity of the health-care system to meet the rising demands for service.

One element in the growing imbalance between the demand for quality health-care services and the ability of the health-care system to respond is the shortage of health-care personnel, especially for millions of Americans living in rural and inner-city areas. On November 9th, Congress completed action on a landmark bill which seeks to meet this need. It includes grants for producing both new kinds and levels of health-care personnel and provides special incentives to encourage health professionals to work in underserved areas.

The Comprehensive Health Manpower Training Act of 1971, P.L. 92–157, authorizes a total of $2.9 billion over a three year period for construction grants, student loans, and scholarship funds and grants. This legislation acknowledges a basic Federal role in support of health professions education by authorizing an institutional grant to schools based on a formula subject to annual review. The formula considers: the number of students enrolled; the increases made in enrollment; and the school's efforts to shorten medical education. This approach will provide the schools with a level of support that will stabilize their finances and direct their energies to responding to the needs of our Nation. The schools must assure substantial increases in their enrollment by September 1972, a provision which guarantees an increase in the amount of qualified health personnel.

The health profession schools are encouraged to develop new types of health professionals, such as physicians' assistants and dental therapists—careers requiring less costly and lengthy training than is now the case. The legislation offers incentives to health professionals who will work in underserved areas through a loan forgiveness provision, scholarships, recruiting efforts to attract people from shortage areas, and support for family medicine and other primary care programs in hospitals, because of the relative success of such programs in sending graduates into shortage areas.

A new grant program is authorized to encourage the use of computer technology for the processing of biomedical information

in the provision of health services and for research to determine those functions provided by physicians which could be appropriately transferred and performed by other trained personnel.

The Nurse Training Act of 1971 (H.R. 8630, P.L. 92-158)

Nursing is required on a more intensive basis over a longer period of time than any other single kind of health service. There is an estimated shortage of 150,000 nurses at the present time. By 1975 it is projected that we will need 300,000 more nurses than are currently available if we are unable to increase the rate at which we train nurses.

The Nurse Training Act of 1971, P.L. 92-158, seeks to meet this need by authorizing $855.5 million over a three-year period for special project grants, financial distress grants, institutional support by means of a capitation formula, grants for the establishment of new nurse training programs, traineeships for advanced training, scholarship grants, and other innovative features.

The legislation contains provisions for strong institutional support through capitation grants which will provide incentives to increase enrollments, to shorten curriculums and to develop new types of health professional assistants and nursing specialists. Provision is made for the recruitment of individuals with a high potential for training, who because of economic or socially disadvantaged backgrounds would not without special encouragement seek training in the health professions. Nursing schools are required to submit with their applications for institutional support a plan citing at least three innovative programs they intend to undertake in the succeeding 2 years. These innovative projects could include training for new roles, types, or levels of nursing personnel, programs to promote the full utilization of nursing schools, or the development of curriculum improvement with a view towards assuming greater patient care responsibility.

Medical care facilities; disaster relief amendments (S. 1237)

This legislation is designed to provide Federal assistance for the repair, reconstruction, and rebuilding of private nonprofit medical care facilities that have been destroyed by a major disaster after January 1, 1971. It also provides that if a medical facility is under construction at the time of the disaster, a Federal grant will be made of 50% of the net cost of restoring the facility to substantially its condition prior to the disaster, and of 50% of any construction completion cost increases resulting from the disaster. A medical facility which has been fully constructed would benefit under this legislation by 100% of the cost of replacement paid for by Federal grants. The bill was passed by the House on December 6 and by the Senate on December 8.

Conquest of Cancer Act (S. 1828); National Cancer Attack Act (H.R. 11302)

House Concurrrent Resolution 675, passed by the House last year, expressed the unanimous sense of the Congress that the conquest of cancer is a national crusade, and stated that the Congress should appropriate the necessary funds so that the citizens of this land and other lands might be rid of this terrifying disease. This year both Houses of the Congress enacted legislation designed to carry through on the policies expressed in that concurrent resolution.

On July 7th, the Senate passed S. 1828, the "Conquest of Cancer Act." This bill would amend the Public Health Service Act to establish a Conquest of Cancer agency as an independent agency within the National Institutes of Health. The National Cancer Institute would be the nucleus of the new agency. The Director of the Cancer Agency would be directly responsible to the President, and would submit the Agency's annual budget directly to the President. A National Cancer Advisory Board, consisting of 19 regular members, would replace the existing National Advisory Cancer Council. The Advisory Board would advise the Director of the Conquest of Cancer Agency on the formulation of a comprehensive program, evaluate the Agency's annual budget, and maintain high standards of review. The Conquest of Cancer Agency would be authorized to make grants and contracts; encourage private industrial research; strengthen existing cancer centers and establish new ones; emphasize a multidisciplinary approach to research and teaching; establish a cancer data bank; and support the production of needed specialized biological materials. Finally, the Agency will be authorized to support foreign cancer research; and to support manpower training programs.

The National Cancer Attack Act of 1971, H.R. 11302, was passed by the House on November 15th. This bill proposes the establishment of a national cancer attack program which provides for increased organizational efficiency for the National Cancer Institute within its present framework as part of the National Institute of Health. The Director of the National Cancer Institute, who would be appointed by the President, will report directly to the Director of the NIH. The Director will send the budget of the National Cancer Institute directly to the President; the Director of the National Institutes of Health and the Secretary of HEW have the right to comment, but not to change such budgetary requests as he may make. The existing National Cancer Advisory Council would be continued.

The legislation provides for a Cancer Attack Panel, consisting of three persons appointed by the President. This Panel shall meet not less than 12 times a year, in order to monitor the development and execution of the National Cancer Attack program. The Panel is authorized to report directly to the President any delays or blockages in rapid execution of the program.

The bill expedites procedures for the approval of grants by authorizing the Director to make grants in amounts not to exceed $35,000 after appropriate review for scientific merit by a peer group only and to make grants in excess of $35,000 after appropriate review for scientific merit and recommendation by the National Cancer Advisory Council.

H.R. 11302 authorizes the establishment of 15 new centers for clinical research, training, and the reactivation and expansion of cancer control programs which were phased out a year ago.

The Conference Committee reported the legislation on December 7th, accepting the House version, with the exception of the provision relating to the National Cancer Advisory Council. The conferees accepted, with minor revisions, the Senate's provision that a National Cancer Advisory Board replace the existing National Cancer Advisory Council. The House passed the legislation on December 9th; the Senate was scheduled to vote on the bill on December 10th.

Medicare and medicaid amendments (H.R. 1)

Among other things, H.R. 1 provides for two major changes in the Medicare program that will directly affect the protection afforded beneficiaries. Medicare coverage would be broadened to include persons entitled to disability benefits under the Social Security and railroad retirement programs, after they have been disabled for at least two years.

A second important feature would prohibit increases in premiums for Medicare part B, which covers physicians' service, and other medical services unless there is a parallel increase in Social Security cash benefits.

H.R. 1 also increase the annual deductible attributable to part B from $50.00 to $60.00, adds a coinsurance fee of $7.50 for each day of hospitalization from the 31st through the 60th days, and doubles the "life-time reserve" of Medicare beneficiaries. The expanded Social Security benefits and hospital insurance program would be financed in large part by increasing Social Security taxes.

Other amendments to the programs are designed to improve efficiency, increase operating effectiveness, and remove inequities and abuses in the programs. These amendments range from Federal matching for mechanized claims processing and information retrieval systems under Medicaid to authority to experiment with alternative Medicare reimbursement formulas providing greater incentives for economy and efficiency.

Public Health Service hospitals, outpatient clinics and clinical research centers (H. Con. Res. 70; S. Con Res. 6)

Both Houses passed resolutions expressing the sense of Congress that all public health service hospitals and clinics should remain both open and within the Public Health Service during the fiscal year 1972. The House version specifically includes the narcotic addict facilities at Lexington, Kentucky and at Fort Worth, Texas. The intent of this resolution is to provide time for the Congress and the administration jointly to study the operation of these hospitals and clinics with a view to determining what their future mission and role should be.

The Conference report incorporated the House version, except that all references to the facility at Fort Worth, Texas, have been deleted in view of the transfer of that facility to the Bureau of Prisons which has already taken place.

The Senate approved the conference report December 7th, and the House December 9th.

Amendment to the Narcotic Addict Rehabilitation Act of 1966 (H.R. 9323)

H.R. 9323 amends the definition of the word "treatment" contained in each of the first three titles of the Narcotic Addict Rehabilitation Act of 1966 so as to encompass methods of therapy which are designed to control, but not necessarily eliminate, a narcotic addict's dependence on addicting drugs. The amendment, passed by the House on November 1, defines "treatment" as including confinement and treatment in an institution and under supervised aftercare in the community and includes, but is not limited to, medical, educational, social, psychological, and vocational services, corrective and preventive guidance and training, and other rehabilitative services designed to protect the public and benefit the addict by eliminating his dependence on addicting drugs, or by controlling his dependence, and his susceptibility to addiction.

HOUSING

Authorizations for comprehensive planning grants and open space land grants (S.J. Res. 52)

None of the major housing and urban development proposals introduced this session has yet passed the Senate or House. In July, however, the Senate passed S.J. Res. 52, pertaining to the authorizations for comprehensive planning and open space land grants. S.J. Res. 52 would increase the authorization for comprehensive planning grants under the Housing Act of 1954 from $420 million to $470 million, and increase the authorization for open space land grants under the Housing Act of 1961 from $560 million to $660 million. In effect, the resolution provides adequate authorizations to match the Administration's fiscal 1972 budget request for funds for comprehensive planning and open spaces.

INDIAN AFFAIRS

Establishment within the Interior Department the position of Assistant Secretary for Indian Affairs (S. 291)

S. 291, to establish the position of an Assistant Secretary for Indian Affairs in the Interior Department, passed the Senate on

August 5, 1971. The House has as yet taken no action.

Grants for Navajo Community College (H.R. 5068)

H.R. 5068 passed the House November 15, 1971. The purpose of this bill is to assist the Navajo Tribe in providing education to the members of the tribe and other qualified applicants through a community college, established by that tribe, known as the Navajo Community College. The Secretary of the Interior is hereby authorized to make grants to the Navajos, to assist them in the construction, maintenance, and operation of the college. H.R. 5068 passed the Senate on December 6, 1971.

Provision of financial assistance for Indian education (S. 2482)

S. 2482 passed the Senate on October 8, 1971.

As reported by the Senate Labor and Public Welfare Committee and the Senate Interior Committee, S. 2482:

Amends the law (P.L. 81–874) authorizing federal aid to impacted areas to provide new funds for special Indian education programs and to provide for increased Indian participation in planning the use of the impact aid so that it is used to meet the educational needs of the Indian children.

Adds a new section to the Elementary and Secondary Education Act of 1965 (ESEA) to authorize grants for planning, pilot and demonstration projects and programs to improve the educational opportunity afforded Indian children and to upgrade the quality of educational personnel dealing with Indian children. The bill authorizes $25-million in fiscal 1973 and $35-million for fiscal 1974 and for 1975.

Extends for one year, through fiscal 1973, authorization for transfer of funds under other already authorized education programs from the Office of Education to the Department of Interior for children attending schools run by the Bureau of Indian Education.

Amends the Adult Education Act to authorize grants for planning, dissemination of information, about and evaluation of adult education programs for Indians. The bill authorizes $5-million for fiscal 1973 and $8-million for each of fiscal 1974 and 1975.

Establishes an Office of Indian Education with bureau status within the Office of Education and provides for appointment of a National Advisory Council on Indian Education.

LABOR

Railway strike prohibition (P.L. 92–17)

In May the country was faced with a railroad strike that threatened to paralyze the railroads as well as the Nation's economy. Congress was faced with emergency legislation for a temporary settlement of the striking workers. The unions on one hand were demanding a 54 percent pay increase, while the railroads were willing to give 36 percent. The strike called for by the union on March 5 was postponed temporarily March 4 when the President, under authority of the Railway Labor Act, established an emergency board to study the case and recommend a settlement.

The walkout was called for again May 17 and more than 500,000 rail workers began a strike that shut down all trains except those kept running by supervisory personnel.

Congress and the President on May 18 approved the emergency legislation, Public Law 92–17, directing striking railmen to return to work, while providing for a 13½ percent wage increase, and prohibiting future railroad strikes through October 1, 1971. It is hoped that during this Congress we can enact permanent legislation in order to deal with these problems.

Railroad retirement benefits (P.L. 92–46)

Congress provided for a ten percent increase in retirement benefits for railroad employees. Public Law 92–46, signed July 2, provides for the benefits to June 30, 1973, and retroactive to January 1, 1971. The act also extends to June 30, 1972, the reporting date of the Commission on Railroad Retirement created to study the railroad retirement system.

By extending the reporting deadline of the Commission, whose work had been delayed due to organizational problems, Congress will have more time to consider the Commission's final report before expiration of the ten percent increase.

LAW ENFORCEMENT AND CRIMINAL PROCEDURE

The Juvenile Delinquency Prevention and Control Act Amendments of 1971 (S. 1732, P.L. 92–31)

The Juvenile Delinquency Amendments Act was passed by the Senate June 21, 1971. It was signed into law on June 30, 1971.

The problem of juvenile crime in this country has skyrocketed in the past decade. During the 1960's, violent crime by children under 18 and auto theft increased by 85 percent.

Despite all the efforts being made to curtail delinquency, the recidivism rate for offenders under the age of 20 is 74 percent. While children between the age of 10 and 17 make up only 16 percent of the national population, they account for more than 48 percent of all arrests for major serious crimes. This is the largest percentage of any age group is the entire country.

Juvenile crime takes an enormous toll each year. Last year alone, the material cost was more than $4 billion. Even more costly were the immeasurable losses in human terms by both the victims of juvenile crime and by the juveniles themselves. The intangible effects in terms of public fear and private despair are even greater.

In response to the growing crisis of juvenile crime, Congress enacted the Juvenile Delinquency Prevention and Control Act in 1968. The act provided a sound structure for a coordinated Federal approach; its relative ineffectiveness in its 3 years of operation has been a result of weakness in administration rather than of faulty conception.

The Secretary of Health, Education, and Welfare and the Attorney General have agreed that HEW will concentrate its efforts on children who are outside of or who have been diverted from the traditional juvenile justice system, and LEAA will focus its efforts on programs administered by the traditional juvenile system. It is intended that such a realinement of emphasis will avoid past duplication and facilitate a coordinated Federal response to the problem.

In addition a structured coordinating mechanism is provided for by one of the amendments. It establishes an interdepartmental council consisting of representatives of Federal agencies involved in the area of juvenile delinquency. The council will meet on a regular basis to review the efforts of the various agencies in combating juvenile delinquency and make certain the overall Federal effort is coordinated and efficient.

This law extends for 1 year the Juvenile Delinquency Prevention and Control Act of 1968, which expired on June 30, 1971, and strengthens its operation by making the Federal share of funding for juvenile rehabilitation projects uniform for all activities in title I of the act and consistent with funding in the Omnibus Crime Control and Safe Streets Act of 1968, by authorizing grants to assist juvenile rehabilitation projects sponsored by nonprofit, private agencies and by providing adequate funding.

Congress has a responsibility to see that the original 1968 act is made to work as it was intended, and to take whatever steps are necessary to insure that it operates successfully in the future. By extending that act for 1 year, Congress will be able to review carefully the operation of the act, assess the roles of HEW and LEAA, and make whatever changes appear necessary to insure its effectiveness. Extension of the act beyond the 1-year period will depend on actual performance rather than on mere good intentions.

The 1971 Amendments to the Act are as follows:

Section 1 contains a short title to reflect the amending of the Juvenile Delinquency Prevention and Control Act of 1968.

Section 2(a) amends section 112 of the act to authorize the Secretary of Health, Education, and Welfare to make grants not to exceed 75 percent of the cost of rehabilitative projects and programs for delinquent youth. This represents an increase in the Federal funding share of 15 percent over the existing requirements of 60 percent in the act. It makes the Federal share of funding under this section consistent with those provisions in the Omnibus Crime Control and Safe Streets Act of 1968 which are concerned with juvenile delinquency prevention and control.

Section 2(b) amends section 113(a) of the act to provide for the Federal funding of rehabilitative projects or programs for delinquent youth, as a part of an overall State plan, of nonprofit agencies or organizations. This amendment makes this section of the act consistent with other provisions of the act which do provide such funding for juvenile delinquency prevention programs and projects.

Section 3 amends section 402 of the act to authorize funds to be appropriated in the amount of $75 million for the fiscal year beginning on July 1, 1971, through June 30, 1972. This enables the Department of Health, Education, and Welfare to fund programs and projects authorized under the act for 1 additional year at the same level authorized under the 1968 act.

Section 4(a) amends section 407 of the act to establish an interdepartmental council charged with the responsibility of coordinating all Federal juvenile delinquency programs.

Section 4(b) amends section 407 of the act by specifying the members of the interdepartment council to be the Attorney General, the Secretary of Health, Education, and Welfare, or their respective designees, and representatives of other Federal agencies as the President shall designate.

Section 4(c) amends section 407 of the act by providing that the chairman of the council shall be appointed by the President. The first meeting of the council occurred within 30 days of the passage of these amendments.

Section 4(d) amends section 407 of the act by providing that the council meet at least six times a year. This section also requires that the activities of the council be included in the annual report required under section 408(4) of the act.

Section 5 provides that the amendments made to the act shall be effective with respect to appropriations for the fiscal year beginning on July 1, 1971.

Amendment to the Comprehensive Drug Abuse Prevention and Control Act of 1970 (H.R. 5674, P.L. 92–13)

H.R. 5674 passed the House on April 28, 1971, and the Senate on May 4, 1971. It provides an increase in the appropriations' authorization for the Commission on Marihuana and Drug Abuse, not to exceed $4,000,000.

Amendment to the Omnibus Crime Control and Safe Streets Act of 1968 (H.R. 8389)

H.R. 8389 passed the House on November 1, 1971, and is pending before the Senate Committee on the Judiciary. The bill provides for the development and operation of treatment programs for certain drug abusers who are confined to, or released from, correctional institutions and facilities.

Removal of certain limitations on granting relief to owners of lost or stolen bearer securities (S. 1181, P.L. 92–19)

S. 1181 passed the Senate on March 9, 1971 and was approved by the House on May 17, 1971. It became Public Law 92–19 on May 27, 1971. The Act authorizes the Secretary of the Treasury to grant relief on account of the loss, theft, destruction mutilation, or defacement of any security identified by number and description. The term "security" is defined by the Act as "any direct obligation of the United States issued pursuant to law for valuable consideration," including bonds, notes, certificates of indebtedness, and Treasury bills.

MANPOWER TRAINING, JOB OPPORTUNITY, AND REGIONAL DEVELOPMENT

Emergency Employment Act of 1971 (S. 31, P.L. 92–54)

With unemployment continuing at close to the 6 percent mark, Congress passed the Emergency Employment Act of 1971, which is designed to provide approximately 150,000 jobs in areas such as recreation, education, health, housing, public safety, and environmental improvement. The Act was signed into law (P.L. 92–54) by President Nixon July 12, 1971.

This legislation authorizes $750 million for fiscal 1972 and $1 billion for fiscal 1973 and provides that these funds be released when the national unemployment rate reaches 4.5 percent for three consecutive months. The Act also authorizes $250 million for fiscal 1972 and $250 million for fiscal 1973 for a "special employment assistance program" for local areas where the unemployment rate is 6 percent or higher, regardless of the national unemployment rate.

The Secretary of Labor is authorized to approve applications from State and local governments for assistance under P.L. 92–54. Eighty percent of the funds are to be divided among the States in proportion to the percentage of unemployed persons in a State as compared to the national average. Twenty percent will be distributed at the discretion of the Secretary of Labor. Each State will receive a minimum allotment of $1.5 million. From these funds the Federal Government is to cover 90 percent of the cost of providing the jobs and the local government is to pay the other 10 percent. However, the Federal Government will cover the full cost if the Secretary of Labor determines that a local government is unable to pay the 10 percent.

Only 15 percent of authorizations may be used for training or administrative purposes. The other 85 percent of funds must be used for wages and direct job benefits to persons employed under the bill. Average annual cost per job is expected to be between $5,000 and $6,000. Persons employed under the Act are to receive not less than the prevaling minimum wage for similar occupations in the locality, but no person may be paid more than $12,000 annually from Federal funds. As many as one-third of the public service jobs created may be for unemployed professionals, but the $12,000 limit guarantees that these professionals will not exhaust the funds available for the total program. Veterans of the Korean and Vietnamese wars are to be given preference in filling all jobs.

The Emergency Employment Act stipulates that jobs offered are not to be of the "dead-end" or "make-work" variety. These jobs should offer prospects for advancement, training, and continued employment, and every effort will be made to move workers out of public service employment and into permanent positions in the public or private sectors as soon as possible.

The 150,000 jobs to be created under P.L. 92–54 will not be a panacea for our ailing economy. But it is hoped that they will provide at least a partial economic boost while returning self-sufficiency and pride to 150,000 workers and their families.

The Public Works and Appalachian Regional Development Act amendments, (S. 575—Vetoed)

Another bill passed by Congress to create jobs was S. 575, which authorized $5.661,500,000 for accelerated public works projects and regional development programs. The jobs were to be designed so as to perform much needed work at State and local government levels. It was estimated that some 2.5 million people would have been affected by this Act.

Title I would have authorized $2 billion for the extension of programs under the Public Works Acceleration Act of 1962. Almost $2 billion was to be authorized under Title II for the extension of programs under the Public Works and Economic Development Act of 1965. Title II also authorized $1.8 billion for extending programs under the Appalachian Regional Development Act of 1965.

This Act, however, was vetoed by the President on June 29, 1971.

Public Works and Economic Development Act Amendments of 1971 and Appalachian Regional Development Act Amendments of 1971 (P.L. 92–65, S. 2317 and H.R. 9922)

Another version of the vetoed Public Works and Regional Development bill was passed by Congress and signed by the President on August 5, 1971. Public Law 92–65 includes the Public Works and Economic Development Act Amendments of 1971 as Title I, and the Appalachian Regional Development Act Amendments of 1971 as Title II. Total authorizations are set at $3,992,500,000.

Title I extends the Public Works and Economic Development Act of 1965 through June 30, 1973. It authorizes $2.4 billion for two years for public works, business loans, and other projects managed by the Economic Development Administration, an agency whose purpose is to provide Federal financial and technical assistance, in cooperation with the States, for the creation of new jobs and the development of private enterprise.

Direct grants of up to $800 million annually through fiscal 1973 are authorized for public works and development, and unused authorizations for which funds are not appropriated in fiscal 1972 may be carried over to fiscal 1973.

"Redevelopment areas" are redefined to include "special impact areas" such as regions with large concentrations of low income persons, rural areas with substantial out-migration, and areas with severe economic stress due to unemployment. An amount not less than 25 percent, nor more than 35 percent, of appropriations for the two fiscal years could be spent in special impact areas. Thus a proper balance is to be maintained between projects to provide urgently needed employment and projects deemed necessary for long-term development. In special impact areas grants-in-aid for local public works involving local cost sharing could be made to cover up to 80 percent of the costs, but a 100 percent grant may be made if it is determined that a State or local government has exhausted its taxing and borrowing capacity for such purposes.

Title I also includes in its authorization $305 million through fiscal 1972 to continue the work of five regional development commissions, and $500,000 through fiscal 1972 for the Federal Field Committee for Development Planning in Alaska.

Title II of P.L. 92–65 extends the Appalachian Regional Commission for four years. It authorizes funds for Appalachian highway systems and access roads, airport safety improvements, mine drainage pollution control, and reclamation of strip mine areas. Additional assistance is provided in making low- and moderate-income housing available by subsidizing site development costs through grants and loans to non-profit, limited dividend, or cooperative organizations. Title II also permits funds appropriated for it to be used with other federal funds in child-care programs.

MONETARY, BANKING, TAX, AND FISCAL POLICIES

The economy of the country has been of prime concern to the Nation, the President and the Congress during 1971, as it has been for the past few years.

In a surprise move in August the President abandoned his previous economic gameplan for controlling the twin problems of inflation and unemployment and instituted wage-price-rent freezes for a period of three months. We are now beyond this so-called Phase I of his plan and into Phase II.

The President's new program was instituted under authority of laws enacted by the Congress. Summaries of these laws are herein provided, along with a summary of the revenue act which grew from a Presidential request submitted subsequent to the August freeze.

Wage-price controls and extension of interest rate provisions (S.J. Res. 55, P.L. 92–8)

Senate Joint Resolution 55 provided for a temporary extension, from April 1, 1971, to June 1, 1971, of the President's authority under section 206 of the Economic Stabilization Act of 1970 to implement controls on prices, wages, salaries, and rents in order to facilitate cost-of-living stabilization. Also extended from March 22, 1971, to June 1, 1971, was the President's authority to regulate the rate of interest on savings deposits paid by lending institutions. Senate Joint Resolution 55 passed the House of March 29, 1971, and became Public Law 92–8 two days later.

Wage-price controls and extension of interest rate provisions (H.R. 4246, P.L. 92–15)

H.R. 4246 extended, once again, the President's discretionary authority to impose controls on wages, prices, salaries, and rents through April 30, 1972. As enacted into law on May 18, 1971, it further extended, through March 31, 1973, the authority of the Federal Reserve Board, the Federal Deposit Insurance Corporation, and the Federal Home Loan Bank Board to establish ceilings on interest rates paid by financial institutions on time and savings deposits.

Also included in the law were provisions that prohibited the President from applying wage and price controls to a single industry unless he determined that wages and prices in that industry had increased in a grossly disproportionate rate compared to the economy as a whole; and a provision that granted permanent authority to the President to initiate a program of voluntary credit controls to be implemented by the Federal Reserve Board.

Extension of 1970 Economic Stabilization Act (S. 2981, H.R. 11309)

In light of the serious economic ills of the Nation, President Nixon on August 15, 1971, announced a New Economic Program. Acting under the authority of the 1970 Economic Stabilization Act (84 Stat. 799), as amended, the President issued Executive Order No. 11615 which established a 90-day freeze on all wages, prices, salaries and rents. This part of President Nixon's economic stabilization program was called Phase I. Executive Order No. 11615 also created a Cost of Living Council which had primary responsibility to administer the stabilization program. The Council was also required to recommend to the President additional policies to permit an orderly transition from the 90-day freeze to a more flexible system of economic restraints.

President Nixon announced his post-freeze economic program in a nationwide speech on October 7, 1971. Eight days later President Nixon issued Executive Order No. 11627, superseding his earlier Executive Order. It authorized the continuation of the Cost of Living Council while creating for the first time a Pay Board, a Price Commission, and

several other bodies. The Administration's post-freeze economic program is called Phase II. Its purpose is to provide for flexible controls with certain exemptions and authority for adjustments to bring about equity rather than across-the-board freezes on wages, salaries, rents and prices.

The controls' authority first granted the President by P.L. 92–8 and P.L. 92–15, expires April 30, 1972. President Nixon, however, sent a message to Congress on Octber 19, 1971, asking that the Economic Stabilization Act be extended one year. On that same day, S. 2712, an Administration-sponsored bill, was introduced in the Senate and referred to the Committee on Banking, Housing and Urban Affairs. That Committee heard testimony on the President's request and agreed, on November 18, 1971, to report a clean bill, S. 2891, to the floor.

On December 1, the Senate passed S. 2891 by a roll-call vote of 86 to 4. This bill would extend the President's controls' authority to April 30, 1973. Additionally, S. 2891 incorporates such additional features as (1) exempting the publishing, television and radio broadcasting industries from wage and price controls; (2) granting a pay raise for Federal employees, effective January 1, 1972, rather than on July 1, 1972, as the President had proposed; (3) requiring Senate confirmation of newly appointed members of the stabilization boards in the future; (4) authorizing retroactive payment of scheduled wage increases deferred by the wage-price freeze unless they are unreasonably inconsistent with guidelines established by the Pay Board; and (5) establishing a judicial review system to hear appeals against rulings of the controls' agencies.

The House Banking and Currency Committee held hearings on H R. 11309, a bill to amend the 1970 Economic Stabilization Act, in October and November. That Committee voted on Dec. 2, 1971, to send H.R. 11309 to the floor.

The Conference Report was approved in the House on Dec. 14, 1971.

Interest Equalization Tax Extension Act of 1971 (H.R. 5432, P.L. 92–9)

This Administration proposal, which became Public Law 92–9 on April 1, 1971, extended the interest equalization tax for two years, until March 31, 1973. The present interest equalization tax, in effect, provides the equivalent of a three-quarters percentage point per annum rise in interest costs for foreigners obtaining capital from U.S. sources, either from the sale of debt obligations with a maturity of one year or more or from the sale of stock. The discretionary authority presently available to the President enables him to vary this tax between zero and an interest equivalent of up to 1½ percent per annum should he find this necessary in order to carry out national balance-of-payments objectives.

The interest equalization tax, first effective in 1963 and subsequently used in conjunction with the limitations on extensions of credit and direct investments abroad, has contributed significantly to our balance-of-payments position by causing a reduction in foreign securities purchased by United States citizens. In view of the current deficit in our balance-of-payments and the increased amount of borrowing in the United States by foreigners that would occur if the tax expired, both Houses of the Congress agreed that a two-year extension was necessary.

Public debt limit, increase (H.R. 4690, P.L. 92–5)

Public Law 92–5, enacted on March 17, 1971, raised the statutory debt limitation from $380 billion to $400 billion, with a temporary addition of $30 billion until July 1, 1972. It also provides for the sale by the Treasury Department of $10 billion in long-term bonds without regard to the existing 4.25 percent interest ceiling, and it closes a tax loophole under which it was possible to use Government notes and bonds at their face value to pay Federal taxes even if the bonds' current market price was lower than the face value. The bill was amended by the Senate to provide a 10 percent across-the-board increase in social security, retroactive to January 1, 1971; a raise in the minimum monthly social security payments to $70.40; a 5 percent increase (retroactive to January 1, 1971) in special benefits payable to individuals 72 and over who were not insured for regular benefits; an increase in the taxable wage base to $9000, effective January 1, 1972; and an increase in the tax rates on employers and employees to 5.15 percent in 1976.

THE REVENUE ACT OF 1971

The Revenue Act of 1971, signed into law on December 10, 1971, represents a balance between tax reductions for individuals and tax incentives for business. It provides a job development investment credit, reduced individual income taxes, repeal of certain excise taxes, and provides for other changes in our tax laws. In another section of this report I will discuss the Revenue Act as it relates to tax assistance for Presidential election campaigns.

When this bill reported out on the House side, the Ways and Means Committee explained that it was designed to "put our present lagging economy on the high growth path," increase employment, relieve the hardships imposed by inflation on those with modest incomes, provide tax incentives to promote the modernization of our productive facilities, increase exports, and improve our balance of payments.

To accomplish these objectives, the Revenue Act of 1971 provides for a 7-percent job development investment credit. It also modified the liberal depreciation system (Asset Depreciation Range) which the Administration had announced in January. The modification of ADR removed an element providing additional depreciation for assets in the first year of their use (referred to as first-year convention).

Significant reductions to income taxes were provided for individuals who are hardest hit by inflation, and where the greatest impact on increased consumer spending can be anticipated. For 1971, all personal exemptions were increased from $650 to $700 effective for one-half the year (or $675 for the entire year). The minimum standard deduction was also modified to provide additional relief in the lower income tax brackets in 1971. For 1972 and subsequent years, the personal exemption is moved up to $750 and the minimum standard deduction is increased from $1,050 to $1,300. The percentage standard deduction, which was already scheduled to go to 14 percent with a $2,000 ceiling in 1972, was increased to 15 percent.

The 7-percent manufacturers excise tax on passenger automobiles was repealed. In the case of taxes paid for the period back to August 15, 1971, consumer refunds or floor stock refunds were provided. The bill also repealed the 10-percent excise tax on lightweight trucks (those weighting 10,000 pounds or less gross vehicle weight), wtih consumer refunds or floor stock refunds for the period after September 22, 1971. Moreover, we repealed the tax on trailers used in connection with light trucks.

Tax deferral was provided for one-half of the export profits of domestic international sales corporations (DISC's), effective with the calendar year 1972. The tax deferral does not apply to DISC profits which are invested in foreign plant and equipment. To allow tax deferral on amounts invested abroad would have been inconsistent with the primary purpose of the DISC proposal, which was to encourage our exports abroad.

The Revenue Act of 1971 also provided for a series of structural improvements and clarifications in the tax law. These include a limitation in certain cases on the standard deduction of individuals receiving trust income, a limitation on carryovers of unused credits and capital loses in the case of certain changes in ownership, a revision in the definition of a net lease, a modification in the application of the farm loss provision in the case of subchapter S corporations, a modification in the case of capital gain distributions of accumulated trusts, a clarification of the application of the minimum tax to foreign capital gains on which little or no foreign tax is imposed, and a clarification of the right of taxpayers to bring cases into courts under tax treaty provisions.

SOCIAL SECURITY AND PENSION PLANS

Mr. Speaker, several bills introduced during the 92d Congress contain provisions to amend the Social Security Act of 1935. H.R. 10604, as passed by the House November 17, 1971, would amend the Act to permit a lump-sum death payment. The three bills having the greatest bearing on the social security system are discussed more fully below.

Public Law 92–46 (H.R. 6444), approved July 2, 1971, which increases railroad annuity benefits is discussed in the "Labor section of this report.

Assistance to citizens returned from abroad (H.R. 3813, P.L. 92–40)

Public Law 92–40, approved July 1, 1971, extends to June 30, 1973 a provision of the Social Security Act which authorized the Secretary of HEW to provide temporary assistance to U.S. citizens returning to this country under special circumstances. These citizens are identified by the Department of State as being without resources and returning to the United States because they are destitute, ill, or because of war, invasion or other international crises.

The provision was originally enacted in 1961 and has been extended periodically. The numbers of cases referred by State to HEW has been limited. There were 342 referrals in fiscal 1968, 440 in fiscal 1969 and 376 in 1970.

Old-age, survivors, and disability insurance (H.R. 4690, P.L. 92–5)

When it established the Social Security system in 1935, Congress set the taxpayer's contribution at 1 percent of his salary. Since that time the individual's contributions have been steadily raised. Public Law 92–5, approved March 17, 1971, provides for an across-the-board 10 percent increase in Old Age, Survivor and Disability Insurance benefits retroactive to January 1, 1971. To cover the cost, Congress raised the base wage on which the payroll tax is assessed by $1200, to $9000. The tax rate beginning January 1, 1972 will be 5.2 percent for wage earners and 5.2 percent for their employers. Further rate increases set by P.L. 92–5, will set contributions at 6.05 percent in 1987.

Welfare, social security (H.R. 1)

As passed by the House June 22, H.R. 1 provided further benefit increases to be financed by raising the taxable wage base to $10,200, from $9,000 under PL 92–5, and by a series of future rate increases. The taxpayer in 1972 would contribute 5.4 percent and by 1980 his contribution would be 7.4 percent. The benefits would increase by 5 percent in January 1972, and future benefit increases would be based on the cost-of-living.

Other provisions in H.R. 1 pertaining to the social security system would entitle widows and widowers to a benefit equal to the full amount their deceased spouses would have received if they were still living, and would increase from $1680 to $2,000 the amount a retiree could earn without losing Social Security benefits. Also, it would extend insurance protection to disabled persons en-

titled to cash benefits under Social Security and railroad retirement programs after they had been disabled for at least two years.

See the "Health and Health Insurance" and "Welfare" sections of this report for the discussion of other provisions of H.R. 1.

TRANSPORTATION

Air Development and Revenue Act amendment (P.L. 92-174)

On November 16th, Congress completed action on legislation aimed at clarifying the intent of Congress as to priorities for airway modernization and airport development. The bill prohibits diversion of trust fund monies to administrative and operational expenses of the Department of Transportation except those directly related to airport and airway improvement. The Federal Aviation Administration was granted authority to set standards and requirements in the issuance of airport and airway operating certificates; the deadline for certification of air facilities, including safety equipment at airports, was extended until May 20, 1973.

Bus width limits (H.R. 4354)

H.R. 4354, passed by the House on July 21, amends Title 23 of the United States Code to permit the operation of buses on the Interstate System up to a width of 102 inches. This is an increase of 6 inches over the present limit. The buses would operate only on lanes of the Interstate System which are 12 feet wide and only after extensive safety studies are conducted by the Department of Transportation.

VETERANS' AFFAIRS

The record of the 92d Congress reflects the concern we all share for those Americans who have served our country in the military forces. Eight bills of major importance benefiting veterans and their survivors have been passed by the House so far this year.

Military drug treatment and rehabilitation (H.R. 9265)

Proposals have been submitted in the 92d Congress to treat drug addiction among veterans of the Vietnam era. In a report issued May 27 by the House Foreign Affairs Committee, it was estimated that 10 to 15 percent of U. S. servicemen in South Vietnam are addicted to heroin in one form or another. Aware of the problems posed as these men return home, the House on July 10 voted to loosen eligibility standards for veterans for drug treatment programs operated by the Veterans Administration.

Under the provisions of H.R. 9265 all veterans would be eligible for VA drug treatment programs. Such facilities could also be used by active-duty servicemen with an addiction problem. U.S. district courts would be given the option of committing a veteran to the facility if he is judged an addiction by the court. Once a person is committed to any program, he may not be released by the VA until his duty addiction conditions had been determined to be stabilized, or upon written statement that the individual refused to continue the program.

No Senate action had occurred on this bill as of December 9.

Assistance for medical schools (H.J. Res. 748)

On July 19, the House, reacting to the critical shortage of medical personnel within the United States generally, authorized in H.J. Res. 748 grants of $15 million per year for the next seven years to medical schools and other institutions of higher learning that cooperate with Veterans Administration programs.

The Senate had yet to act on this measure as of December 9.

Medical benefits extended (H.R. 10880)

The House, but not yet the Senate, has passed H.R. 10880, to extend pre- and post-hospital medical services when such care is necessary to obviate the need for hospital admission. Another section of this bill encourages the training of health personnel. The bill also extends medical care benefits to the wife or child of a totally and permanently service-connected disabled veteran or to survivors of same.

Nursing homes (H.R. 460)

Government subsidies for disabled veterans in private nursing homes would be extended from six to nine months by H.R. 460, passed by the House on March 1. Estimated cost of the bill for the first year is set at $6.9 million. The Senate had not acted by December 9 on this measure.

Mortgage life insurance (H.R. 943, P.L. 92-95)

Congress, in passing H.R. 943 (P.L. 92-95), has acted to protect home mortgages of paraplegic and quadriplegic veterans in case of their deaths by providing government-backed mortgage protection life insurance for such service-connected disabled veterans who purchase specifically adapted housing. Coverage, up to a maximum of $30,000, will be automatic unless the eligible veteran elects, in writing, not to participate. About 10,000 veterans will be affected initially. The yearly cost to the Government will be about $1.2 million.

Direct home loan program (H.R. 3344, P.L. 92-66)

In an effort to revive the direct loan program for housing, we authorized the Administrator of the Veterans' Administration to make direct loans to veterans. Most veterans are eligible for a Government guarantee on a home loan under the GI loan guarantee law. However, in counties where commercial credit is tight, veterans are eligible for a direct loan from the Government if private financing is not available.

However, the program has been suspended by the VA. The fact remains that 20 percent of the veterans in our country live in credit-tight areas and are therefore eligible for the direct loan but unable to get one. This legislation directs the VA Administrator to make direct loans available.

Pension purchasing power protected (H.R. 11651, H.R. 11652)

The House, but not yet the Senate, also has acted to protect the purchasing power of pensions paid to veterans or their survivors. H.R. 11651 and H.R. 11652 grant cost-of-living increases to approximately 1.6 million veterans and widows receiving non-service-connected pensions and to approximately 176,000 widows and 46,000 children of veterans who died as a result of service-incurred disabilities.

WELFARE AND RELATED AREAS

Both in the 91st Congress and the 92d the issue of welfare reform has been given great emphasis. It is an issue of importance to the Administration. Mr. Nixon has listed it as one of his "six great goals" and has asked that Congress take action quickly. H.R. 1 was introduced toward that end and passed by the House June 22, 1971.

The Economic Opportunity Act Amendments of 1971 (S. 2007, H.R. 10351) and the School Lunch Program (H.J. Res. 923, S.J. Res. 157) are two controversial measures also discussed in this report.

Welfare, social security (H.R. 1)

A comprehensive welfare reform package, supported by the Administration, was passed by the House during the 91st Congress. That legislation failed passage in the Senate. The first bill introduced in the 92d Congress (H.R. 1) was a package dealing with welfare, Social Security, Medicare and Medicaid. (Discussion of the Social Security, Medicare and Medicaid provisions of H.R. 1 will be found in the Health and Health Insurance and the Social Security sections of this report.)

The purpose of the legislation is to solve the serious social problems posed by the exploding number of broken families which are becoming increasingly dependent on welfare for all their needs. As the costs for supporting them soar, all the levels of government have been confronted with difficult fiscal problems. In its report, the House Ways and Means Committee described the bill as establishing "a new welfare system, based on a sympathetic understanding of the needs of the helpless and the conviction that all those who are capable of participating in the economy of this country should have the opportunity and the responsibility of doing so."

As passed by the House June 22, H.R. 1 would create a new assistance program for needy aged, blind and disabled persons. The existing federal-state programs would be repealed and federal administration would be effective July 1, 1972. 6.2 million persons would be eligible to receive benefits in the first year of the new program and in fiscal 1975, when the ultimate benefit level is reached 7.1 million persons would receive $5.4 billion in benefits.

If enacted, H.R. 1 would create an Opportunities for Families Program. The Program would include families with an employable adult, not excluding families where the father is working full-time for low wages. The Department of Labor would administer the Program for approximately 2.6 million families. A principal requirement for participation is that employable adults register for work or training. Among the supportive services to be established are child care, public service employment, manpower training, placement activities, minor medical services and transportation.

Another family program which would be established is the Family Assistance Plan. The Plan, to be administered by HEW, would include eligible families headed by women with pre-school children or families in which the only adult members are incapacitated or otherwise exempt from registering under the Opportunities for Families Program. The principal features of the Plan would be assistance benefits computed at the rate of $800 per year for the first two family members, $400 for the next three members, $300 for the next two members and $200 for the next member. This would provide $2,400 for a family of four, and the maximum amount which any family could receive would be $3,600 per year.

Other provisions of H.R. 1 are for an assurance to the states that their welfare costs would not increase over 1971 levels because of the new programs, for an increased child-care tax deduction and for a tax credit for the elderly increasing the maximum amount on which the credit is based.

Economic Opportunity Amendments of 1971 (S. 2007, H.R. 10351)

President Nixon, on December 9, vetoed the Economic Opportunity Amendments of 1971 (S. 2007). In his veto message, Mr. Nixon stated that he objected to the program costs in general, to the creation of the Legal Services Corporation because the controls built into the already existing OEO legal services program would be eliminated, and to the comprehensive child development program.

S. 2007, as passed by the Senate and House, would provide for a two year extension of the activities of the Office of Economic Opportunity with an annual authorization of about $2.3 billion. Final Congressional approval December 7 included the creation of a separate Legal Services Corporation and a comprehensive child development program.

The Legal Services Corporation would be an independent non-profit organization to replace the legal services program presently under the Office of Economic Opportunity. The Corporation would be headed by a seventeen-member board of directors appointed by the President with the advice and consent of the Senate. The membership would be

composed of six members from the general public, and two members each from names submitted by the Clients Advisory Council, the Judicial Conference of the U.S. and the Project Attorneys Advisory Council. The remaining five members would be nominated, one each, by the American Bar Association, National Bar Association, Legal Aid and Defender Association, American Trial Lawyers Association and the Association of American Law Schools.

The most controversial section of the legislation is that creating a new comprehensive child development program. The program would build on Head Start and other child care programs to provide health, nutrition and education services, free to the poor (families of four with annual incomes below $4,320). Families with incomes between $4,320 and $5,916 would pay 10% of income above $4,320, while those families with incomes between $5,916 and $6,960 would pay 15% of their income over $5,916. The Secretary of HEW would set a fee schedule for incomes beyond $6,960. The new program would provide day care for children of working mothers far beyond mere custodial care.

This bill unfortunately was vetoed.

School lunch program (H.J. Res. 923, S.J. Res. 157, P.L. 92-153)

Public Law 92-153 (H.J. Res. 923, S.J. Res. 157), approved November 5, 1971, states that it is the intention of the Federal Government to ensure that every needy school child receive a free or reduced-price lunch.

The law authorizes a reimbursement to the states of six cents for every meal served whether it is full-price, free or reduced-price. It also establishes a minimum federal reimbursement rate to the states of 40 cents for every free and reduced-price meal served and permits a higher reimbursement rate when a school can satisfy the state that additional funds were necessary to feed needy children.

The Secretary of Agriculture had published revised eligibility requirements October 6. A majority of members of the Senate wrote to President Nixon October 15 urging cancellation of those standards. October 18, the standards were rescinded. Public Law 92-153 specifically requires that the eligibility standards used in implementation be those in effect prior to October 1 and prohibits a change in those requirements over the period of a year.

AUTHORIZATIONS AND APPROPRIATIONS

The passage of the annual authorization and appropriation acts constitutes one of the major items on the agenda of Congress each year by financing the entire spectrum of the Government's activities. These acts, together with supplemental appropriations to meet emergency needs, serve as the financial check by the people's representatives.

For the benefit of Members, this report summarizes in tabular form those authorizations and appropriations for the first session of the 92nd Congress. District of Columbia foreign aid and defense appropriations figures, not available at this time, are not included.

Concern for the economy has dominated our consideration of these measures. Congress has made a consistent effort to stem inflation by economizing on Government expenditures wherever possible. At the same time, the necessity has been recognized to fund adequately programs meeting our pressing social problems and national defense needs.

APPROPRIATIONS BILLS[1]

Bill	Administration request[2]	Amount passed by House		Amount passed by Senate		Final amount approved	
		Date	Amount	Date	Amount	Public Law and date	Amount
Fiscal 1971, supplemental:							
H.J. Res. 465, Department of Labor	$50,675,000	Mar. 16, 1971	$50,675,000	Mar. 16, 1971	$50,675,000	Public Law 92-4, Mar. 17, 1971	$50,675,000
H.J. Res. 567, urgent supplemental	1,042,294,000	Apr. 22, 1971	1,037,872,000	Apr. 23, 1971	1,037,872,000	Public Law 92-11, Apr. 30, 1971	1,037,872,000
H.R. 8190, 2d supplemental	7,879,740,077	May 12, 1971	6,889,152,545	May 19, 1971	7,285,468,973	Public Law 92-18, May 25, 1971	7,028,195,973
Fiscal 1972, supplemental: H.J. Res. 915, Department of Labor.	270,500,000	Oct. 6, 1971	270,500,000	Oct. 8, 1971	270,000,000	Public Law 92-141, Oct. 15, 1971	270,000,000
Fiscal 1972, regular annual:							
H.R. 7016, Office of Education and Related Agencies.	5,153,186,000	Apr. 7, 1971	4,800,088,000	June 10, 1971	5,615,918,000	Public Law 92-48, July 9, 1971	5,146,311,000
H.R. 8825, legislative branch	535,349,607	June 4, 1971	449,899,605	June 21, 1971	532,297,749	Public Law 92-51, July 9, 1971	529,309,749
H.R. 9270, Department of Agriculture, Environmental and Consumer Protection:							
agriculture	5,856,970,850	June 23, 1971	5,260,771,050	July 15, 1971	5,878,484,050	Public Law 92-73, Aug. 10, 1971	5,867,630,550
rural development	671,867,000		932,847,000		962,982,000		943,943,000
environmental protection	2,916,664,000		3,467,255,000		3,505,362,000		3,490,477,500
consumer protection	2,659,312,000		2,763,023,000		3,274,849,000		2,974,849,000
Total	12,104,813,850		12,423,896,050		13,621,677,050		13,276,900,050
H.R. 9271, Treasury Department, Postal Service, and general government:							
Treasury Department	1,594,419,000	June 28, 1971	1,523,490,000	June 29, 1971	1,561,080,000	Public Law 92-49, July 9, 1971	1,554,330,000
Postal Service	1,471,722,000		1,217,522,000		1,433,922,000		1,217,522,000
Executive Office of President	141,485,000		137,407,000		141,407,000		140,657,000
Independent offices	1,601,590,000		1,608,870,000		1,615,993,500		1,616,090,000
Claims			387,190		387,190		387,190
Total	4,809,216,000		4,487,676,190		4,752,789,690		4,528,986,690
H.R. 9272, Departments of State, Justice, and Commerce; the judiciary and related agencies:							
Department of State	509,598,000	June 24, 1971	491,673,000	July 19, 1971	505,539,000	Public Law 92-77, Aug. 10, 1971	495,363,000
Department of Justice	1,587,806,000		1,552,696,000		1,563,990,000		1,563,322,000
Department of Commerce	1,258,120,000		892,811,000		1,204,775,000		1,190,674,000
The judiciary	178,679,000		100,877,000		170,233,000		169,531,000
Related agencies	682,699,000		646,126,000		653,546,000		648,226,000
Total	4,216,802,000		3,684,183,000		4,098,083,000		4,067,116,000
H.R. 9382, Department of Housing and Urban Development; Space Science, Veterans, and other independent offices:							
Department of HUD	2,557,177,000	June 30, 1971	3,206,324,000	July 20, 1971	3,532,324,000	Public Law 92-78, Aug. 10, 1971	3,274,824,000
Space, Veterans, and certain other independent offices	14,814,840,000		14,868,879,000		15,081,194,000		15,002,414,000
Federal Home Loan Bank Board	85,000,000		40,000,000		85,000,000		62,500,000
Total	17,457,017,000		18,115,203,000		18,698,518,000		18,339,738,000
H.R. 9417, Department of Interior and related agencies:							
Interior	1,567,834,000	June 29, 1971	1,515,084,000	July 16, 1971	1,561,021,000	Public Law 92-76, Aug. 10, 1971	1,560,989,500
Related agencies	626,760,035		644,424,035		665,001,535		662,990,535
Total	2,194,594,035		2,159,508,035		2,226,023,035		2,223,980,035
H.R. 9667, Department of Transportation, and related agencies.	2,686,006,697	July 14, 1971	2,559,048,997	July 22, 1971	2,784,608,997	Public Law 92-74, Aug. 10, 1971	2,730,989,997
H.R. 10061, Department of Labor, HEW, and related agencies:							
Department of Labor	1,340,083,000	July 27, 1971	1,310,913,000	July 30, 1971	1,322,163,000	Public Law 92-80, Aug. 10, 1971	1,315,913,000
Department of HEW	18,787,490,000		19,056,191,000		19,700,100,000		19,392,695,000
Related Agencies	96,054,000		94,143,000		96,054,000		96,054,000
Total	23,598,753,000		20,461,247,000		21,118,317,000		20,804,662,000

Footnotes at end of table.

APPOPRIATIONS BILLS [1]—Continued

Bill	Administration request [2]	Amount passed by House		Amount passed by Senate		Final amount approved	
		Date	Amount	Date	Amount	Public Law and date	Amount
H.R. 10090, public works/AEC:							
AEC programs	2,338,212,000	July 29, 1971	2,270,000,000	July 31, 1971	2,308,720,000	Public Law 92-134, Oct. 5, 1971	2,294,380,000
Water resource programs	2,277,880,000		2,306,173,000		2,408,202,000		2,380,745,000
Total	4,616,082,000		4,576,173,000		4,716,922,000		4,675,125,000
H.J. Res. 833, Department of Labor: Emergency Employment Assistance.	1,000,000,000	Aug. 4, 1971	1,000,000,000	Aug. 6, 1971	1,000,000,000	Public Law 92-141, Sept. 22, 1971	1,000,000,000
H.R. 11418, military construction	[3] 2,313,375,000	Oct. 27, 1971	2,012,446,000	Nov. 3, 1971	2,002,312,000	Public Law 92-160, Nov. 18, 1971	2,037,097,000
H.R. 11731, Department of Defense:							
Personnel	25,067,103,000	Nov. 17, 1971	24,799,108,000	Nov. 23, 1971	24,809,408,000		
Operations and maintenance	20,647,834,000		20,435,481,000		20,212,481,000		
Procurement	19,681,660,000		18,185,292,000		17,688,292,000		
R.D.T. & E	7,949,362,000		7,511,762,000		7,516,662,000		
Special foreign currency	12,300,000		12,000,000		12,000,000		
ABM construction	183,570,000		104,370,000		109,570,000		
Total	73,543,829,000		71,048,013,000		[4] 70,849,113,000		
Fiscal 1972, supplemental: H.R. 11955, 1972 supplemental.	[5] 3,254,924,371	Dec. 2, 1971	786,282,000	Dec. 3, 1971	3,998,045,000		
Fiscal 1972, regular annual:							
H.R. 11932, District of Columbia	[6] 289,197,000	Dec. 2, 1971	[6] 268,597,000	Dec. 3, 1971	[6] 285,597,000		
H.R. 12067, Foreign Assistance:							
Economic/military assistance	3,085,218,000	Dec. 8, 1971	2,162,555,000				
Military credit sales	510,000,000		510,000,000				
Peace Corps, international finance institutions, etc.	747,417,000		330,906,000				
Total	4,342,635,000		3,003,461,000				
H.R. 4724, [S. 981], Maritime Administration:							
Acquisitions	229,687,000	Apr. 20, 1971	229,687,000	May 26, 1971	229,687,000	Public Law 92-53, July 9, 1971	229,687,000
Operating subsidy	239,145,000		239,145,000		239,145,000		239,145,000
R. & D	25,000,000		25,000,000		25,00,000		25,000,000
Other	13,818,000		13,818,000		14,138,000		13,988,000
Total	507,650,000		507,650,000		507,970,000		507,820,000
H.R. 5208, [S. 1223] Coast Guard	99,500,000	Apr. 29, 1971	219,750,000	July 22, 1971	235,960,000	Public Law 92-118, Aug. 13, 1971	239,210,000
H.R. 7109, National Aeronautics and Space Administration:							
R. & D	$2,517,700,000	June 3, 1971	$2,667,600,000	June 29, 1971	$2,543,200,000	Public Law 92-68, August 6, 1971	$2,603,200,000
Construction	56,300,000		58,630,000		56,300,000		58,400,000
Research and Management	697,350,000		706,850,000		681,350,000		693,350,000
Total	3,271,350,000		3,433,080,000		3,280,850,000		3,354,950,000
H.R. 7960, [S. 720], National Science Foundation	622,000,000	June 7, 1971	622,000,000	June 28, 1971	706,500,000	Public Law 92-86, August 11, 1971	655,500,000
[S. 939] H.R. 8687, military procurement:							
Procurement	14,054,000,000	June 17, 1971	13,105,800,000	Oct. 6, 1971	13,301,600,000	Public Law 92-156, Nov. 17, 1971	13,413,900,000
R. & D	7,950,700,000		7,963,300,000		7,605,200,000		7,793,400,000
Total	22,004,700,000		21,069,100,000		20,906,800,000		21,207,300,000
Military construction safeguard	172,500,000		172,500,000		98,500,000		98,500,000
Family housing safeguard	11,100,000		11,100,000		11,100,000		11,100,000
Grand total	22,188,300,000		21,252,700,000		21,016,400,000		21,316,900,000
H.R. 9388, [S 2150], Atomic Energy Commission:							
Operating	1,980,751,000	July 15, 1971	2,025,571,000	July 20, 1971	2,029,571,000	Public Law 92-84, Aug. 11, 1971	2,029,571,000
Plant and capital equipment	303,226,000		295,616,000		295,616,000		295,616,000
Total	2,283,977,000		2,321,187,000		2,325,187,000		2,325,187,000
H.R. 9844, military construction	[7] 2,259,444,000	July 22, 1971	2,144,348,000	Aug. 5, 1971	2,008,652,000	Public Law 92-145, Oct. 27, 1971	1,986,323,000
S. 2819, Special Foreign Military and Related Assistance Act of 1971:							
Aid and supporting assistance			[8]	Nov. 11, 1971	1,103,000,000		
Credit sales			[8]		400,000,000		
Total			[8]		1,503,000,000		
S. 2820, Special Foreign Economic and Humanitarian Assistance Act of 1971:							
Bilateral assistance			[8]	Nov. 10, 1971	695,000,000		
Humanitarian and multilateral assistance			[8]		449,000,000		
Total			[8]		1,144,000,000		
H.R. 9910, foreign aid: [9]							
Development loans and assistance		Aug. 3, 1971	1,371,750,000		[10]		
Military/security assistance and grants			1,505,000,000				
Administrative			57,600,000				
Foreign military credit sales			510,000,000				
Total			3,444,350,000				
S. 2260 [H.R. 9166] Peace Corps	82,200,000	Sept. 23, 9171	77,200,000	Aug. 2, 1971	77,200,000	Public Law 92-135, Oct. 8, 1971	77,200,00

[1] Amounts given represent new budget authority which includes appropriations (but excludes appropriations to liquidate contract authorizations), reappropriations, contract authorizations and authorizations to expend debt receipts. Not included in this tabulation are permanent appropriations (Federal or trust) which do not require congressional review but which become available automatically under previous statutory authority.

[2] Represents the most recent revised budget estimates considered.

[3] H.R. 11418, as reported in the House, does not include an amount of $183,570,000 for Safeguard construction and family housing which was included in the budgeted request (which totaled $334,000,000 for such construction). Those requests were considered in H.R. 11731.

[4] Not shown under the Senate-passed items for H.R. 11731, yet reflected in the total is $500,000,000 added as a new title IX to the bill to enable the President to provide military assistance to Israel, including $250,000,000 for F-4 Phantom aircraft.

[5] Budget request submitted to the House was $769,341,154.

[6] Amount of Federal outlays only.

[7] Administration request included $183,570,000 for ABM-related construction, later transferred by the Senate to the military procurement bill (H.R. 8687, supra). The net reduction by the conferees of the administration request is therefore $89,107,000, rather than $272,677,000 as it would appear from these figures.

[8] House-passed version of H.R. 9910 substituted for these bills, Nov. 18, 1971.

[9] H.R. 9910, as reported, also authorizes funds to permit the foreign assistance programs to continue through June 30, 1973, authorizing an additional total of $3,494,350,000 for fiscal year 1973. Direct comparison between this bill, as reported, and the amount requested by the administration is not possible since the requested amount includes various authorizations extending over more than 1 year.

[10] Failed, Oct. 29, 1971.

The SPEAKER. The question is on the motion offered by the gentleman from Illinois (Mr. MIKVA).

The motion was agreed to.

So the Senate amendment numbered 12, as amended, was concurred in.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

UNITED STATES OF AMERICA VERSUS JOHN DOWDY, ET AL.

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

WASHINGTON, D.C.,
December 15, 1971.

The Honorable the SPEAKER,
House of Representatives.

DEAR SIR: On this date, I have been served with a subpoena duces tecum that was issued by the United States District Court for the District of Maryland. This subpoena is in connection with the case of the United States of America v. John Dowdy, et al.

The subpoena commands the Clerk of the House to appear in the said United States District Court for the District of Maryland, Baltimore, Maryland, on the 16th day of December, 1971 at 10:00 o'clock A.M., for the purpose of identifying and explaining certain House records that are outlined in the subpoena itself, which is attached hereto.

The rules and practices of the House of Representatives indicate that no official of the House may attend either voluntarily or in obedience to a subpoena without the consent of the House being first obtained.

The subpoena in question is herewith attached, and the matter is presented for such action as the House in its wisdom may see fit to take.

Sincerely,

W. PAT JENNINGS,
Clerk, House of Representatives.

[U.S. District Court for the District of Maryland, No. 70-0123]

UNITED STATES OF AMERICA v. JOHN DOWDY

(Subpoena to produce document or object)

To: Clerk of the House or his designated representative, United States House of Representatives, Washington, D.C.

Serve on: Paul Wohl, Counsel to the Clerk.

You are hereby commanded to appear in the United States District Court for the District of Maryland at 421 Post Office Building, Calvert and Fayette Streets in the city of Baltimore on the 16th day of December 1971 at 10:00 o'clock A.M. to testify in the case of United States v. John Dowdy.

The Purpose of the required testimony is to identify certain voting records of the House of Representatives, certified copies of which are now in possession of this Court (tally sheets and reading clerk's notes pertaining to roll calls #314-318, inclusive, of September 22, 1965) and to explain the roll call procedures of the House of Representatives which pertain to those tally sheets and to those reading clerk's notes.

This subpoena is issued upon application of the United States.

December 14, 1971.

Barnet D. Skolnik, Assistant U.S. Attorney, 421 P.O. Bldg., Baltimore, Md.

Phone: (301) 962-4626 or 962-2043.

PAUL R. SCHLITZ,
Clerk.

CHARLOTTE WILLIAMS,
Deputy Clerk.

Mr. BOGGS. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 749

Whereas in the case of the United States of America against John Dowdy, et al. (criminal action numbered 70-0123), pending in the United States District Court for the District of Maryland, a subpena duces tecum was issued by the said Court and addressed to W. Pat Jennings, Clerk of the House of Representatives, directing him or his designated representative to appear as a witness before the said court at 10:00 antemeridian on the 16th day of December 1971: Therefore be it

Resolved, That W. Pat Jennings, the Clerk of the House of Representatives, or his designated representative is authorized to appear in response to said subpena as a witness in the case of the United States of America against John Dowdy, et al.; and be it further

Resolved, That a copy of this resolution be transmitted to the said court as a respectful answer to the subpena beforementioned.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNUAL REPORT OF THE OFFICE OF ALIEN PROPERTY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

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

To the Congress of the United States:

I herewith transmit the annual report of the Office of Alien Property, Department of Justice, for the fiscal year ended June 30, 1970, in accordance with section 6 of the Trading With the Enemy Act.

RICHARD NIXON.

THE WHITE HOUSE, *December 15, 1971.*

FOURTH ANNUAL REPORT OF THE NATIONAL ADVISORY COUNCIL ON ECONOMIC OPPORTUNITY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 92-185)

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

To the Congress of the United States:

Pursuant to Public Law 89-794, I have the honor to transmit herewith the Fourth Annual Report of the National Advisory Council on Economic Opportunity.

RICHARD NIXON.

THE WHITE HOUSE, *December 15, 1971.*

RALPH J. BUNCHE: A CITIZEN OF THE WORLD, A SEEKER FOR PEACE, A GREAT AMERICAN

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

Mr. MATSUNAGA. Mr. Speaker, I know I share the feelings of peace-loving people throughout the world in expressing sorrow over the death of Dr. Ralph J. Bunche.

Dr. Bunche's service to the United Nations, most recently as Undersecretary General for Special Political Affairs, demonstrated a commitment to peace that goes far beyond the expression of a desire for a peaceful world. Ralph Bunche worked diligently for peace. For his efforts in bringing about a settlement of the Palestine war in 1949, he won the Nobel Prize for Peace.

In the years that followed, Ralph Bunche took on the most difficult international problems, translating the respect and confidence world leaders had for him personally into a tool for averting international violence. More often than the world had reason to hope, he succeeded.

Dr. Bunche visited my State of Hawaii on a number of occasions, and served on the panel of international advisers to the East-West Center at the University of Hawaii. But he belonged, not only to Hawaii and America, but to the world. As a black man who found himself confronting racism in his own country, he nevertheless acknowledged in a speech that he was, in fact, a biased man himself:

> 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.

God grant us more such biased men like Ralph J. Bunche.

FEDERAL FUNDS OF $283,000 TO HARVARD PSYCHOLOGIST B. F. SKINNER TO WRITE "BEYOND FREEDOM AND DIGNITY"

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

Mr. GALLAGHER. Mr. Speaker, I rise today in the closing hours of the first session of the 92d Congress to discuss events and trends which may well eventually see the permanent closing of the Congress itself.

The specific fact I wish to disclose to my colleagues this afternoon is that the National Institute of Mental Health has granted to Dr. B. F. Skinner the sum of $283,000 for the purpose of writing "Beyond Freedom and Dignity." The NIMH grant description says this grant is to free Dr. Skinner from teaching or research responsibilities so that he may pursue "scholarly activities." While the grant covers a 10-year period, to end in 1974, certainly the major "scholarly activity" of that time for Dr. Skinner was to write his book and now to appear all over the country on television and at symposiums to talk about it.

Why should a Member of the Congress rise to discuss one of the most widely read and influential books of the fall 1971 literary season? To put that another

way, why should we have any concern here in the Congress with the manner in which Federal agencies spend the money we have authorized and appropriated? I think the obvious answer to the second question provides an answer to the first.

B. F. Skinner is chairman of the Psychology Department at Harvard University and his 1948 novel "Walden Two" has over a million copies in print. In a recent Johns Hopkins University poll, psychology faculties and graduate students around the Nation named Skinner as the most respected social scientist alive. A Southern Methodist University poll found that he was the only living man among the 10 great minds in the history of psychology.

Mr. Speaker, these simple facts reveal two important things. First, when Dr. Skinner speaks millions of our fellow citizens take him very seriously; and second, Dr. Skinner is not exactly a charity case who depends on Federal funds to keep him in business.

Let me now briefly discuss what is contained in "Beyond Freedom and Dignity." I am not, of course, a literary scholar nor am I a trained psychologist, but for 7 years I headed the Special Subcommittee on Invasion of Privacy within the Committee on Government Operations and we studied and explored many similar academic proposals and attitudes. Indeed, our very first set of hearings in 1965 was on psychological tests and we learned a very important fact: To prove you were adjusted, you had to prove it on the terms of the psychologists who created the test. By that I mean that these dedicated scientists produced tests whose results defined mental health in terms which they would approve of. This is essential to any consideration of Skinner's work.

In addition, I led the fight here in the Congress to discredit the 1970 proposal of Dr. Arnold F. Hutschnecker to give every young child in the country predictive psychological tests to determine his future criminality. This monstrous thought, advanced in the very highest levels of our Government was abandoned after the Privacy Subcommittee threatened to hold hearings.

What Dr. Skinner proposes in "Beyond Freedom and Dignity" is to alter modern life by conditioning the behavior of each citizen by positive or negative reinforcements. He proposes, quite simply, to choose what is decent behavior and then reinforce it by rewards and, should that not be totally successful, he would then punish negative behavior.

A question, of course, leaps to mind: Who is to decide what is decent behavior? Obviously, Mr. Speaker, this choice is not to be left to the democratic political system because it is based on such outmoded concepts as freedom and dignity. No, it will be an elite, composed of mirror-images of Dr. Skinner, who will make this choice so absolutely essential to our future.

As I mentioned, the fictional utopia of "Walden Two" was published in 1948 and what Skinner really has in mind can be found, in my opinion, by rearranging the numbers—1984.

I certainly believe that Dr. Skinner has every right, both as a citizen and as a distinguished academic, to publish his ideas and to speak for them in any way he can. But what I question is whether he should be subsidized by the Federal Government especially since, in my judgment, he is advancing ideas which threaten the future of our system of government by denigrating the American traditions of individualism, human dignity, and self-reliance.

Writing some 10 years ago, Edward Shils said of American social psychologists that they had a "hostility toward contemporary society" and a "hatred of individualism." In July of this year, the distinguished expert of Soviet affairs, Victor Zorza, described the growth of massive computerized information systems in Russia. He describes the manner in which the planners of the Soviet computerized systems intend to use it as a weapon of thought control. Zorza writes:

> But the main purpose of any such system would be to prevent any disloyal ideas from even taking shape in the heads of Soviet citizens . . . the full records of his psychological characteristics and actions could be used to devise an approach that would quickly persuade him . . . that his best interests require him to confirm to the political guidance of his spiritual advisor at the KGB.

Mr. Speaker, what better description of Skinner's "technology of behavior"? I have spoken frequently of the ability of the computer to compile virtually every thought and every action, and then to coerce the individual into officially approved behavior. The new technology, symbolized by computer power, can be the operative arm of Skinner's "technology of behavior."

The power of computerized information systems, coupled with mood-creating or altering biochemical discoveries, provide an overwhelming new tool for those who, like Skinner, feel that social engineering is more important than individual freedom. In my opinion, these technical developments answer those who would dismiss Skinner's ideas as being impossible to implement and are the basic reason why those of us in the Congress should take him very seriously.

And yet we permit 283,000 of the tax dollars of the American people to be used to propagandize our society. I would remind my colleagues that we have been very careful to prevent the U.S. Information Agency from distributing their products domestically. Even such a magnificent celebration of American life as the film on the life and death of President John F. Kennedy was not widely seen in the United States.

And yet we permit 283,000 of American's tax dollars to be used to advance ideas which seem to me to contain the seeds of our own destruction.

Mr. Speaker, I am today focusing on the specific grant to Dr. Skinner, but, in my judgment, this merely represents the tip of the iceberg. Information forwarded at my request from the General Accounting Office discloses 70,000 grants and contracts within the Department of Health, Education, and Welfare; 10,000 grants and contracts within the Manpower Administration of the Department of Labor, and God alone knows how many behavioral research grants and contracts funded by the Department of Defense.

Journalists who cover the behavioral research field tell me that they have no way to determine the full range of this expenditure of Federal funds. This is confirmed by the General Accounting Office. When I called for a review of Federal funds to Dr. Kenneth Clark, president of the American Psychological Association, and for an audit of all funds given for psychological research, they reported that the task I had set for them was virtually impossible.

I repeat: The Congress has authorized and appropriated every single dollar in these grants and contracts; yet, for the most part, we are unaware of how they are being spent. Certainly, we must have a continuing body within the House which has the technical sophistication to deal with this expenditure of Federal funds which advances prestigious proposals to determine how our people live and whether the American experience survives.

Mr. Speaker, during the 7 years I headed the Privacy Subcommittee, I was often critical of bureaucratic or academic proposals which, while they promised short-term gains by maximizing efficiency and economy, would have undermined the cohesiveness of our society by eroding guarantees of the Bill of Rights. Perhaps the most far-reaching proposal by social scientists I ever uncovered was to bug each room of a federally financed low-cost housing project. In order to find out why some people remained at a poverty level, these dedicated social scientists would have analyzed every sentence uttered in this building and tried to determine life styles which were unsuitable for success in modern America. I objected strongly when I learned of this idea at an academic symposium, and it was not carried out.

But at that symposium, my humanist doubts, based on the privacy protection amendments in the Bill of Rights, were criticized as being naive and anti-intellectual. It is quite likely that this allegation which arose at the beginning of virtually every area covered by the Privacy Subcommittee, may be raised when I question this grant of Federal funds to a scholar as prestigious as B. F. Skinner.

Let me respond by quoting the words of a man who created the utopian novel "Brave New World" which has been held up as a workable model by behaviorists. Aldous Huxley wrote:

> Who will mount guard over our guardians, who will engineer the engineers? The answer is a bland denial that they need any supervision . . . Ph. D.s in sociology will never be corrupted by power. Like Sir Galahad's their strength is as the strength of ten because their heart is pure; and their heart is pure because they are scientists and have taken six thousand hours of social studies.

Right on, Mr. Huxley.

And, Mr. Speaker, the Congress should move "right on" itself to be able to confront the dangers represented by the Skinner proposal and so many others which are cloaked in the mystique of

science and the purity of the academy. The groves of academe produce profitable fruit, for whether we in the Congress or many disenchanted young people like it or not, the Federal grant and contract system has inextricably intertwined colleges and universities with moneys authorized and appropriated by the Congress. I mean to imply no suggestion of a lessening of academic freedom in the Nation, but I do suggest that the Congress should at the very least be fully informed and, if need be, have the tools and expertise at our own disposal to counter antidemocratic thoughts launched with Federal funds.

Mr. Speaker, I am now going to state a very personal note. The amount given to B. F. Skinner is approximately four times greater than the amount given by the Committee on Government Operations to the Privacy Subcommittee during our 7 years. We were pursuing means to make freedom and dignity relevant to technological sophistication and, until the committee declared the Privacy Subcommittee outside its jurisdiction in March 1971, I believe it is fair to say that we had had considerable success. We began the concern over the computer and invasion of privacy by hearings on the proposed National Data Bank in 1966; we initiated congressional consideration of the credit-reporting industry in 1968; and we disclosed in 1970 that at least 250,000 American grammar-school children are receiving behavioral modification drugs, most often the amphetamines or "speed" as they are commonly called. The committee report released in 1968 entitled "Privacy and the National Data Bank Concept," based on the computer hearings, was called "a gem" by computer specialists and on the floor of the other body, Senator SAM ERVIN referred to it as "a concise classic."

But the insights and attitudes which produced these accomplishments, and many others, are now denied the Congress. I have offered a proposal to create a Select Committee on Privacy, Human Values, and Democratic Institutions. This proposal, which has passed the Committee on Rules and will be brought to the floor of the House after we return in January, has as its principal cosponsor our distinguished Republican colleague, Representative FRANK HORTON, and is designed to deal specifically with the type of threats to our Constitution, our Congress, and our constituents which are contained in the thoughts of B. F. Skinner.

Perhaps here would be a good place to mention its basically nonpartisan work. Not only did the majority of our actions take place under Democratic administrations, but the continuing grant to B. F. Skinner took place 8 years ago. This highlights, in my view, the lamentable fact that, while we authorize and appropriate billions of dollars to the executive branch, we seem unwilling to authorize funds to keep the Congress itself relevant, informed, and a vital part of the decisionmaking process.

CONCLUSION

Mr. Speaker, I am "negatively reinforced" by B. F. Skinner, to borrow some of "Beyond Freedom and Dignity's" jargon. This, in itself, is no reason why Dr. Skinner's Federal grant should be canceled or even why the Federal Government should not spend millions more on advanced behavioral research. However, based on the material in this speech and in the documents I am inserting in the RECORD, it does seem to me that the Congress desperately needs a formal and continuing body to assure that the twilight of the 20th century does not see the total eclipse of the legislative branch.

[Provided by the General Accounting Office, Dec. 14, 1971]

INFORMATION ON GRANT BY NATIONAL INSTITUTE OF MENTAL HEALTH TO PROF. B. F. SKINNER

The information presented herein was developed at the request of Mr. Charles Witter of Congressman Gallagher's office in connection with the request dated September 10, 1971, by the Congressman for certain information on Federal funds being paid to psychologists. The incidence of Mr. Witter's request was a book "Beyond Freedom and Dignity" by Professor Skinner in which he acknowledged that a grant by NIMH made it possible to write the book.

Grant K6-MH 21775 was awarded to Professor B. Frederic Skinner by NIMH on February 18, 1964, under the Research Career Program, to carry out a research project in Behavioral Analysis of Cultural Practices. Although the award was made for a 5-year period, from July 1, 1964, through June 30, 1969, provision was made for funding on an annual basis, subject to periodic review to ensure that the award continued to promote the objectives of the program. The amounts awarded during the 5-year period were as follows:

Year number, period, and amount	
First year, July 1, 1964 to June 30, 1965	$26,024
Second year, July 1, 1965 to June 30, 1966	26,082
Third year, July 1, 1966 to June 30, 1967	27,562
Fourth year, July 1, 1967 to June 30, 1968	28,814
Fifth year, July 1, 1968 to June 30, 1969	28,814
Total	137,296

The grant was extended for an additional 5 years on May 28, 1969, to run from July 1, 1969, through June 30, 1974. As in the initial 5-year period, funding was to be made in one-year increments. The amounts awarded and estimated during this period were as follows:

Year number, period, and amount	
6th year, July 1, 1969 to June 30, 1970	$28,814
7th year, July 1, 1970 to June 30, 1971	30,288
8th year, July 1, 1971 to June 30, 1972	30,547
9th year, July 1, 1972 to June 30, 1973	*28,284
10th year, July 1, 1973 to June 30, 1974	*28,284
Estimated total	146,217

*Estimated amounts.

According to the grant file, the purpose of the grant was to permit Professor Skinner, who is a recognized authority in the field of behavioral science, to study the broader implications of an experimental analysis of behavior for government, economics, psychotherapy, sociology, and anthropology, or the relevance of behavioral processes in an analysis of culture. The objective was to advance knowledge in response to the questions of how cultural practices originate, what are cultural values, what determines the survival of specific cultural practices or values, and how psychological principles could affect cultural practices.

To carry out this analysis and study, Professor Skinner was to read extensively in such areas as government, political science, economics and psychiatry; to discuss ideas with specialists; and to organize and analyze material in accordance with experimental findings. It was anticipated that he would publish papers at various stages of the project and probably lecture to selected audiences and teach small groups of students. In summary, the grant was intended to free Professor Skinner from teaching and from experimental research activities in order to devote his time to scholarly activities, the consolidation of his theories, and the consideration of their application to the problems of society.

During the course of the grant, Professor Skinner has written three books and numerous articles and papers. He has also given many lectures. In addition to his book "Beyond Freedom and Dignity," which was published in 1971, he has written two other books, "Contingencies of Reinforcement: A Theoretical Analysis" (published in October 1969) and "The Technology of Teaching" (published in 1968). His papers include such titles as "Teaching Science in High School—What is Wrong?" (published in 1968) and "Man and Machine" (published in April 1969). Although no specific evaluations of his publications were included in the grant file, we noted that Professor Skinner's request for a 5-year extension of the grant was approved unanimously by the professional review committee, which would indicate that his work was considered to be in accordance with the grant objectives.

The terms and conditions of the grant are as stated in the Policy Statement, Grants for Training Projects, Public Health Service, Department of Health, Education, and Welfare, revised July 1, 1967, which states the following with respect to Copyrights:

"Except as otherwise provided in the conditions of the award, when publications, films, or similar materials are developed from work supported by the Public Health Service, the author is free to arrange for copyright without approval. Any such copyrighted materials shall be subject to a royalty-free, nonexclusive, and irrevocable license to the Government to reproduce them, translate them, publish them, use and dispose of them, and to authorize others to do so."

Recently continuance of the grant to Professor Skinner was questioned within NIMH in light of current constraints on funds for research and a critical review of the book, "Beyond Freedom and Dignity," which appeared in the Book World section of the Washington Post of October 10, 1971.

GALLAGHER CALLS FOR TOTAL LIST OF FEDERAL FUNDS USED BY AMERICAN PSYCHOLOGICAL ASSOCIATION—CALLS APA PRESIDENT KENNETH CLARK'S PROPOSAL FOR ANTIAGGRESSION DRUGS TO POLITICAL LEADERS "ANOTHER DREARY EPISODE IN THE CONTINUING AGGRESSION BY POWERFUL INDIVIDUALS AGAINST BOTH PEOPLE AND POLITICS"

Congressman Cornelius E. Gallagher, who headed the Special Subcommittee on Invasion of Privacy for seven years, today announced in a speech on the House Floor that he had asked the General Accounting Office to investigate all Federal contracts and grants given to the American Psychological Association. The first investigation of Gallagher's Privacy Subcommittee in 1965 was into psychological testing, and he was sharply critical today of the most recent manifestation of the psychologists, as disclosed by incoming APA President Kenneth Clark's proposal to intervene in the political process by drugging political leaders, allegedly to remove war-like impulses.

"This proposal might seem absurd on its face," Gallagher said, "but it represents another dreary episode of what I call the technocratic elite's campaign against the human spirit." Gallagher listed several examples which his Privacy Subcommittee had investigated:

1. Dr. Arnold Hutschnecker proposed to give all six to eight year olds in the country a predictive psychological test for criminal potential. Those who flunked the tests—which had been shown to provide a successful prognosis (as distinct from diagnosis) in approximately fifty percent of the cases—were to be sent to a "rehabilitation center in a romantic setting out west" as Hutschnecker phrased it. Gallagher branded those centers "American Dachaus" and after hearings were threatened, HEW reported back to the White House that the proposal had no merit.

2. Hutschnecker also proposed that all political leaders be given psychological tests to determine their mental health. This thought had been endorsed by a number of international scientific conferences and Gallagher commented, "I don't know many politicians who could pass such a test. With all the difficulty holding public office brings these days, you have to be a little unbalanced even to offer your name."

3. In September 1970 Gallagher's Privacy Subcommittee held a hearing into the administration of amphetamines and other stimulants, such as Ritalin, to modify the behavior of so-called hyperactive children. Gallagher learned that some 300,000 children were receiving drugs now, and that experts predicted a "zoom" in the treatment. A "Blue ribbon" panel was announced two weeks after the hearing and the panel's report of March 1971 repeated many of Gallagher's criticisms, particularly about drugging normally active and intelligent children who found themselves bored in the classroom.

4. In March 1971 Gallagher released an exchange of correspondence with Navy Assistant Secretary Robert Frosch over the Navy's testing program, Personnel Technology, which has cost some $1.5 million. Gallagher had been particularly critical of a Purdue study entitled "The Value of Human Life: An Initial Analysis" which had aroused concern because it tested attitudes as to whether "have or have not" civilians should survive in a crisis situation.

"These programs, and dozens like them, are spreading fast throughout our society and are being endorsed by influential citizens and organizations. In my judgment, they reveal a loss of faith in both people and politics." Gallagher said. The sheer number of these antihumanist suggestions are a special reason why the House should establish a Select Committee on Privacy, Human Values, and Democratic Institutions, which has already been approved by the Rules Committee and which should be acted upon by the full House in the near future.

"I want to know the extent of Federal support for the American Psychological Association to see whether President Clark's thought was merely an aberration or whether tax dollars are being spent to implement it," Gallagher continued. "I certainly believe in sophisticated research into human behavior but the examples with which I am familiar suggest an emerging pattern which will radically alter the values and the traditions of our Nation, and with them our freedom. The logical conclusion of this proposal must be a dictatorship under the control of those who would pop pills into world leaders. As one always must keep in mind when phychologists are discussed, who will test the testers?

"If this were not so serious," Congressman Gallagher concluded, "and happening on such a broad scale, it would be ridiculous. But lately, no one in the Congress even raises a voice when the Nation's most important newspapers continue to carry such stories on the front page, stories which will result in American freedom eventually on the obituary page."

TECHNOLOGY AND SOCIETY: A CONFLICT OF INTEREST?

(Speech of Congressman CORNELIUS E. GALLAGHER before the Institute of Management Sciences, Chicago Chapter, March 26, 1969)

America has produced the richest and most complex society the world has ever known. The major impetus toward our unparalleled prosperity has been our ability to harness our resources and to use the gifts we have received as a nation for the benefit of our citizens. It is not an overstatement to say that technology has created America; at least in the sense that the applications of science have created the life led by most Americans. The fundamental premise of this speech is that technology should be morally neutral—it should have no values itself other than the manner in which society chooses to apply it.

Immediately, however, there can be seen numerous objections to such a premise. For example, it has often been stated that technology opens doors for man, but does not compel him to enter. Yet, it must be realized that in the real world of free enterprise, a logic is imposed which strips such technological advance of its ideal neutrality. The first application of a new technology—the first organization through the door—is likely to make the most money while the last is likely to find it slammed in its face. Risktaking by industry is motivated by the profit factor: thus, whatever neutrality a technology may have is already diluted by the financial facts of its development and the rush for its deployment.

When the decision is made to exploit a new technology, major social and institutional change follows. It is impossible to predict the range or the character of that change. A development and deployment decision is made solely upon the first-order effects, which are customarily profit, institutional advantage, or national policy in the case of federally inspired innovation. The evaluation of the second or third-order effects, such as social costs and value dislocations, only takes place after a technology has been established.

What occurs then is a virtually dictated application of an innovation and the impact upon the rest of society only becomes visible after the technology has become operative. It is only by the time a sizable investment of money, resources, and commitment have coalesced that society can know what it has really done. The innovation itself becomes a powerful reason for continuing in that direction and the difficulties and the dangers must be, in large measure, either ignored or rationalized. To put it bluntly, the problems have been transferred from ones of engineering to ones of public relations.

To illustrate the current status of technology in America, let us imagine that technology is a heathen idol and that Americans are primitives. What have we, as a society, offered this God in the way of sacrifice?

First, we nave given him our air. Our cities form the bottom of an airborne cesspool. Our atmosphere is now so polluted that natural temperature inversions threaten every single person living in large metropolitan areas. For that simplest and freest of commodities—a breath of fresh air—we must depart from our homes and our jobs. The pilgrimage to Mecca for the infidels of America is the summer vacation to a place where man has not despoiled his heritage.

It is interesting to note in this connection that we have saved the whooping crane by creating wild-life sanctuaries and imposing the strictest rules and regulations for the preservation of this species. But man, who emulates the cry that gives the whooping crane its name by his pollution inspired cough, has not been so fortunate. As columnist Arthur Hoppe has suggested, it may be necessary to establish human-life sanctuaries to assure the continuation of Homo Sapiens.

The next sacrifice we have made to the God of technology is our water. All forms of pollution are dumped into our rivers and lakes, and a fresh, pure stream near an urban area is as rare today as a polluted one was earlier in our history. Raw sewage is dumped into rivers from which downstream communities take their drinking water. Lake Erie, according to many observers, can never be reclaimed from technology's abuse. Bodies of water which have existed practically since time began, are now being ruined in a few years.

I would like to call your attention to the recent problem with offshore oil drilling near Santa Barbara. To the best of my knowledge, the crucial social question was never asked: did America need this source of oil? Was it essential to deploy such a risky procedure at this time or could the development stage have continued without deployment? It is my hope that we will learn a great deal from this catastrophic experience. But if past history is an indication, the only lesson will be to cast doubt on the validity of the old cliche: "To spread oil on troubled waters."

In addition to our air and our water, we have not hesitated to make human sacrifices to the idol of voracious technology. Our nation's highways are nourished by the blood of our children and the reports of the mangled victims of auto accidents make even the carnage of Vietnam seem insignificant. In sheer numbers, slaughter on the highways was approximately five times as great last year as were our losses in the tragic Vietnam conflict. In theory, we commit our youth to Vietnam in pursuit of a noble ideal; we destroy our young men and young women on their way to the neighborhood drive-in.

Over all the world hangs the ultimate symbol of the God of technology—the mushroom cloud of atomic holocaust. Mankind genuflects to that God every time we say we coexist on our planet because of a "balance of terror."

I have never felt that there is any true balance of terror, it is only the product of a universe that is out of balance.

How truly irrational we have become may be seen in the following hypothetical example. It is a basic assumption of the cold war, at least in some quarters, that should the American way of life be fatally threatened, we should incinerate those who oppose us. This would, of course, result in our own incineration and quite probably the fallout would make our globe uninhabitable. Yet, those who advocate this course of future action are acclaimed as realists and patriots.

But any man who would propose that all industry stop and all autos be taken from the highways in order to make our atmosphere habitable, would immediately be branded as insane.

So it is sane to destroy the whole world and yet it is crazy to take extreme action to make the world livable. The "balance of terror" has certainly unbalanced something.

The bomb, as terrifying as it is, merely promises the extinction of life. All men, be they free or enslaved, have come to some individual understanding with the fact of eventual death. But the latest visitation from the God of technology promises to make us less than human and threatens to make us slaves.

The computer demands that we poor dumb savages offer up our individuality, our dignity, and our privacy.

It provides a new priesthood with a tool to drive us to our knees, to manipulate our actions, to petrify our past mistakes, and makes the sword of Damocles dangle, gleaming with its promise of eventual destruction, in every American's future.

It is extremely important to emphasize that the computer and its applications not only threaten those who are guilty or who wish to conceal their past. The computer threatens us all; yes even that man who must exist somewhere who has never done anything he could not put on his résumé.

The computer is not only a super fast adding machine; it is more than an automated filing cabinet; it is even more than the heart of far-flung communication systems. The application of computer technology, in its most frightening aspect, has perhaps best been described by Erich Fromm in his recently published *The Revolution of Hope; Toward a Humanized Technology:*

"A specter is stalking in our midst. . . . A completely mechanized society, devoted to maximal material output and consumption, directed by computers: and in this social process, man himself is being transformed into a part of the total machine, well fed and entertained, yet passive, unalive, and with little feeling. With the victory of the new society, individualism and privacy will have disappeared. . . ."

The shattered schemes of all the dewy-eyed utopians which litter the shores of history are now conceivable. All the beautiful idealisms which so quickly turned into ugly forms of fascisms can now be engineered and implemented. Technology has made the world so small and the computer has given men such a powerful instrument of social control, that individual dreams, which became local nightmares, can now be worldwide catastrophes.

Dr. Ida Hoos, of the Space Sciences Laboratory at the University of California, has called my attention to a poem by Martyn Skinner which says it all:

"Gone are the days when madness was confined
By seas or hills from spreading through mankind;
When, though a Nero fooled upon a string,
Wisdom still reigned unruffled in Peking;
And God in welcome smiled upon Buddha's face
Though Calvin in Geneva preached of grace,
For now our linked-up globe has shrunk so small,
One Hitler in it means mad days for all."

To put it bluntly, all our eggs are in one basket. We can describe where we are by borrowing the terms of one of man's truly great technological triumphs: we are all passengers on "Spaceship Earth," following a most uncertain orbit.

This then is the context in which we must consider technology and American society. Ramifications of our actions reverberate in the Capitols of the world; we truly live in a "Global Village".

Understanding that we are talking about all men, let us consider what has already happened to many among us who have surrendered totally to the machine and inhuman value systems. Fromm described technological man in these chilling terms: ". . . (H)aving lost compassion and empathy, they do not touch anybody—nor can they be touched. Their triumph in life is not to need anybody. They take pride in their untouchability and pleasure in being able to hurt . . . Whether this is done in criminal or legitimate ways depends more on social factors than on psychological ones."

With the reins of computer technology in such hands, we may very well be racing to our own destruction. Certainly a free spirit is the most obvious victim of such breathing robots, and free government is not far behind.

Dr. F. A. Hayek, who was professor of moral and social science at the University of Chicago from 1950 to 1962, puts the ultimate threat in these terms:

"Man owes some of his greatest success to the fact that he has not been able to control social life. In the past the spontaneous forces of growth asserted themselves against the organized coercion of the state. With the technical means of control now at the disposal of Government, such assertion may soon become impossible."

The assertion of which Dr. Hayek speaks is not only that of organized groups striving to control policy; it is also individual man himself yearning to be a part of the world and to influence the course of events which affect and alter his times. Fromm makes the extremely valuable point that if man were infinitely malleable, if social pressures could force man into any mold, there would never have been any revolutions. Man, however, simply is not made that way. Fromm describes man in these terms:

"The dynamism of human nature inasmuch as it is human is primarily rooted in this need of man to express his faculties in relation to the world rather than in his need to use the world for satisfaction of his physiological necessities. This means: because I have eyes, I have the need to see . . . because I have a heart, I have the need to feel . . . in short, because I am a man, I am in need of man and of the world."

The countervailing force which technology and the computer put at the service of repressive interests has been described by a New Left critic of the American scene. I certainly do not endorse the totality of Paul Goodman's ideas, but he does make a number of provocative points. In *Like a Conquered Province,* Goodman says:

"Human beings tend to be excluded when a logistic" (that is, a computer-oriented) "style becomes universally pervasive, so that values and data that cannot be standardized and programed are excluded, when function is adjusted to the technology rather than technology to function . . . when there develops an establishment of managers and experts who license and allot resources, and which deludes itself that it alone knows the only right method . . . then common folk become docile clients, maintained by sufferance, or they are treated as deviant."

Fromm and Goodman are suggesting a crucial point to those of us in this room. We all have a sizable stake in America as it is today; while we do not oppose change and are undoubtedly not reactionaries, yet we are all, I would suspect, conservatives in the sense that we believe we must build upon the past. Riot and rebellion are obnoxious to us all and we would unite in condemning violence as an instrument of social change. But the question must be asked: does our emphasis on the manipulations of technological culture deny man the opportunity to express himself? Has the erection of intricate social systems which demand, at the very least, the acquiescence of the minority, placed roadblocks in the way of the rational use of human beings? In my view, Fromm and Goodman are implying that imposing a mechanistic culture between man and his needs to affect the world creates rebellion.

Here may indeed be the roots of the violence we see around us. Articulate and aggressive segments of our society are clamoring for increased participation in the decision-making process. Blacks, hippies, students, ghetto parents, and members of the dissenting academy are united in demanding a greater piece of the action or, at the very least, a heightened sense of personal involvement in and control over their own destinies. All around us we see real anger, spreading disenchantment with the political process, and a frequently hysterical assault against the bastions of orthodoxy. Let me make it clear: I believe there is no validity in violence, but in condemning the action of others we must ask ourselves if we do not bear some of the responsibility for creating an environment which, by its inhuman systems approach, contributes to the creation of violence.

When I began my studies of privacy over five years ago, I felt that the reaction of man to a depersonalized atmosphere could be expressed by a quotation from Alfred North Whitehead:

"Men might sink into mere routine repetition of habitual acts and accustomed social processes at a fairly low level, almost brainless, as certain insects can run a stable society though they have no brains."

But seeing problems by the light of the burning ghettos must force a re-examination of all our concepts and a re-evaluation of social and political modes. In any event, it is perfectly apparent that not all "common folk" have become the "docile clients" envisioned by Goodman.

Robert Theobald is concerned with the impact of science and technology on society and the economy. He has written extensively on the problems of modernization, technological change, and economic growth patterns. In 1964, he made a statement which I feel is quite relevant to the issues I am discussing with you this evening:

"Whether increasing violence and social disorder can fairly be laid at the door of the computer is, however, peripheral to the possibility of the development of a police state . . . the generalized use of the computer as a means of societal control threatens to destroy at least the right of privacy, and very probably *all* the present rights, of the individual . . ."

Theobald is not given to making such statements lightly and it is interesting to note that he underlined the "all" in that quotation.

Two years later, in July 1966, my Special Subcommittee on Invasion of Privacy was presented with a proposal which probably would have done exactly what Theobald warned might happen. This was the Bureau of the Budget suggestions for a National Data Bank. Those hearings have been so widely discussed that I do not feel I should go into the full story now.

Privacy and Freedom, a brilliant 1967 book by Dr. Alan Westin, and the soon to be published *The Death of Privacy,* by Dr. Jerry Rosenberg have lengthy sections which describe the ramifications of our hearings.

The general problem of computer privacy is now receiving influential attention. The American Academy of Arts and Sciences' Committee on the year 2000 has a working party on "The Social Implications of the Computer." The Director, Dr. R. M. Fano of M.I.T., has informed me that at least a dozen papers will be published this year. The National Academy of Science recently formed a Computer Science and Engineering Board. One of its major undertakings will be to conduct a heavily financed study of computers, data banks, and privacy. Finally, the Harvard University Program on Technology and Society will publish a collection of papers this summer under the title *Information Systems and Democratic Politics.* My 1966 speech, "Science, Privacy, and Law—The Need For a Balance" is to be included.

There is one point I made at the 1966 hearings on "The Computer and Invasion of Privacy," which seems generally misunderstood. I said that we could not be sure that the data contained in such a National Data Bank system would always be used by benevolent men or for benevolent purposes.

Some people felt I was questioning the integrity of officials connected with federal statistical programs: that is certainly not true. In fact, I have a great deal of respect for federal officers involved in data collection and publication but my point was, and continues to be, that we cannot guarantee the level of responsibility of the future users of federally compiled dossiers on Americans.

In addition, it is certainly not a matter solely of integrity. Let me quote a statement made by Supreme Court Justice Brandeis in 1928:

"Experience should teach us to be most on our guard to protect liberty when the government's purposes are beneficient. Men

born to freedom are naturally alert to repel invasion of their liberty by evilminded rulers. The greatest dangers to liberty lurk in the insidious encroachments by men of zeal, well-meaning but without understanding."

Erich Fromm provides yet another insight about decently motivated social planners:

"Precisely because the more conventionally minded managers do not lack good will, but rather imagination and vision of a fully human life, they are even more dangerous, from the standpoint of humanistic planning . . . in fact, their personal decency makes them more immune to doubts about the methods of their planning."

A viable democracy depends on an atmosphere in which people can go their own way for the vast majority of their daily experiences and satisfactions. Freedom from either subtle or overt coercion is the birthright of our citizens. In a nation as large and as complex as America, which contains so many different ethnic and cultural heritages, no one class of men—no matter how well educated or how nobly motivated—can impose the standards of their group on the remainder of American society.

I would like to illustrate this from first hearings conducted by my Special Subcommittee on Invasion of Privacy. In 1965, we investigated in-depth the premises, principles, and procedures of those who create and administer psychological tests. These were decent liberal men whose goal was to understand our society and to move toward a sound, scientific explanation of interpersonal relationships. Yet, they created tests which virtually mirrored their own preconceptions. To prove you were adjusted, you had to prove it on their terms.

For example, in one widely used test, a preference for Lincoln over Washington is marked as an exhibition of a feminine characteristic. When I put the question to the experts who were testifying that Sonny Liston would undoubtedly prefer Lincoln because he had freed the Negro people from slavery, I was met with a stunning lack of understanding. I pressed the question and innocently inquired which of the experts before me would care to be the one who informed Sonny Liston that he was unmasculine; there were no volunteers.

Another question which was asked on this test was "Do you believe in the second coming of Christ?" This was placed in the test, I was informed, to determine the depth of religious feeling in the person taking the test. I inquired if this question were removed from tests administered to Jews and other religious groups, since they did not accept Jesus of Nazareth as the Messiah. It was hardly conceivable to my expert witnesses that anyone could have values totally different from their own and I was met with all sorts of stylish evasions.

This points up a very real danger of standardization and social rigidity which might flow from such a powerful instrument as a National Data Bank. The very same people who are actively lobbying for a truly effective statistical center, containing individual identifying information, are those who devised tests which characterize Sonny Liston effeminate and Rabbi Wise irreligious.

I would now like to describe a plan I heard proposed in absolute sincerity by some of the most respected social scientists in our nation.

It is widely believed that successful Americans must know how and why some Americans have failed. Perhaps I should put that a little differently and say that some Americans just cannot understand why other Americans are not carbon copies of themselves.

Be that as it may, one way in which America is meeting the problem of poverty is to assist in the construction of low-cost housing. This is certainly socially beneficial and I have cast many votes in the Congress to attempt to insure each American a decent place to live. Yet, the social scientists, in their zeal to discover more and more about the disadvantaged citizen, proposed to use low cost housing as a great pool of research and those who lived in it as guinea pigs. They seriously proposed to bug each room in each apartment of a federally sponsored low-rent project. They would then feed every single sentence uttered by the apartment dwellers into a computer. This computer would then deliver a profile of these Americans and their habits and compare the statistical profiles to Americans who have "made it."

I was outraged when I heard this suggestion and it was not carried out. The casual willingness to turn a citizen's life into a fishbowl did not concern these social scientists; valuable research could be gained and, while the Bill of Rights certainly protected their privacy, it was not relevant to the subjects of the research.

This brings to mind the words of Aldous Huxley: "Who will mount guard over our guardians, who will engineer the engineers? The answer is a bland denial that they need any supervision . . . Ph.D.s in sociology will never be corrupted by power. Like Sir Galahad's their strength is as the strength of ten because their heart is pure; and their heart is pure because they are scientists and have taken six thousand hours of social studies."

No matter from what source they may come, unwarranted invasion of privacy must be identified and resisted. Liberty under law is our foundation as a stable nation and it is my conviction that a suffocating sense of surveillance will restrict liberty and, ultimately, undermine law.

Let me speak briefly about the Bill of Rights and praise, yet again, the brilliance of those who drafted it. While privacy is not mentioned by name, the first ten amendments to our Constitution contain provisions guaranteeing rights to the individual which covered completely the range of privacy invasion known in the 18th century. A man cannot be compelled to give us his home to quarter troops; a man cannot be forced to give testimony against himself; a man has the right to face his accuser in an adversary proceeding with the advice of legal counsel. Most important, is one of the most beautiful concepts rendered into the English language. The Fourth Amendment states simply: "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause . . ."

In perhaps its most powerful recent manifestation, Justice Douglas, speaking for the Supreme Court in the *Griswold* Case in 1965, cites a number of constitutional guarantees and proclaims; ". . . The Bill of Rights have penumbras formed by emanations from those guarantees that help give them life and substance." Sections of the First, Third, Fourth, Fifth, and Ninth Amendments create "Zones of Privacy," according to Justice Douglas.

Commenting on the *Griswold* Case in *The Wisconsin Law Review* in 1966, Princeton's Cromwell Professor of Law, William Beaney, states: ". . . It should be made clear that the privacy to which all persons may lay claim is not a sterile or outmoded individual assertion. It is not a claim restricted to an aristocratic class, or to a few eccentrics who might prefer to resign from the human race . . . A freedom to determine the extent to which others may share in one's spiritual nature, and the ability to protect one's beliefs, thoughts, emotions, and sensations from unreasonable intrusions are of the very essence of life in a free society."

We see then that the Constitution of the United States provides a bulwark against those who would turn America into a total surveillance society. But there are always forces at work to invade privacy in an allegedly noble pursuit or for other less admirable reasons. At the very beginning of the American experience many saw a threat to our infant free republic in the proposed Alien and Sedition Laws. In the debate over those laws in the 5th Congress, Representative Edward Livingston made a ringing declaration of what would happen to society should the Federal Government be empowered to strip away protections of the individual. In a passionate speech, he made one of the most accurate predictions of the consequences of future actions against freedom. In *1798*, Livingston said:

"The system of espionage being thus established, the country will swarm with informers, spies, delators, and all the odious reptile tribe that breed in the sunshine of despotic power. The hours of the most unsuspected confidence, the intimacies of friendship or the recesses of domestic retirement will afford no security. The companion whom you most trust, the friend in whom you must confide, are tempted to betray your imprudence; to misrepresent your words; to convey them, distorted by calumny, to the secret tribunal where suspicion is the only evidence that is heard."

Let me repeat; that was *1798*, not *1984!*

To make the Bill of Rights a living entity in a technologically sophisticated world requires unceasing vigilance. The dangers described by Representative Livingston in the 5th Congress are still facing those of us in the 91st Congress. For the United States now has the capacity to establish a system of strict records surveillance which was, and is, the hallmark of European totalitarian states and which was specifically rejected by our Founding Fathers. The files of federal, state, local and private agencies bulge with dossiers on Americans. A perfectly understandable thrust toward making the operation of these agencies more efficient and economical has encouraged the use of computerized information systems. The most recent investigation of my Special Subcommittee on Invasion of Privacy brought forth the statement that one private credit organization confidently expects to have the record of every man, woman, and child in the country within its computerized system in five years. An individual's credit history can be retrieved and read anywhere in the country within two minutes after the request is initiated.

This tremendous ability to store and retrieve data has a basic effect on America. Throughout history, we have been known as the nation of the second chance. Immigrants flocked to our shores because we offered a new beginning for people who found other societies frustrating and repressive. Yet, the ability, to recall every event of a person's past, threatens to make this a one chance society.

In the same sense, we witnessed an internal migration in the 19th century. Our growing population could expand throughout our unused lands within the borders of America. The concept of a frontier was an essential precondition to the expansiveness of the American society and, as Frederick Jackson Turner pointed out, helped shape the American character.

New space for the body created a new life for the mind.

This brings me to the final portion of my speech this evening and to what I would regard as its most significant section. The argument over privacy is frequently confused by the belief that it is space alone that is the subject under discussion. This narrow emphasis permits the legitimate objection that man is a social creature and that he demands interaction with his fellows.

If privacy merely refers to a physical area, this view is perfectly correct. Everyone knows that city life lacks many of the comforts and graces of rural life, and yet urbanization is perhaps the central fact of population movement throughout history. So it would be foolish indeed to ignore the absolute necessity for man to seek the company of neigh-

bors. Yet, most observers have found an equally powerful counterforce and that is withdrawal from society for certain periods.

In 1961, Sociologist Erving Goffman described this basic conflict in these terms:

"Our sense of being a person can come from being drawn into a wider social unit; our sense of selfhood can arise through the little ways in which we resist the pull. Our status is backed by the solid buildings of the world, while our sense of personal identity often resides in the cracks."

The concept of space for the health of the societies of lower animals was the subject of a brilliant book by Robert Ardrey. Published in 1966, *The Territorial Imperative* sets forth example after example of animal behavior which suggests that the physical ordering and control over a space is a basic drive. This powerful instinct in lower animals is shown to precede mating and is demonstrated as the major way in which one individual differentiates itself from the rest of his species. Ardrey makes a compelling argument that demands the conclusion that what operates so universally in animals is relevant to understanding human nature as well.

I would like to suggest to you that the personality needs a psychological living space just as the body insists upon an area of physical autonomy. I believe that The Territorial Imperative in lower animals has a counterpart in man which I call The Intellectual Imperative. The Intellectual Imperative is as essential to mental health as The Territorial Imperative is to a sense of physical security. In my view, psychological integrity is as important as bodily integrity. A stable society cannot be constructed or maintained if illegal searches and seizures are permitted through a man's ideas and beliefs while his papers and effects are protected by law.

When I first raised questions about the validity of the use of the polygraph five years ago, I called it "mental wiretapping." Of course, the fact that lie detectors just did not work at any reliable level of accuracy was important to my opposition as well as the fact that the training of the polygraph operator was frequently so incredibly sloppy. But, basically, what I objected to was that there is a portion of man that no one can invade without the full approval of the individual. In no case should it be a precondition for employment at lower or clerical levels, which was the situation I uncovered in certain federal agencies in 1964.

In 1958, Pope Pius XII made this statement: "And just as it is illicit to appropriate another's goods or to make an attempt on his bodily integrity without his consent, so it is not permissible to enter into his inner domain against his will, whatever the technique or method used."

Similarly, the spread of information about a man must be under his control. Naturally, in the pursuit of a stable society, law must be maintained and the tools that science and technology have provided us must be used to preserve the rights of those who obey the law. But, as I believe I have demonstrated, technology frequently operates by its own laws which are occasionally peripheral, at best, to the purposes of society. To conduct a normal, healthy life a man must have privacy and this means that he must have areas where he is assured of protection from what Livingston called "the odious reptile tribe."

Professor Charles Fried of the Harvard Law School puts the need for privacy in extreme terms. He says:

"Privacy is the necessary context for relationships we would hardly be human if we had to do without—the relationships of love, friendship, and trust. Intimacy is the sharing of information about one's actions, beliefs, or emotions which one does not share with all and which one has the right not to share with anyone. By conferring this right, privacy creates the moral capital which we spend in friendship and love."

In my concept of The Intellectual Imperative, man may choose those in whim he wishes to confide. He may discuss any issue in any terms he may desire and be assured that an indiscretion of phrase or even an indecency of thought will remain private. A space of pyschological control permits ideas to be discussed freely and openly within his territory and with the guarantee that strict public accountability will not follow. It is just this blurring of the public and the private which makes invasion of privacy so obnoxious to personal integrity and to civilized society. No idea springs, like Athena from the head of Zeus, fully formed. The translation of idea into insight, of knowledge into wisdom, follows as many different courses as there are individuals who think. It is impossible to produce a flow chart which can predict or channel the maturation of a thought.

This leads to the psychological truth that the betrayal of intimacy is, in essence, the greatest invasion of privacy. But it is equally harmful to society if the experiences of private life become shallow. If you cannot reside in an atmosphere of security, if you must remain guarded—suspicious of those in whom you confide—you diminish the commitments of private life. And without something to defend, without relationships of trust and love in your private life, you are going to have little reason to strongly defend the public welfare.

What I am saying is that The Intellectual Imperative permits man to strengthen his belief in abstractions like patriotism by creating personal realities like friendship and trust. I believe that my concept of the Intellectual Imperative leads to the point that you cannot love anything, if you are afraid to reveal yourself to another.

The control of the flow of information about yourself, about your actions, about your beliefs, is then seen as a crucial aspect of a dynamic society. Urban mass culture has destroyed for most of us the opportunity to exercise freely The Territorial Imperative; the advance of computer and other technologies threatens The Intellectual Imperative. Physically, we are constantly in a crowd; intellectually, technology has provided devices to make our forgotten actions and our unacknowledged thoughts known to the crowd. This is, I believe, what is meant by depersonalization and dehumanization and, as I have tried to suggest earlier, may be a root cause for the violence in our nation.

The American use of technology has made man immense—within the next few months, a human footstep will be on the surface of the moon. Yet technology has also diminished man and threatens to make him less than human. While every computer card received from a large organization as a bill, a financial statement, or a summation of personal history carries the warning "Do not fold, mutilate, or spindle," individual man receives little assurance from the sender that he himself will not be folded, mutilated and spindled.

There are those who say that anyone who criticizes the forms taken by the new technology is somehow against technology and, therefore, progress. There is the implication that the expression of some of the views I have given you this evening would have caused me to oppose the use of indoor plumbing because it destroyed a society based around the village pump. This is simply not true. To paraphrase Shakespeare, I come to praise the new technology, not to bury it. But at the same time, we must praise man and see that he is not buried under computer-generated data. Computer professionals by and large know the limitations of their machines and they know that the output of a computer is dependent on the quality of the data fed in. The standard acronym is GIGO: Garbage In: Garbage Out. My purpose is to disabuse nonprofessionals of the notion that it really means Garbage In, *Gospel* Out.

At the beginning of this speech, I constructed a slightly facetious example of technology as God, and man as humble penitent. Some of the most vocal defenders of the unevaluated use of technology sound very much as if they truly believe they are theologians and that they are justifying the operation's immutable laws, which are unchangeable because they are the dicta of divinity.

I take quite the opposite view. Tools are for the use of man and their valid use does not harm man; only their abuse does. Although I may be widely known as a computer critic, I firmly believe that the forceful assertion of privacy need not be contradictory to the fullest exploitation of the miracle of electronic data processing. The computer is as vital to efficient government as civil liberties are to the citizen's confidence in democratic government. This search for a balance, the attempt to isolate and control the toxic elements in the tonic of technology, is now a major challenge. For, basically, it challenges our faith in ourselves, it challenges our ability to use our skills in the service of man.

John Diebold has probably coined more money from the new technology than any other man; he even coined the word "automation." In 1964, he made the statement with which I would like to close my speech:

"The problem of identifying and understanding goals to match the new means that technology provides us is the central problem of our time—one of the greatest problems in human history. Its solution can be one of the most exciting and one of the most important areas for human activity. And the time is now."

In 1969, even more than ever, the time is now.

SPEECH OF CONGRESSMAN CORNELIUS E. GALLAGHER, CHAIRMAN, RIGHT TO PRIVACY INQUIRY, BEFORE NEW JERSEY STATE AFL–CIO AT TRAYMORE HOTEL IN ATLANTIC CITY, N.J., JUNE 4, 1970

I deeply appreciate the opportunity to address again the New Jersey State Convention of the AFL–CIO. In the past, we have met together in happier times and a particularly sorrowful note today is the tragic death of that great man of labor and America, Walter Reuther, it is hard to think of a time in our Nation's history when men of such compassion and wisdom are more necessary. Walter Reuther was a great leader of organized labor, but perhaps more important, he exercised a powerful moral leadership in our Nation.

I think it is entirely appropriate to consider the direction in which organized labor is going to move in the last third of the 20th century. I propose to discuss with you today a source of particular concern to me and why I believe it is of especially vital importance to labor's future. I will direct my remarks today to invasion of privacy and the very real threat posed to union members, collective bargaining, and the union movement by the new technology.

Let me illustrate this by a description of the actions of the Federal Government in dealing with F. Lee Bailey's leadership of the recent air controller's "sick out." One does not have to approve or disapprove of Mr. Bailey's conduct to be appalled at the weapons of the new technology which were used against labor by the Government.

The Federal Aviation Agency assembled records of Mr. Bailey's past public appearances, including news and television film, and requested Government psychiatrists and psychologists to create a personality profile on him. In addition, they collected Mr. Bailey's records of his dealings with Federal agencies in the past, specifically his school reports and the evaluations of teachers and

counseling personnel. Armed with this collection of fact and fiction, of hard data and loose opinion, the Government's management people concluded that Mr. Bailey's major strengths and weaknesses could be played to, or manipulated by, the Government's bargainers.

It may have been a "sick out" by the controllers, but it was a "sick in" at the FAA.

This was the first formal recognition, to the best of my knowledge, that such traditional issues as wages and working conditions were less important than the personality and psychological makeup of a union's chief negotiator. Since the Federal Government sets the policy for private industry in so many areas, I regard it as perhaps one of the most significant turning points in the history of American labor relations.

With the approval of the Federal Government now given to such tactics, with the world's largest employer now endorsing the worst possible uses of the new technology in its relations with its employees, it is not at all hard to predict that virtually every labor negotiation will now have a "wild card" in it.

What is that "wild card?" It is the personal background and private characteristics of labor's representatives. It is the easy incursion into the allegedly secret planning sessions of the union's leaders. Ultimately, it is the destruction of the effectiveness of those who speak for the union.

And, naturally, if your elected representatives are stripped of their power to move aggressively and creatively in your own best interests, what will happen to the individual labor union member?

I say that he will be left defenseless against a united front of management which will be free to probe and pry into every part of his life. I think we may well see the return of a peephole in the wall of every latrine and a great increase in the use of such things as lie detector tests for even maintenance employees.

Truly, I suspect that the dawning of the Age of Aquarius will really be the dawning of the Age of Aquariums, in which everybody has to live most of his life in a fish bowl. And most American citizens will be entirely naked as their thoughts will be open to psychological testers, their beliefs open to lie detectors, and where even their blood can damn them forever.

"Come on, Gallagher," you may say at that point. Even their blood?

Unfortunately, I am telling you the truth, $300,000 in Federal funds are being used in a Maryland study to determine which young men have a XYY chromosome in their blood. There is a faint suspicion that type of blood is bad blood and that it leads to aggressive and anti-social behavior. Let on by the flimsiest possible evidence, your tax dollars are now being expended to take blood tests which may possibly show young men who someday may commit a crime.

Now, let us be very sober about this. We all know that some criminal behavior is not explained by the personal surroundings in which a young man may grow up. Some of our richest children turn to crime and delinquency and so if the bad blood could be identified as a trigger to such behavior, it might disclose young men who could be helped at any early age and diverted from future violence.

All well and good. But how has this program been administered? It seems that those now in the research phase, who may be identified as having the XYY, are not to be protected from the release of their names into the criminal justice system. It may be eventually conceivable that such a prediction of behavior, based on bad blood, may be reliable, but at this point in the study even the chief investigators in the program have told me that results of previous tests have shown nothing.

So based upon absolutely no solid fact, a cloud of suspicion is going to be spread over the future of any young man who has the XYY. In addition, the parents or guardians of these children were not informed of the purpose of the tests. It was only after my Privacy Subcommittee had expressed outrage that a consent form was employed

But the misapplications of advanced research can always be used by unscrupulous men and their allegations that they base their opinions on science can dispel most traditions based on law and humanity. I would only ask you to consider how much more powerful the Government could have been in its negotiations with the air controllers, had it been able to whisper around the information that the aggressive F. Lee Bailey had the bad blood.

After all, based upon the opinions of doctors who had never even seen him in the flesh, the FAA did whisper around the fact that the guiding force of his career was "to destroy authority." How much more powerful such a description would have been if they could have added the fact that he had the XYY.

Surely here we can find one answer to that old question: "If you have nothing to hide, why be concerned about invasion of privacy?" You may not know it, but you or your children may have the XYY chromosome to hide. And I regret to say that the dangers of dictating an American's future by a drop of his blood are rivaled by what you or your child might see in an inkblot.

Again, I can hear many of you saying, "Come on, Gallagher." What possibly could be the danger to me or my children in what we see in an inkblot?

And once again, I regret to tell you that I am telling the truth. Yes, my friends, you have another real and personal reason to become friends of privacy, for the most recent success of my Privacy Subcommittee has been to put the finishing touches on discrediting a proposal to psychologically test every single 6-year-old child in the Nation for possible criminal potential.

Every 6-year-old in the country was to be tested and, should he flunk, he would be subjected to massive psychological manipulation and, should he continue to be suspected of some sort of deviation, he would be sent off to a special camp for close order drill in conformity.

The greatest single difficulty we had in scuttling this bizarre thought was that most people regarded it as a joke. But it was forwarded, on White House stationery, to the Secretary of Health, Education, and Welfare. I am sure you will agree with me that you just cannot get any more serious than that in America.

I could go into great detail on this plan and about its proud parent, Dr. Arnold Hutschnecker. I could point out that the tests upon which he would have relied, including the inkblot, have been shown to be accurate only slightly more than 50 percent of the time. I could refer to the 1965 investigation of my Privacy Subcommittee and our discovery that certain tests would have concluded that Sonny Liston was effeminate and any leader of the Jewish faith was irreligious. I could point out that Dr. Hutschnecker has no children of his own and does not treat children in his practice.

But what I want to emphasize is that those were your own children Dr. Hutschnecker was proposing to rip from your wife's arms and send to "a romantic setting out West," as he describes it. It sounds more like an American Dachau to me.

By testing tots, the good herr doktor was really going to mop up moppets. He was seriously proposing to use an allegedly objective application of science to make very sure that only a certain kind of man, with a certain kind of outlook and background, could have any kind of influence in America.

This cast of his mind was revealed when he endorsed the concept that every man who holds or seeks a position of power—such as a Congressman or a union leader—in America should first get a mental health certificate. This would weed out anyone who deviated from somebody's norm and would assure that only one kind of person could ever be choosen by his fellow men to lead them.

I objected most strongly to that proposal because it would directly deny the diversity which is America's strength and also because I rather suspect that no one worthwhile could get such a Government stamp of approval. With all the troubles which holding public office brings, you have to be slightly unbalanced these days even to offer your name for a position of leadership.

When the Federal Aviation Agency's personality profile on Mr. Bailey was first uncovered, I immediately thought of those hospital and doctor movies we have all seen. I imagined the following phrase coming over the administration's intercom: "Calling Dr. Hutschnecker—Dr. Hutschnecker, report to the FAA, please."

For here was living proof that while his specific proposal may have been abandoned, the basis for its eventual widespread application already existed and a significant part of it was already in practice.

And so another specific answer is suggested to the question: "If I have nothing to hide, why should I be concerned about invasion of privacy?" You or your child may have had bad dreams the night before you faced the inkblot and without vigorous and effective concern over privacy, your family might have learned whether Dr. Hutschnecker was right in calling the camp "a romantic setting out West," or if I was right in describing it as "an American Dachau."

In fairness to the Doctor, I must mention that he is not the only man in America working on plans to freeze out the sense of personal freedom and achievement which is so precious in our society. For example, several years ago, I attended a seminar in which some of the most respected social scientists in our Nation seriously proposed to bug every single room in a federally sponsored low rent housing project. I strongly objected to that massive invasion of citizen's privacy and it was not done.

There is another point which must be made before this group and that is the broad range of threats against collective bargaining and the very existence of strong, effective labor unions. Every individual American and every union member has a real and vital stake in the preservation of his own privacy, but I contend that this is equally true for organizations as well.

As I have shown, the effectiveness of your leaders can be fatally damaged by invasions of their personal privacy, but there is also the question of the privacy of the discussions which must take place before the bargaining session begins. We all know that the first offer is not the final offer and the original demand may only hint at the direction in which a union's demands will go. These eventual positions must be secret for if they are known by the other side, you may be engaging in collective bargaining but the industry will destroy it by knowing everything in advance.

And the new technology can penetrate anything, anywhere, anytime.

The dawning of the age of aquariums means that rooms are really fishbowls and that something far more deadly than the Beatles' "Yellow Submarine" can surface and put its periscope into a supposedly private meeting. Wiretapping, eavesdropping, electronic surveillance, bugs, parabolic microphones, closed circuit TV cameras, remote control miniature satellites, the infinity transmitter—the range of the intrusive devices spawned by the new technology is immense, and powerful organizations can and

have employed them to learn what they feel they must know.

It is interesting to recall that most of these devices have been developed for military and foreign intelligence-gathering operations. I am sure that most of you remember the not-too-far-distant days when the labor movement was considered an internal enemy. It is not at all far fetched to imagine a domestic version of the *Liberty* or the *Pueblo* cruising in those fishbowls I have mentioned.

Indeed, the whole thrust of the surveillance mentality which is now so powerful in Government and industry circles, seems to be to regard the American people as the enemy. Pointing to a fuzzily defined version of national security and playing upon popular fears, they push toward finding the criminal tendency in every American, just as Dr. Hutschnecker said he was "focusing on the criminal mind of the child."

This is not based on mere conjecture on my part. I was truly appalled to notice the other day that an Administration witness testified before a House committee that the total amount spent on foreign and military intelligence was $2.8 billion. Especially chilling was that this incredible figure did not include the budget of the CIA and the Department of State.

Let me repeat that amount: $2.8 billion, excluding the CIA and the Department of State. You don't have to be a radical or a militant to be outraged at that figure. All you have to be is an American concerned about the future of democracy and free government.

Let me expand further on what seems to be the war on our children and try to put invasion of privacy into a little broader frame. All of us who are parents have probably followed a very similar procedure as our own children matured. When our child was very small, he either slept in the same room with us or the door to his own room was always wide open. As he became older, we permitted more and more privacy until he would finally regard another room as his own and, in most families, had the right to firmly shut the door against even his own parents at certain times.

But the surveillance mentality thinks that that door must always be open and regards that room as always subject to spying eyes and all-hearing ears.

A compassionate mother and father have become a vindictive big brother. And big brother treats the rest of us exactly like babies.

So, if we want to be men and have the right to associate with other men in organizations such as labor unions, we are going to have to insist upon the right to close that door against the increasingly nosey, demanding, and dictatorial big brothers in our society.

This, then, suggests the final answer to the question: "If I have nothing to hide, why should I be concerned about invasion of privacy?"

We can only assure our hard won status as functioning adults and the victories won by organizations working for us, by slamming shut that door against the privacy invaders.

And I have succeeded in slamming shut that door against some of the privacy invaders in the past and I have been warning against these threats for many years. I was especially pleased to note that organized labor has commissioned a privacy study. The results from your work, so far, have reinforced my feelings about the lie detector and confirmed the facts disclosed by another investigation of my privacy inquiry: the incredible mass of records on the financial, social, and moral life of Americans now in the hands of the credit reporting industry.

So some people are listening to the often solo cry I have been raising for 8 years. But far too few share our concerns, my friends, and so I would appeal to you to communicate with your own representatives in the legislature and in the Congress.

For of all the many threats which face America, I continue to believe that invasion of privacy will affect each of us to a greater degree than any of the other great issues of our times.

If we are going to survive as a nation of free, mature, and independent men and not become a nursery of helpless, wailing babies, we must fight for our own privacy and for the privacy of our own organizations.

Let me remind you once again that it is your's and your children's beliefs that will allegedly be discovered by lie detectors; it will be your's and your children's future that will be destroyed by allegations of the XYY and bad blood; it will be your's and your children's opinions and thoughts allegedly uncovered by psychological testing.

And it will be your own leaders and your own unions which will be rendered powerless by a Government or a business firm which does not care for privacy. Let me again point out that the new technology allows them to listen in on a whole office, a whole factory, and even a whole city.

And our old friend, the computer, has now developed the capacity to weed a single conversation among thousands, a single voice among millions, and to make public a hushed, supposedly private conversation.

And so I appeal to you today to care for privacy—it is yours, and if you lose it, you will have lost everything. And all of us will have lost a great Nation.

[From Trans-Action magazine; published by Rutgers University, July/August 1971]

DRUGGING AND SCHOOLING

(By Charles Witter)

Minimal brain dysfunction (MBD), one of at least 38 names attached to a subset of learning disabilities, can significantly hinder a grammar school student of average or above-average intelligence from achieving his full potential. Hyperactive, often loud and demanding and little responsive to the feelings of others (or himself), the MBD child can be seen as the very model of the uncontrollable student. Then, 30 years ago, it was discovered that amphetamines, stimulants and/or tranquilizers could calm the hyperactive child who was so often disruptive in class or at home. Amphetamines and stimulants such as Ritalin have a "paradoxical effect" in the prepubescent child: instead of being "speed," they actually slow him down, make him more tractable and teachable and permit calm to be restored for the harassed parent and overburdened teacher.

Such was the conventional wisdom on 29 September 1970 when Congressman Cornelius E. Challagher (D–New Jersey) convened a hearing of his House Privacy Subcommittee. This article is a critique of the hearing and an urgent appeal for social scientists to assert humanist concern in a world increasingly reliant on biochemical manipulation.

For the child who is very carefully tested by a team of neurologists, pediatricians, psychologists and educators, the symptoms of MBD can be masked by drugs in as high as 80 percent of the cases, according to some authorities. Others say 50 percent, while dissenters state that the good results are either the result of increased personal attention received by the child or the magical properties the child ascribes to the drug. A careful reading of Department of Health, Education, and Welfare (HEW) testimony at the Gallagher hearing suggests that 200,000 children in the United States are now being given amphetamine and stimulant therapy, with probably another 100,000 receiving tranquilizers and antidepressants.

All the experts agree, however, that the use of medication to modify the behavior of grammar school children will radically increase—"zoom" was the word connected with the man most responsible for the promotion of the program at the National Institute of Mental Health (NIMH). Already specialists in this therapeutic method state that at least 30 percent of ghetto children are candidates, and this figure could run as high as four to six million of the general grammar school population. The authoritative *Journal of Learning Disabilities* puts it bluntly: "Disadvantaged children function similarly to advantaged children with learning disabilities."

Not all children with the ill-defined, perhaps indefinable, syndrome are likely to be treated with medication, but it must be recognized that drugs are a cheap alternative to the massive spending so obviously necessary to revitalize the public school system. Lest there be any doubt about whether leadership in America would be reluctant to embrace quick, inexpensive answers to social problems, consider the plan of the president's former internist, Dr. Arnold Hutschnecker, who would give all six- to eight-year-olds in the nation a predictive psychological test for their criminal potential. Those who flunked these tests—which have been shown to provide successful individual prognosis slightly over 50 percent of the time—would be sent to rehabilitation centers "in a romantic setting with trees out West," as Hutschnecker phrased it. This late, unlamented proposal was sent on White House stationery to the secretary of HEW with a request for suggestions on how to implement it. Once again, Mr. Gallagher's was the only congressional voice raised in opposition, and he branded those camps "American Dachaus." After hearings were threatened, HEW reported unfavorably, and the White House dropped the idea. Many other plans have gone forward, but the Hutschnecker proposal is important because of its high-level endorsement and encouragement, and the distressing impact it would have had on virtually every American family.

The National Institute of Mental Health, which studied the Hutschnecker plan for some three months, has granted at least $3 million to study drug therapy. The clearest statement on the reality of minimal brain dysfunction, however, has come from Dr. Francis Crinella, a grantee of the Office of Education. He said that MBD "has become one of our most fashionable forms of consensual ignorance." No simple medical examination or even an electroencephalogram can disclose the presence of the disorder; "soft" neurological signs seem to be the only physical manifestation.

PASSING THE BUCK

Dr. John Peters, director of the Little Rock Child Study Center of the University of Arkansas, testified that the only way to separate the active child from the hyperactive one was to have had his long experience in seeing thousands of normal and "deviant" children and then making a personal judgment. In Omaha, where the drugging was first discovered by the *Washington Post's* Robert Maynard, the doctors are not even that confident. How else does one explain the lines, reported also by Nat Hentoff, from the *Bulletin of the Omaha Medical Society:* "The responsibility of the prescription was not that of the doctor, but rather of the parent. The parent then vests responsibility in the teacher."

Wow! One could say with equal validity that the facts in a book are not the responsibility of the author; rather, he has vested responsibility in the researcher, who in turn has relied solely on secondary sources.

The conclusion must be that it is behavior and behavior alone that creates the diagnosis of MBD, and this behavior can only be found in the classroom or at home. Mark Stewart, who received NIMH support, wrote in the July 1970 *Scientific American:* "A

child who has been described by his mother as a demon may be an angel when he comes to a psychiatrist's office. Most hyperactive children tend to be subdued in a strange situation and to display their bad behavior only when they feel at home. The explanation may lie in a stress-induced release of morepinephrine in the brain cells. Thus, a *state of anxiety may produce the same effect as a dose of amphetamine—through exactly the same mechanism"* (emphasis added). With relentless logic, Stewart then discusses the behavior of lobotomized monkeys.

Two points on the physical aspects of drugs demand emphasis. First, John Oates of Vanderbilt University has found that "chronic use of amphetamine in small doses may produce symptoms which very closely resemble paranoid schizophrenia." Second, Stewart discredits the alleged "paradoxical effect" by pointing out that "it has been found that amphetamine has a somewhat similar effect on the performance of normal adults who are assigned a boring or complex task."

Would it then be unduly provocative and aggressively argumentative to phrase the question: "Does a long-term dosage of amphetamine and/or Ritalin induce stress in the bored child, producing a perfect student, whose anxiety-ridden behavior may be paranoid schizophrenic and resemble that of a lobotomized monkey?"

It was to speak to a considerably less loaded version of that question that Gallagher invited the provocative educator John Holt. Holt's contempt for orthodox teaching is well known; he compares today's schools to maximum security prisons. Gallagher had phrased his concern, "I fear there is a great temptation to diagnose the bored but bright child as hyperactive, prescribe drugs, and thus deny him full learning during his most creative years," and he introduced Holt's testimony as putting the discussion in the most important context, that of the child.

Holt's response did nothing to lower the issue's hyperbolic content:

"We take lively, curious, energetic children, eager to make contact with the world and to learn about it, stick them in barren classrooms with teachers who on the whole neither like nor respect nor understand nor trust them, restrict their freedom of speech and movement to a degree that would be judged excessive and inhuman even in a maximum security prison, and that their teachers themselves could not and would not tolerate. Then, when the children resist this brutalizing and stupefying treatment and retreat from it in anger, bewilderment and terror, we say that they are sick with 'complex and little-understood' disorders, and proceed to dose them with powerful drugs that are indeed complex and of whose long-run effects we know little or nothing, so that they may be more ready to do the asinine things the schools ask them to do."

Unfortunately, there are those of us who have either forgotten our own grammar school experiences or who think that only an in-depth, scholarly, jargonized study can yield an accurate description of reality. As a result, Holt's testimony needs reinforcement. This was made distressingly clear to me when, during the weeks prior to the hearing, I would describe our witness list and state: "John Holt, a former grammar school teacher." Invariably, the reply would be, "Yes, but what are his credentials?"

Among the abundance of supportive evidence of Holt's findings is that contained in Charles Silberman's recently published *The Crisis in the Classroom*. This study, commissioned by the prestigious Carnegie Corporation, found today's schoolrooms to be "grim" in hyperkinetic diagnosis and its concomitant drug therapy will not be used against precious childhood joy? Has Hutschnecker become institutionalized within the medical-educational complex? Have we put the Dachaus in the pill and then put the pill in the kid?

Dr. Rada Dyson-Hudson of Johns Hopkins University begins a letter to Gallagher: "As an anthropologist with a background in genetics and biology who is also the parent of a hyperactive son," and goes on to describe how her family moved to a rural setting to avoid being mangled by urban society. Based on her own personal observations, she says, "Where there are important, tiring or responsible physical jobs to do, a hyperactive child is a joy to have around." But a hyperactive child is no joy in overcrowded city classrooms or to the modern housewife.

Dyson-Hudson's professional judgment is also fascinating. She suggests that the prevalence of MBD in the population could mean that it is an inherited trait, has a selective advantage and, therefore, should not be regarded as pathological. She says that the selective advantage must be quite large, in order to counterbalance the higher mortality rate in hyperactive children. This is confirmed in dozens of letters to Gallagher that describe the MBD child as a mass of bandages and stitches, and Mark Stewart finds that many of the children he has studied have been victims of accidental poisoning.

On the other side, a recent New Jersey report states that in 80 children studied, four times as many children who show learning disabilities are adopted than those not adopted. But Dyson-Hudson's point demands further extensive research for two reasons.

First, pediatricians, psychiatrists and educators, particularly school administrators, contend that parents of hyperactive children are excitable, have a history of alcoholism and instability and fail to provide the child with a warm and loving upbringing. (This point is directly denied by hundreds of letters disclosing a real agony in parents who must finally go to drugs as a last resort.) With that sort of finding buttressing the experts' faith in themselves, it is easy automatically to write off the complaints of a child's parents and to coerce them into acquiescing to or embracing drug therapy.

Second, it is fair to speculate that hyperactivity may well be a considerable advantage for children, especially for ghetto kids. The latter truly have no childhood; they are instantly forced to match wits with hustlers, gang leaders, police and antipolice violence and an entire milieu where the prize of physically growing up goes to the toughest and the shrewdest. Theodore Johnson, a black chemist from Omaha, testified to the problems of coming of age in the ghetto and listed causative agents that could produce MBD-like behavior. In the school, he mentioned racist attitudes among teachers and administrators, inferior and outdated textbooks, irrelevant curriculum and inadequate facilities; and for the child, he found malnutrition, broken rest patterns, unstable home environment and physical fatigue.

On a larger social plane, it is possible to speculate that the use of drugs to make children sit perfectly still and reproduce inputs may once have had some functional purpose. Schools formerly trained the vast majority of students to become effective cogs in giant factories, and they were designed so that assembly line learning would result in assembly line production during working years. Yet, it is now obvious that service-oriented businesses are rapidly replacing manufacturing as the major source of employment. It is not unreasonable to suggest that children no longer need to be preconditioned for the rigid regimentation involved in earning a livelihood; an inquiring mind in an inquiring body is now marketable.

There would be far less need for many additional McLuhanesque probes into MBD drug medication if we could rely on the testimony of the Department of Health, Education, and Welfare before the Gallagher Privacy Subcommittee. If that testimony could stand up under informed scrutiny and if it reflected a conscientious effort to understand and to disclose all the facts, this article would also be unnecessary.

When the federal government sends officials to the Congress to defend a program of such impact, one has a right to expect that rigorous research and rigid control have gone into the decision. In my judgment, both were lacking, and several examples will illustrate my conviction that this massive technological incursion into the sanctuary of the human spirit operated on intelligence just as faulty as that surrounding last winter's Laotian sanctuary incursion.

First, with $3 million from NIMH alone, and with at least 300,000 children and 30 years' experience in the program, it could be expected that hundreds of studies could be cited to show the long-term effect on the children who have been given drugs. Yet, only in 1970 had funds been granted for this essential study, and the man selected to follow up on 67 children was Dr. C. Keith Conners. The HEW witnesses bristled when Gallagher offered the comment that Conners was engaged in evaluating "his own thing," but it is a fact that, prior to the grant for evaluation of these specific children, Conners had been given $442,794 in grants beginning in 1967 to test the effectiveness of drugs on children. Those studies were cited by HEW witnesses as confirming the validity of the treatment.

WANTED: SCIENTIFIC DEDICATION

So, as we zoom up to and beyond six million grammar school children on drugs, we are offered a study of 67 cases that was begun in 1970, is now only in its preliminary data-gathering phase and is being carried out by a man whose professional career has been spent proving how effective the therapy is. One can scarcely imagine the cries of rage that would greet any mayor or governor proposing to evaluate road construction in this manner, but one can only assume that scientific research rises above such petty considerations as conflict of interest. In fairness to the selection of Connors, Ronald Lipman, Ph.D. (chief, Clinical Studies Section, National Institute of Mental Health), pointed out at the hearings: "I think one of the reasons why there have been so few followup studies is that they are so very difficult to do. They involve going back into medical records that are very difficult to come by. They involve tracking down people after a period of 20 years. This is very difficult logistically. *It requires a certain kind of scientific dedication that you just don't find too many people have"* (emphasis added).

Other testimony confirmed Lipman's pessimistic view of his colleagues. Dr. Dorothy Dobbs, director of the Food and Drug Administration's Division of Neuropharmacological Drug Products, and HEW's chief witness, Dr. Thomas C. Points, deputy assistant secretary for health and scientific affairs, booth testified that they had conducted "cursory" investigations of the administration of these drugs in Omaha and that nothing was wrong. Later in the hearing it was disclosed that Dr. Byron Oberst, the program's primary proponent in Omaha, was unaware that the Food and Drug Administration (FDA) had listed two of the drugs he was using as "not recommended for use in children under 12." Dr. John Peters, director of the Little Rock Child Study Center, was found to be equally in the dark about FDA guidelines on one of the drugs he dispensed. (It must be mentioned that FDA has no authority to insist that drugs not be used; it has a formal mechanism that permits just about anything to be administered under a doctor's prescription.)

Two points are crucial, however: 1) the HEW witness did not volunteer the information that the department had communicated with Oberst pointing out his oversight;

and 2) leading practitioners of drug therapy were unaware of FDA's recommendations.

Moreover, while the HEW witnesses cited some 40 studies conferring validity on the use of drugs to mask hyperactive behavior, they did not refer to Crinella's Office of Education study referred to earlier—"one of our most fashionable forms of consensual ignorance" is a line certainly worth repeating—nor did they mention HEW's own studies by John Oates and Mark Stewart. But perhaps most compellingly, we heard nothing of the June 1970 statement of the American Academy of Pediatrics Committee on Drugs. In light of the supposedly wide support within the medical community for the efficacy of drugs, the academy's words are particularly significant:

"An accurate assessment of the effectiveness of the chemotherapeutic approach poses enumerable difficulties. These stem from factors such as 1) the lack of uniform terminology, 2) marked variability in methodology for evaluation, 3) the absence of standardized requirements for precise diagnosis and classification of the symptomatology constituting learning impediments, and 4) the paucity of long-term, properly controlled studies. As a result, a valid evaluation of response and objective comparison of the effectiveness of drugs administered in an attempt to mitigate or lessen learning impediments becomes impossible."

Finally, the HEW testimony dismissed any possible connection between children relying on drugs during grammar school and the incredible problem of drug abuse in high schools and in the rest of society. The hearing ran for approximately eight hours, and Gallagher hammered away all day long on this most obvious "paradoxical effect," but it was only during the questioning of Sally Williams, chief of the School Nurse Division of the National Education Association, that a glimmer appeared. She had strongly supported the use of behavior modification drugs (controlled, naturally enough, by the school nurse), but, almost as an afterthought, she disclosed that ten students at her school were now on Ritalin at their own discretion. Her exact testimony is most revealing: "They were taken off the medication and they still came back to the 'springs inside,' the inability to control their behavior. So the doctor has put it on a PRN, which means when necessary, so because they are senior high school students they come up to the health office and come to me and say, 'I think I need my Ritalin now.' "

Apparently, the administration shared some of these doubts, because two short weeks after the hearing, the director of the Office of Child Development at HEW announced his intention to form a "blue ribbon" panel to consider the problem. Dr. Edward F. Zigler's statement of 12 October is very different from the tone of the HEW testimony of 29 September: he said the panel would "inform educators that perhaps it is as much a problem of the kind of schoolroom children have to adjust to rather than what is wrong" with the nervous systems of the children. On 10 March 1971 the panel issued its report, and Gallagher commended it for approximately one-half of his remarks in the Congressional Record of that day. He singled out two sentences:

"It is important to recognize the child whose inattention and restlessness may be caused by hunger, poor teaching, overcrowded classrooms, or lack of understanding by teachers and parents. . . . Variation in different socioeconomic and ethnic groups must be considered in order to arrive at better definitions of behavior properly regarded as pathological."

In light of the evidence we gathered that drug company salesmen were huckstering their products' wonder-working capabilities at PTA meetings and at professional educational society gatherings, Gallagher also praised this stern warning: "These medicines should be promoted ethically and *only* through medical channels" (emphasis in original).

Unfortunately, the second half of Gallagher's statement was not reflected in media reports. He was sharply critical of the panel's failure to do any independent investigation; they had only produced a compendium, in layman's terms, of existing studies. Moreover, while the report reiterated many of the criticisms surfaced by the Privacy Subcommittee, the report made no comment on the desirability of having a mechanism within the federal establishment to encourage sensible caution at the local level. Gallagher said that "the suspicion still exists that these programs will be used to modify the behavior of black children to have them conform to white society's norms," and that "as admirable as the recommendations in the report are, they will be nothing but high sounding platitudes unless supervision of local schools can assure that they are given the attention I think they deserve." He called for the Office of Child Development to become the mandated overseer of the increasing nationwide use of behavioral modification drugs.

Assumption of this responsibility became absolutely essential when the Privacy Subcommittee was abolished by its parent Committee on Government Operations on 31 March 1971. Along with a special panel under Congressman Benjamin Rosenthal (D-New York) that had a remarkably effective record of protecting the consumer, the new committee chairman, Chet Holifield (D-California), decreed, as was his right with subcommittees without direct jurisdiction over specific federal agencies, that these issue-oriented studies were outside the committee's ambit. (Holifield has been either chairman or vice-chairman of the Joint Committee on Atomic Energy since its inception. At the risk of being labeled hyperactive myself, it is disquieting that the man who now says there is no valid reason for concern over privacy or consumer matters in the House has consistently stated that there are no dangers from nuclear power plants.)

It would be possible to continue to discuss privacy generally and behavior modification therapy specifically at a length only slightly less than that of the collected works of Dickens, but a brief reference to the National Education Association (NEA) is essential. It has become one of the most effective lobbies in the legislative and executive ambits in Washington, and its proposals often quickly turn into public policy. For that reason, it is important to find out just what it has in mind for future generations of American children. A particularly relevant example comes from the *NEA Journal* of January 1969 in an article entitled "Forecast for the 1970's." Two professors of education at Indiana University point to a radically altered school environment, but one of their statements says it all: "Biochemical and psychological mediation of learning is likely to increase. New drama will play on the educational stage as drugs are introduced experimentally to improve in the learner such qualities as personality, concentration, and memory. The application of biochemical research findings, heretofore centered on infra-human subjects, such as fish. . . ."

Fish? Fish! Gallagher has long been concerned with the privacy-invading aspects of credit bureaus, electronic surveillance, the computer and psychological testing, and he has said that the Age of Aquarius will become the Age of Aquariums, in which all our lives are lived in a fish bowl. His assumption, up until the investigation of drugging grammar school children, was that there would still be ordinary water in those aquariums; now the concern must be that human rights will be drowned in an exotic brew of biochemical manipulators, stirred and watched by an untouchable medical-educational complex.

The implications and ramifications to our future were well expressed in June 1970 by America's most highly placed social critic. Social scientists would do well to take action on the words of the former president of the Baltimore County Parent-Teacher Association, Spiro T. Agnew: "We as a country have hardly noticed this remarkable phenomenon of legal drug use, but it is new, it is increasing, and the individual and social costs have yet to be calculated."

ADDRESS OF HON. DAVID ROCKEFELLER

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

Mr. MORSE. Mr. Speaker, I would like to bring to the attention of my colleagues the extremely cogent remarks of Mr. David Rockefeller, honorary chairman of the Council of the Americas, at the council's seventh annual meeting.

Mr. Rockefeller has been deeply involved over the years in continuing efforts to achieve a viable government-business cooperation in Latin America, in order to coordinate the flow of technical skills and investment resources from the U.S. private sector so that human existence throughout the Americas might become something more than a mere struggle for survival. His close contact with developing Latin American countries has provided Mr. Rockefeller with a unique opportunity to witness the changing outlooks on foreign assistance in Latin America and in our own country, and to understand why the Alliance for Progress, which started with such promise, has become a relic of the past. His remarks on the decline of the Alliance offer, in my opinion, a realistic and thoughtful analysis of the changing conditions which have caused the Alliance to flounder, and warrant the close attention of us all.

Perhaps even more important, however, is Mr. Rockefeller's outline for a new alliance—an "Alliance for Development"—which would draw together all elements of society and address itself to the political, social, and cultural, as well as the economic dimensions of the development process. I have long maintained that economic assistance alone cannot and will not effect real change, and that more than capital, manpower, and technology are needed for a truly effective development program. I am pleased, therefore, that the Council of the Americas has designed a program for 1972 based on an understanding of the need for a well-planned, coordinated, and concerted effort, which would synthesize all of the varied elements necessary for significant development. I firmly believe that the council's program described by Mr. Rockefeller reflects an approach which we in the Congress should encourage.

I insert Mr. Rockefeller's address at this point in the RECORD:

REMARKS BY DAVID ROCKEFELLER

Seven years ago this week, I was one of a group of businessmen who had an appointment with the President of the United States. We were to discuss ways in which the U.S.

Business Group for Latin America could help to realize the goals of an ambitious program—an Alliance between the free and independent countries of the Southern and Northern continents of America to assure the economic and social advancement of all the people.

President John F. Kennedy was unable to keep that appointment, having decided at the last moment to go to Dallas. The next day, he met his tragic end; so that our group never did meet with President Kennedy. Although the idea of government-business cooperation in Latin America was picked up and actively pursued by President Johnson and his Administration.

Regrettably, the main thrust of his Alliance for Progress, which started with such promise, has since been blunted, deflected and largely dissipated by a steadily rising demand for nationalization in Latin America and, more recently, by a short-sighted reversion to "Fortress America" sentiment here at home. Nevertheless, the Alliance in its conception, despite its critics then and now, was a significant move in the right direction.

That Alliance bound us together for a while in a single purpose—to make human existence throughout the Americas something more than merely scratching out inadequate food from the barren soil of the hills. It held out the hope that being alive in the Americas need not mean the wail of hungry children or the unbearable knowledge that there would not be enough schools or enough jobs for them even if they managed to survive and grow.

The Alliance was to have coordinated a flow of technical skills and investment resources from the U.S. private sector—in cooperation with our own and Latin American governments—to create jobs, modernize agricultural techniques, stimulate manufacturing and increase international trade in Latin American nations. To understand why an Alliance founded on these worthy objectives has fallen into its present disarray, we will have to consider—without the emotions that usually surround it—the rise of chauvinism and nationalization in many countries of Latin America.

To a considerable extent their striving for self-identity and self sufficiency, however premature from an economic viewpoint, is understandable, especially when one takes into account the extreme youthfulness of the people of Latin countries. Because of their high birth rate and rapid population growth, nearly two-thirds of the Latin American population is less than twenty-five years old. As Eduardo Frei Montalvo, former President of Chile, has pointed out, "This youthful mass is in a deeply critical mood, like their peers in the rest of the world." Consequently, he concludes, "headquarters, both for ideas and for actual change, are . . . the universities and student groups."

If that sounds familiar, it is because we, in the United States, have been responding to the same passionate involvement and political concern of our own young people who are playing a growing role in public issues. In response to their concerns, we amended our Constitution to lower the voting age to eighteen. As a nation, we should have little trouble in recognizing and accepting the reality of comparable changes in other countries. But many of us are reluctant to accept the consequences.

When these youthful nations express their independence of thought and purpose through aggressive action affecting our interests, we find many of our own legislators are tempted to respond in kind with punitive and retaliatory measures.

But neither an arbitrary, uncompensated expropriation of foreign investments, nor a resort to violence in retaliation, is an acceptable assertion of self-determination in the context of today's world. In the long run, ill-considered expropriation is bound to be self-defeating for those nations that have not as yet accumulated sufficient capital or managerial depth to plan and carry out self-sustaining programs for internal development. On the other hand, in view of our own revolutionary origins as a nation, there are many other expressions of the new rising nationalism in Latin America to which we should be able to comprehend and accept with patience and insight.

This breach in our hemispheric alliance, caused in large part by the growing spirit of independence in Latin America, is further widened by a growing indifference here at home. As we approach 1972, we are preoccupied with the problems of our own people and our own nation. The young and the radicals among us, the disadvantaged minorities, the affluent and the conservative are all asking if we shouldn't solve our own internal problems of the cities, of our economy, of our youth and of our educational system before we worry about others outside our borders.

But even if it were possible to solve all our own problems without concern for and in total isolation from the rest of the world, it would prove an empty victory to emerge as an island of prosperity in a sea of misery. The truth is, of course, that we share too many common interests, cultural ties, and mutual dependencies with other nations ever to return to "Fortress America." Whether we like it or not, we live in one world and we have to act accordingly.

When I spoke before this Council one year ago, I expressed the earnest hope that we would be able to prevail on Congress, our State Department and the Executive Branch generally to respond more fully to that mutuality of interests especially as it concerns our neighbors to the south. Now, a year later, we must regretfully acknowledge that the need is greater than ever. But we can temper our disappointment by reflecting that on a number of fronts progress has been made in meeting the goals of the Alliance.

As a result of cooperative efforts over the past decade, I know of tens of thousands of miles of new roads—thousands of new schools—millions of children going to them—falling death rates—more jobs—more income—and hope that was not there before. But in the face of rapidly rising populations, the question remains, how can more progress be accomplished? The record, as revealed in case after case, seems to indicate that government-to-government programs alone never really affect the root problems of development. What is needed is the total involvement of all sectors . . . governmental and private.

In the United States, the business sector from the beginning has been an integral part of our own highly successful development process and so, we realize that it must play a comparable role in helping other nations now in the process of development. The faith that this gives the Council of the Americas a noble mission which we must not abandon. It has been part of our credo from the beginning.

In my years as Chairman, I saw many U.S. companies offer their help, their manpower, their technology and their skills to the governments and people of Latin America. They were "citizens first and businessmen second." They did this without publicity or full-page advertisements boasting of their involvement. As appropriate as this modesty may have been, the lack of publicity about what U.S. companies were doing, has often resulted—even in the business community itself—in ignorance of the facts. This in turn has sometimes drawn the criticism that perhaps the Council was not fulfilling its primary mission and I fear that no detailed accounting of the impact of the U.S. private investor in Latin America, such as Herbert May's study for the Council of the Americas last year will convince the unconvinced. But even though more has been done than is generally recognized, I still do not believe the full potential of the private sector has been tapped—either by local businessmen or by foreign investors. For this reason, I hope the Council programs for 1972 which you have heard this morning will be pursued aggressively by all of us.

The U.S. business community must make the case in the most forceful terms that development depends not only on capital, manpower, technology, and skills, but on a willingness to employ every opportunity that presents itself. Development is not the exclusive goal of one political system—or of one economic system. It can best be achieved by an eclectic synthesis of whatever works, regardless of its origin.

The Council program for 1972 calls for a heightening of business-to-government and business-to-business missions. It does not call for confrontation, but rather for cooperation. And planning for the future, it requires genuine appreciation by all of us of the necessary elements of development, and a continuous dialogue between those who desire development assistance and those who believe they can provide it. This calls for a new Alliance, if you will—not one pronounced by governments but one agreed to by the participants.

Societies and economies, like people, must grow. They cannot simply be conceived and executed by the flat of an outside government or by the spontaneous inspiration of an academic theorist. Only governments within the developing nations must be the ones to engage in the long-range and sustained planning necessary for their own lasting development.

On the other hand, I do not find that governments anywhere are accomplishing development entirely by themselves. Certainly the Soviet Union and the other nations of Eastern Europe are not recognizing the necessity for private initiative, but they are approaching the great companies of the West to become involved in their development process.

But curiously as the Marxist countries in the Soviet orbit are opening their doors to Western technology, Western capital and Western know-how, some countries in Latin America are slamming their doors against such foreign assistance. That is but one paradox in a "continent of paradoxes." Another is that many Latin American nations which openly admit their need for the free enterprise elements of development, adopt regulations, sign mutual investment codes, and create a climate of uncertainty by expropriation which inevitably militate against the very investments they concede they must have.

There is still another paradox which relates to attitudes in this country. Latin America represents an enormous actual and potential market to U.S. businessmen. And yet, we find many, both in business and in government, who through neglect and by actions that discourage trade seem prepared to place our Latin trade in jeopardy.

These paradoxes do not have to remain forever unsolved. They are not riddles wrapped in mysteries inside enigmas. They are quite simply differences of outlook. Just as business no longer looks to the countries of the development world as mere stockpiles of raw materials for Western industry, Latin governments, however youthful and impetuous, should not look at business as sinister and exploitative. To resolve these misunderstandings, I believe there should be a new Alliance—an Alliance for Development. It should embrace political development, economic development and social development. To accomplish this far reaching

goal, it would have to draw together business and governments—organizations and people—universities and international agencies. Only through such concerted effort can it expect to overcome the common and interrelated problems that have stalled true development as one sector or the other sought domination.

What I have described is what the Council will be attempting to do in 1972—coalesce all those who are sincere in their desire for true development, into a well-planned, coordinated, thoroughly expert and professional effort—an all-out Alliance which has the will and capacity to help.

I urge that you engage yourselves wholeheartedly to that new Alliance for Development and that you support the Council of the Americas as it seeks to lead the way.

THE NEED FOR EXTENDED SHIPPING SEASON ON THE GREAT LAKES

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

Mr. RUPPE. Mr. Speaker, Senator ROBERT GRIFFIN, with his extraordinary foresight and wisdom, recently noted on the Senate floor the need for a 12-month shipping season on the Great Lakes. Senator GRIFFIN was one of the earliest supporters of an extended shipping season—an idea which would greatly stimulate the economy of the Great Lakes area.

All of us in the Great Lakes region are indebted to Senator GRIFFIN for his efforts in behalf of an extended shipping season. I would therefore like to insert into the RECORD a recent editorial from the Marquette Mining Journal of Marquette, Mich., which commends the esteemed Republican Senator from Michigan on his speech to his Senate colleagues in support of extended shipping on the Great Lakes.

[From the Mining Journal (Mich.), Nov. 19, 1971]

LONGER SHIPPING SEASON

The need for an extended shipping season on the Great Lakes and the St. Lawrence Seaway was discussed on the Senate floor by U.S. Sen. Robert Griffin, R-Mich., last week.

Griffin pointed out that restrictions on the number of ships entering the seaway would be necessary after Nov. 12 in order to minimize the possibility of ships being trapped in the seaway after the Dec. 12 closing date.

There are 215 vessels in the seaway system at present, almost double the number at this time last year. Lack of restrictions on entering the seaway could mean that as many as 100 ocean freighters could be locked in for the winter.

"The increase in seaway shipping, due in part to dock strikes on the East Coast, is both welcome and disheartening," Griffin pointed out. It is welcome, he said, to the people of the Great Lakes region who recognize the economic potential of the seaway and have been striving to develop its potential.

"It is most disheartening, however, to see shipping growth limited because our nation's most important inland waterway is out of service approximately four months each year," he said.

In his plea for support for a Congress-authorized $6.5 million, 3-year program to demonstrate the feasibility of extending the Great Lakes and seaway navigation system, Griffin quoted an article which appeared in the summer issue of Seaway Review, John Volpe, U.S. Secretary of Transportation, said in the article:

"One fact is all-important in understanding the seaway. The industry and businesses served by this waterway account for an incredible 43 per cent of our gross national product. This is, indeed, the industrial heart of America. And the prosperity and good health of the whole nation.

"This area and its industrial capacity is a national asset. And there's the rub. We find indications, unfortunately, that the economic health of this area is suffering. There are traces of economic erosion. This erosion must be halted. This is the basic premise of our transportation planning in the area.

"It is the ability of the seaway to give added value to the products of this Midwest area. Any enlargement of seaway capacity—through extending the season, for example—will contribute more to the economic well being of this area. This then, is our purpose—to expand the economy of this area and thereby increase the standard of living of those who live and work here."

The economic impact which year-round shipping on the Great Lakes would have on the Upper Midwest is obvious. And studies have demonstrated that shipping through the winter months is within the realm of possibility.

All efforts to further this objective should be unanimously endorsed by our citizens and lawmakers.

WAGE-PRICE LEGISLATION ADOPTED

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

Mr. ANNUNZIO. Mr. Speaker, the Congress, through the adoption of the conference report on the wage-price legislation, has put to rest many of the controversies which have plagued the economic stabilization program for many weeks.

We dealt forthrightly with the question of retroactive and deferred payments which had been agreed to prior to August 15. This means that millions of teachers and workers, who were legally entitled to raises, will get their money because of the congressional initiatives.

Mr. Speaker, the resolution of this problem was achieved despite the bitter opposition of the administration. The Congress resisted the pressures from the administration and, as a result, equity has been restored to the stabilization effort.

Much of the credit for this should go to our Colleague from New Jersey (JOSEPH MINISH) who led the fight in the Banking and Currency Committee, on the floor of the House, and in the conference committee to make certain that this pay problem was dealt with fairly.

Mr. MINISH first offered this amendment in the Banking and Currency Committee on November 4—and over great odds and much opposition—the amendment stayed in the bill which reached the floor of the House last week. The amendment was modified on the floor, but the conferees were able to combine this version with the Senate provisions and in the end we have a very strong section on retroactive and deferred pay.

Mr. Speaker, the people of America I know are grateful to Mr. MINISH for his retroactivity amendment, and I know that the millions of consumers in America are grateful for my amendment to protect them on overcharges. This bill is a stronger bill because it has these amendments on behalf of all of the working people of America and the consuming public. It is a bill that is not special interest legislation—it provides protection for all groups that comprise this great Nation.

For after all, this is what legislation is all about—many, many months of hard work and bitter fights in the committee—but in the end, the Chairman of the Banking and Currency Committee, WRIGHT PATMAN of Texas, presented to this Congress a bill that included both the retroactivity amendment and the consumer amendment. The amendment exempting newspapers, the news media, and the movie picture industry was deleted, so that no special favors were extended to anyone.

In our effort to combat inflation, it is the responsibility of all Americans, regardless of the industry and regardless of the union and regardless of the hardship it might inflict on any group, to join and work together to halt the inflation that is eating at the very roots and at the very heart of our economy.

I congratulate all of the members on the conference committee for the outstanding job that they did in bringing this bill before the House. I especially congratulate JOE MINISH for his hard work and I hope that from this point on unemployment will decrease, that the fires of inflation will be halted, that prices will come down or be held in line, and that the American economy will be stimulated so that America can once again become productive.

We must restore a measure of tranquillity in our land, so that this needless hardship being caused by the existing imbalance in our economy can be corrected. In a healthy economy, we must have consumption, production, wages, and prices harmonize with each other. When we can achieve this in our economic system, we can restore America to its rightful healthy economic position both at home and abroad.

THE MARY E. SWITZER MEMORIAL BUILDING

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

Mr. BRADEMAS. Mr. Speaker, I count it a privilege to introduce today legislation honoring the late Mary Switzer, one of the outstanding women of our time.

The bill, which has been introduced in the other body by the distinguished junior Senator from Minnesota, the Honorable HUBERT H. HUMPHREY, designates the south building of the Department of Health, Education, and Welfare

in Washington, D.C., as the "Mary Switzer Memorial Building."

Mr. Speaker, the name of Mary Switzer stands for dedicated service to human beings. I can think of few other persons whose distinguished career as a civil servant better merits public recognition. If the bill that Senator HUMPHREY and I have introduced is approved it will, I understand, mark the first time that a Federal building has been named in honor of a woman.

Mr. Speaker, I think it most appropriate that we symbolize in this way our appreciation for Mary Switzer's devotion and efforts on behalf of the handicapped and disadvantaged.

Miss Switzer contributed 48 years as a devoted Federal civil servant; for 20 years she headed the Federal-State program of rehabilitation for the handicapped and was more than qualified to become the first person to head the new agency— the Social and Rehabilitation Service in the Department of Health, Education, and Welfare. As Administrator of the Social and Rehabilitation Service, she carried out the largest administrative responsibility of any woman in Government and supervised the expenditure of over $8 billion in Federal programs for the aged, the poor, children, youth, and the disabled.

Mr. Speaker, although a powerful "bureaucrat," as she often referred to herself, Mary Switzer never forgot the people for whose benefit those programs were created. On many occasions when testifying before the Education and Labor Committee, Miss Switzer, when asked questions regarding budgetary matters and positions of administrations she served—and she served during the administrations of eight Presidents—she would look committee members in the eye and say that we all knew how she felt and would then elaborate, often defying dictates from the Bureau of the Budget.

When Miss Switzer retired in 1970, she had received 16 honorary degrees and over 40 awards in recognition of her compassionate service to others.

Her deep commitment to the welfare of others earned her the tribute of former Secretary of Health, Education, and Welfare, Arthur Flemming, when he called her "one of the 10 career civil servants who has rendered the most to the Nation throughout its entire history."

Mr. Speaker, the keen mind and loving heart of Mary Switzer will continue to be an ideal for all who knew her. I hope that Congress will recognize this extraordinary service by approving the bill that Senator HUMPHREY and I have introduced.

A CALL FOR MUTUAL UNDERSTANDING IN UNITED STATES-JAPAN TRADE RELATIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Hawaii (Mr. MATSUNAGA) is recognized for 15 minutes.

Mr. MATSUNAGA. Mr. Speaker, since my election to Congress nearly 10 years ago, one of my primary objectives in the field of foreign affairs has been to promote better relations between the United States and our good neighbors in Asia and the Pacific area. During that decade, the nation of Japan, a key member of the Asian and Pacific Affairs Council—ASPAC—has proven to be one of our stanchest allies, a fact that is in large measure due to our wise postwar policy of friendship and support.

Today, on the eve of President Nixon's precedent-shattering meeting with the leaders of the People's Republic of China, our stanch allies fear that this wise and effective policy has been abandoned by the United States. Their fears, based on the fact that the President of the United States had acted unilaterally, without consulting its allies in the Pacific, were reinforced by the almost simultaneous announcement that the United States was unilaterally adopting new trade policies. To the Japanese, our new policies, announced without prior consultation, appear to be punitive and aimed directly at them.

With the thought that my colleagues will be equally interested in the reactions of Japan and other Pacific nations to our recent policy shifts, I am submitting for inclusion in the RECORD a recent address entitled, "Trade, Tension, and Turbulence," which was delivered to the Japanese Chamber of Commerce of Honolulu, Hawaii, by Mr. Nobuo, vice president of Japan Air Lines. Mr. Matsumura, a prominent businessman who is deeply interested in international relations, concluded his remarks with a call for a "steadily increasing exchange of goods, people, and ideas—conducted honorably with mutual regard." This is a call to which we in the United States can favorably respond and which we can issue ourselves in hopes of mutuality. In any event, the exchange of views is essential to a resolution of differences which do exist between the two nations, and it is in this spirit that Mr. Matsumura's speech is offered for inclusion in the CONGRESSIONAL RECORD. His speech follows:

TRADE, TENSION AND TURBULENCE

(By Nobuo Matsumura, November 9, 1971, Japanese Chamber of Commerce, Honolulu, Hawaii)

It is always a pleasure for me to visit these beautiful islands, which have undergone such phenomenal expansion since the years when I first came here. You and the other business leaders of this thriving community, a mecca of tourism and trade, must have a deep feeling of gratification at all you have accomplished.

Situated at the crossroads of the Pacific, you must also be highly sensitive to conditions and changes taking places at both extremes of your vast ocean . . . conditions and changes not necessarily of your own making but which can have substantial effects upon the well-being of these islands.

I greatly appreciate your invitation to discuss with you Japanese reactions to the changing economic and political conditions in the United States and to the corrective actions taken recently by your government.

I gladly share with you my observations but I hasten to add that what I have to say does not necessarily reflect the views either of the Japanese Government or of my company. After all, Japan Air Lines is in the international travel business, not in the business of formulating international policy or determining economic relations.

On the other hand, like each of you, JAL is directly affected by international policy and the ups and downs of economic relations.

Japan has become a household word in the United States, largely due to the flood of articles in the press about economic differences. In principal, public attention is to be desired, to the extent that it enhances mutual understanding and is constructive.

The world's press, however, gave wide coverage to what we in Japan call the mid-July and the mid-August "shocks." I refer, of course, to the President's unexpected decision to visit Peking and his still more abruptly announced economic programs.

The press has accurately indicated that the Japanese experienced traumatic reactions to the American moves. But unfortunately, the press has reported very little on the "why" of those reactions—the traditions and special sensitivities, as well as the political and economic realities, which motivated the shock waves through our Diet, our metropolises, our businesses, even our farmlands and villages.

What is often called "the miracle of Japan" should in actuality be a source of great pride to Americans. While Japan's development as the second strongest economic power in the free world is primarily a Japanese achievement, accomplished by a united populace with a singleness of purpose born of necessity, great credit is due to the wisdom—and the generosity—of American friendship and support in post-war years.

In the realm of foreign policy, Japan developed and maintained especially close ties with her ally across the Pacific.

From my viewpoint as a private citizen, Japan's foreign policy in past years has virtually paralleled that of the U.S. and the leaders of my government came to appreciate—even expect—close consultations with Washington before either nation reached a decision so broad in scope as to directly affect the well-being of the other.

Hence, I do not think I can overemphasize the extent of the surprise that hit Japan when President Nixon made known to the world his plans to visit Peking before any advance notice was given to Japan.

While it must be borne in mind that in recent years there have been strong business pressures and political undercurrents in Japan for initiating some degree of formal accord with the People's Republic of China, these sentiments were always subjugated in favor of the America-inspired pro-Taiwan policies. Surely it was to the interest of Japanese industry to support trade with Taiwan and its political autonomy, but it has also become increasingly difficult for us to forestall overtures to open direct trade channels and diplomatic relations with the government of the most populous nation in the world, and a neighbor—both culturally and geographically—as well.

The Japanese people, as I judge their reactions, were in full accord with the American decision to conduct summit-level talks with Peking. It is my conviction that our mutually held objective—detente in Asia and a lessening of world tensions—will be served by a re-establishment of relations with the People's Republic of China and as graceful an end as possible to that country's long iso-

lation from non-Chinese thought and intercourse.

Dealing as we are with human nature, whatever hope was generated by the Nixon announcement for a more peaceful world atmosphere was more than momentarily overshadowed by public emotion at the realization that Japan's primary ally had planned a bold move in its China policy without taking Japan into American confidence.

Consequently, the ruling party of Japan, having assured the people that the U.S. would consult with Japan in advance of any major policy change, became the brunt of unmerciful domestic attack and was caused serious political embarassment. At the same time, many Japanese people felt their trust in the U.S. had been shaken.

Time tempers all crises and the China venture is no exception. Today the people of Japan earnestly hope the President's approach to Peking will prove meaningful and productive. Our own businessmen and diplomats believe that an open U.S. relationship with China's 800 million people can only contribute to more universal economic and social improvement.

I believe Japan Air Lines is fairly representative of Japan's international business establishment in its thirst for more information and its eagerness to develop cordial relations with Mainland China while preserving its traditional strong ties with Taiwan. We have, for example, developed an initial program to familiarize our flight and ground staffs with the cities, government and people of the People's Republic of China.

While there is much more that could be said about the importance of the China issues, I will take the time only to emphasize Japan's interest in a rational solution and to underscore that our government continues to support the objectives of the United States in this regard, despite the Nixon "China shock", upon which it is senseless to dwell.

The second emotional jolt to Japan, of course, was the abrupt announcement by President Nixon in mid-August of his emergency program to defend the dollar. Again, shock resulted not from an unawareness by the Japanese of the severity of the problem, but from the absence of frank advance consultations with my government. Actually, the implications of the new economic policies become increasingly—rather than less—disturbing as the weeks pass.

Again, too, I hasten to point out that as a people the Japanese have been not only aware, but highly concerned with the critical decline of the strength of the dollar and the serious American balance of payments and trade deficits. More than 95 per cent of our foreign transactions is conducted in dollars, so our sympathy is motivated as much by practicality as by friendship.

I needn't remind you, I'm sure, that the Japanese government has repeatedly demonstrated its willingness to cooperate with the U.S. in alleviating some of the economic strains. Japan, unlike other nations which were rapidly converting their dollar reserves into gold despite the declining reserves held by the U.S., made no effort to do so and even now holds only a modest gold stock.

The government, moreover, has embarked upon a constant and progressive program of trade and investment liberalization, complying as rapidly as they deem it possible with the desires of American businessmen to sell and invest more freely in Japan's economy. Indeed, today only forty items remain on the list of restricted imports, which is comparable to or even more liberal than the protected lists of other major trading nations.

The same is true in the realm of capital induction, with only seven sectors of the economy being barred to anything short of automatic approval for foreign participation in new ventures.

As additional testimony of Japan's efforts to cooperate, I remind you that numerous exports from Japan, including steel and cotton textiles, are voluntarily restricted by mutual agreement with the U.S., and the recent tetxile accords were ratified by Japan's government over resounding protests of our textile industry, which, as you may know, is so opposed to the agreement that its representatives have filed suit for reversal. I mention this to you as an indication of the depth of the Sato government's commitment to and desire for a strengthened American economy.

As to the revaluation of currencies, Japanese financial experts are quoted as agreeing that a reasonable revaluation of the yen is in order. We hear talk of somewhere between 6 and 10 per cent.

I gather that my government is prepared to take reasonable measures in regard to the value of our currency. But, and this is an important "but", there must also be a realignment of all of the other major currencies, including that of the United States. It is hoped that coming meetings of the Big Ten will somehow bring about accord in the world's monetary crises.

While you as a group are sophisticated in the background of U.S.-Japan relations and aware of these fluid economic developments, I find that one of the most common—and I feel unjust—American misunderstandings about Japan stems from the belief that we have conducted our trade and investment activites selfishly and short-sightedly vis-a-vis this country.

Vital as trade is to the Japanese economy, it is difficult for me to conceive of my countrymen as overly one-sided in their trade and business relations. And while there has been frequent publicity of charges of Japanese dumping and unfair trade restrictions, in fact few charges have been substantiated and, as I have said, Japanese trade and investment liberalization has proceeded at a steady and even accelerated pace.

Nonetheless, important sectors of Japan's business community feel that Mr. Nixon's remedial measures were aimed punitively and directly at the Japanese, and similar to their reaction to the China announcement, many felt betrayed and that they were being cut off from traditional American markets.

In fact, Japan more than any other country is being adversely affected by the ten per cent surcharge imposed by the President on most imports into the United States. Roughly thirty per cent of our exports are to the United States, and about 95 per cent of these are subject to the surcharge. Early estimates are that the surcharge will cost Japan as much as $1.5 billion in exports during the second half of this fiscal year.

Compounding the difficulties is the fact that the floating yen and the uncertainty surrounding it has resulted in a drastic decline in new orders which could bring total export losses to as much as $3 billion. In the month following August 16, for example, only one-tenth the export contracts signed last year were concluded.

Perhaps hardest hit in my country are the small and medium-sized enterprises which operate on low profit margins and suffer as well from stiff competition from the developing countries which now enjoy Japan's new preferential tariff rates. These firms employ more than 60 per cent of the Japanese labor force, and I personally know of several already facing bankruptcy. Unfortunately, the effects of the surcharge are also being felt by Japan's large corporations, many of which are cutting back both production and employment.

I share these discouraging facts with you not because I wish to complain or criticize, but to emphasize that the American measures may very well be self-defeating. Japan, presently experiencing her own business slump, will most probably be unable to increase her purchases from the United States or elsewhere while her export sales are shrinking.

The President made it clear that the aim of these measures is not protectionist but imperative if equilibrium is to be restored to the American economy. Since that time, the questions of surcharge and realignment of exchange rates have been discussed in conferences of the IMF, GATT and other world bodies, but no final solution has emerged.

Meanwhile, the stoppage of convertibility of the dollar to gold forced many nations to unwillingly float their currencies and was executed without IMF sanction. It and the surcharge, which likewise is contrary to the principles of GATT and the concept of free trade, has created serious problems not only for the Japanese but for many trading nations and most regrettably, especially for the less developed ones.

While cries of possible trade wars and economic retaliation have been heard frequently whenever a nation violates the accepted mores of free trade, I doubt that the threats are taken as seriously any more as they ought to be. I can tell you that the danger is a very real one, and I would remind you that it was just the 21st of October that the government of Denmark boldly announced the imposition of a ten per cent surcharge on virtually all imports, emulating the action of President Nixon.

While a "staggering economy and a balance of payments deficit" were the reasons cited for this move, it takes little imagination to project what would happen when and if other nations attempt to pursue a similar course. In fact, one can reasonably wonder "who will be next?"

World economists question whether such a program is actually directed at the true causes of payments deficits, and many, as you know, have concluded that it is not. Briefly, they credit America's economic woes to a weakened labor-management and wage structure, the cost of the Viet Nam war and an outflow of dollars attributed to expenditures abroad of multinational companies.

While we ponder these criticisms, all of us must be aware of the possible "snow-ball" effect of restrictive thinking. Already many American labor leaders have claimed that the surcharge will not be effective enough and that additional and broader controls must be instituted. Just recently, for example, a piece of legislation known as the Foreign *Trade and Investment Act of 1972* was quietly introduced in Washington. Should it ever become law it would virtually put an end to America's world trade and foreign investment activities as we know them today. Another example is the buy-American provision of the President's tax proposals. Those of us so vitally concerned with the preservation—indeed the expansion—of trade, both here and abroad, must view these as symptoms of a deteriorating world trade climate and must examine and re-examine what we as individuals, through our firms and businesses, and through our governmental representatives can do to keep a check on fallacious protectionist thinking and to enhance existing commercial bonds. Please do not misunderstand me; parochialism is by no means an American phenomenon, and we in Japan must continue to be as watchful and as militant as you here if trade is to be expanded in this decade of rapid transition.

I would not want to leave you with the impression that the Japanese are inflexible and unbending in their thinking, responding as we did with shock and alarm to the surprise announcements of the past months. Perhaps, as some of our foremost thinkers have pointed out, these shocks were "a blessing in disguise," for they have literally forced us to sit back and take inventory of our economy, our politics, our relationship with the U.S. and our inevitable role of increased responsibility in Asia and in the world arena.

As we undergo this introspection, I hope that Americans, too, will take a closer look at Japan, her people and the Japanese role vis-a-vis the American economy.

It would become apparent that the relationship has been a mutually rewarding one, and that there are in fact Japanese interests which have contributed more to the American economy than they have taken out. I am proud to say that Japan Air Lines is one of those enterprises.

An analysis of JAL's purchases from more than 2,000 U.S. suppliers reveals that she paid $444 million in the last five years alone for American-made aircraft, fuels, engines and parts, $63 million for wages for American personnel and an additional $70 million for passenger services and meals, communications, office expenditures and advertising. In total, she invested more than half a billion dollars in the U.S. economy during a period in which her total American passenger and cargo revenues reached just $207 million.

Japan Air Lines will continue (we have ordered more American 747 jumbo jets than any non-U.S. carrier) to invest heavily in the U.S. market, for we have found it profitable to do so.

Perhaps this is a key to reducing the tensions which face our two great nations today. With international relationships shifting so rapidly, I submit that more than ever before a steadily increasing exchange of goods, people and ideas, if conducted honorably and with mutual regard, will contribute to world harmony and will enrich us both.

Thank you very much.

A VA HOSPITAL FOR QUEENS COUNTY, N.Y.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. HALPERN) is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, at present there are 7,000 veterans waiting to be admitted to hospitals. 1970 records show VA hospitals rejected about 400,000 of the more than 1 million veterans who sought admission to hospitals. How can we, with a clear conscience, ask these citizens who have so well served the interests of the United States to wait for urgently needed medical care? Medical care cannot wait. It was with this in mind that I introduced H.R. 3814, on February 8, 1971, calling for the construction of a Veterans' Administration hospital of 1,000 beds in Queens County, N.Y.

There is currently no veterans hospital in Queens County. There are only three general VA hospitals serving the whole New York City area, a veteran population of 1,902,000. This is more than 6 percent of the total U.S. veteran population. How do we explain the discrepancy of providing 3.5 percent of the total number of VA hospital beds to 6 percent of the veterans?

Every day the number of veterans needing medical care is increasing. There are 275,000 wounded in the Vietnam war alone. The number of Vietnam veterans needing care for drug abuse is staggering. The advancing age and increasing need for medical care of the veterans of World War I, World War II, and the Korean conflict is adding to the already lengthy waiting lists. We owe these veterans a great debt. Do we repay it by closing the hospital doors in their faces?

All of us are aware of the urgent need for veterans hospitals. This was recently demonstrated in Congress by the overwhelming approval of increasing the proposed Veterans' Administration hospital budget. The response to this heartless cutback in the VA budget is indicative of the concern over the direction which the VA hospital program seems to be taking. Mr. Ralph J. Rossignuolo, legislative director of Amvets, stated the problem very concisely in the 1970 hearings before the Subcommittee on Hospitals, Committee on Veterans' Affairs:

> Amvets is concerned and becoming increasingly more alarmed at what it sees happening with the VA medical program. We see developing an insidious erosion of the once famous VA medical program that gave considerable leadership in the field of hospital treatment.

It is time to stop this trend, time to provide the facilities we owe the veterans. It is evident we recognize the need; let us now do something about it.

There is a desperate need for a hospital in Queens County. Queens County veterans must now use the VA hospital in the Bronx, Brooklyn or in Manhattan. The Bronx hospital is hopelessly outdated and overcrowded. The two main buildings date to the turn of the century—eight quonset huts are left from World War II. There is inadequate space for storage and sitting rooms besides the atrocity of visitor and other traffic having to pass through active operating areas. It would be impossible to remodel existing building—the need is for a completely new, completely modern hospital in the area. With the advances in medical technology new and miraculous lifesaving devices and rehabilitation services could be offered by construction of new facilities. The Brooklyn hospital is overcrowded and has a long waiting list. They are operating at an incredible 104-percent patient turnover rate. The Manhattan hospital is also operating at full bed capacity with a 95-percent patient turnover rate. What other evidence could possibly be needed to illustrate the need for a new hospital in Queens County?

Our veterans deserve the finest, most modern, most complete services available. How can we spend $80 billion on the defense budget and leave our wounded veterans on the hospital steps? With the new advances in medical care the man in Vietnam has twice the chance of surviving as he did in Korea and World War II. This means more crowding of already bulging hospitals. I am especially concerned about the plight of the Vietnam veteran. I again refer to Mr. Ralph J. Rossignuolo, legislative director of Amvets:

> The treatment of the Vietnam veteran is unique and offers rewarding challenges to the VA hospital system in that the Vietnam veteran is young, more seriously impaired, and is the victim of a cruel war, a war that makes him wonder if his sacrifice was in vain. Yet, his competency is far greater than his counterpart of World War II and Korea. He is not prepared for the old system of rehabilitation; he is anxious to return as quickly as possible to the mainstream of life. Moreover, he has experienced the expert and speedy medical service of the Armed Forces; he is carried from the very jowls of battle via helicopter and jet plane to the antiseptic hospital thousands of miles away in the span of several hours. Now we expect him to while away his precious time with outmoded rehabilitation techniques.

I ask you, what good will the best in field care and service hospitals do when the veterans are sent to inadequate rehabilitation hospitals—or worse, none at all?

My bill, H.R. 3814, would provide the desperately needed hospital facilities, facilities which would enable the veterans to return to normal, productive lives.

Mr. Speaker, let us not be known as a nation deaf to the pleas of her wounded veterans. Let us be responsive to their needs and provide the care they so richly deserve.

AMTRAK SHOULD KEEP WATER LEVEL ROUTE OPERATING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. KEMP) is recognized for 15 minutes.

Mr. KEMP. Mr. Speaker, once again, railroad passengers are threatened with a major curtailment of service. It is incredible that this could occur so soon after the Congress has organized and funded Amtrak for the express purpose of providing modern passenger service in areas where it is most needed.

Amtrak—the National Railroad Passenger Corporation—has announced that it will discontinue trains 60 and 61, the "Lake Shore," operating between New York, Buffalo, Cleveland and Chicago, effective January 5, 1972, unless the States begin supplying two-thirds of the train's losses as provided for in section 403 of the Rail Passenger Service Act of 1970.

Amtrak contends that the service, instituted on May 10, was for a 6-month period to provide time for States to pass necessary legislation to fund the operation. After 7 months, none of the States have come up with the money.

My most immediate reaction has been to ask Amtrak for an additional 90 days in order to provide a reasonable period for States to consider this discontinuance threat. With the holidays approaching, most of the State legislatures have recessed and are unable to act. January 5 is also an unreasonable date because this is the time of year when harsh weather hits the Great Lakes and upper New York State areas. It is conceivable that Am-

trak's trains would be discontinued when the airports and highways are snowed in, thereby preventing new customers from trying out the refurbished Amtrak trains.

Mr. Speaker, this is an urgent situation that will not slip by the Congress at this very hectic time. Twenty two Members of Congress, from the States concerned, including New Jersey, New York, Ohio, Indiana, Illinois, and Michigan, have cosigned letters to Roger Lewis, President of Amtrak, and George Stafford, Chairman of the Interstate Commerce Commission.

The letters are self explanatory and I include them at this point:

CONGRESS OF THE UNITED STATES,
December 14, 1971.

HON. GEORGE STAFFORD,
Chairman,
Interstate Commerce Commission.

DEAR GEORGE: We the undersigned respectfully request your assistance in persuading Amtrak not to give public notice to discontinue service on January 5, 1972 from New York to Chicago via Cleveland. We have enclosed a copy of our letter to Roger Lewis explaining our position.

We know that the I.C.C. felt that the above named route should have been made part of the basic system. Second, we feel that the I.C.C. would have the statistics to support our position which calls for a balanced, long-range transportation program for the population along the water level route of over 25 million.

We feel a letter from you to Roger Lewis will be most helpful as we are confident the view of the I.C.C. will be given most serious attention by Amtrak. Please advise us of your thinking on this most urgent problem.

Sincerely,

John Anderson, Herman Badillo, Mario Biaggi, Clarence Brown, Charles Diggs, John Dow, Thaddeus Dulski, Marvin Esch.

Seymour Halpern, Jack Kemp, Edward Koch, Norman Lent, Alexander Pirnie, Walter Powell, Ogden Reid.

Robert Roe, Edward Roush, John Seiberling, Henry Smith, Louis Stokes, Samuel Stratton, John Terry.

CONGRESS OF THE UNITED STATES,
December 14, 1971.

HON. ROGER LEWIS,
President,
Amtrak,

DEAR ROGER: This is in reference to the letter from Gerald Morgan dated December 1, 1971 indicating that Amtrak proposes to give public notice that service on the New York-Chicago route via Cleveland will be discontinued on January 5, 1972. We the undersigned respectfully request that you delay this action for 90 days.

We feel your letters to the Governors of the States involved come at a most inappropriate time. First, the States, between December 1 and January 5, if they are in session, will be restricted in the legislation they can consider in that period of time. Second, as you know, the House Committee on Interstate and Foreign Commerce has been holding hearings on Amtrak financing. It is reasonable to assume that legislation directly affecting the New York-Chicago route will be reported in the near future. To cut off service which could be restored by Congress a short time later seems to be arbitrary and capricious.

In addition, there are two other experimental and temporary routes which Amtrak has initiated that were not included in your termination notice. Therefore, we feel Amtrak's action of singling out the New York-Chicago route is discriminatory.

We would appreciate your very serious consideration of our request which we feel will be in the best interests of the public and Amtrak.

Please advise us of your decision.

Sincerely,

John Anderson, Herman Badillo, Mario Biaggi, Clarence Brown, Charles Diggs, John Bow, Thaddeus Dulski, Marvin Esch.

Seymour Halpern, Jack Kemp, Edward Koch, Norman Lent, Alexander Pirnie, Walter Powell, Ogden Reid.

Robert Roe, Edward Roush, John Seiberling, Henry Smith, Louis Stokes, Samuel Stratton, John Terry.

Mr. Speaker, while my most immediate request is for a delay in the discontinuance, I am more concerned about Amtrak's long-range attitude. Amtrak has endeavored to rebuild the image of rail passenger service by taking a new name, by outfitting train crews with snappy uniforms, and by posting colorful signs. Amtrak has also made an effort to clean up the trains. However, the gains that have been made through such efforts are sure to be wiped-out by such a negative and backward step as discontinuing service between Buffalo, Cleveland, Toledo, and Chicago.

Amtrak's image would not suffer if it refrained from issuing discontinuance threats. The Buffalo-Cleveland-Chicago route should have been a part of the basic national system from the beginning. Omission of this route from the basic system is a violation of the spirit, if not the letter, of the congressional mandate in the act to provide a basic system of passenger service.

The population of the major cities along this route between New York and Chicago via Buffalo for 1970 totaled 25.2 million people. This corridor by sheer numbers alone exhibits great passenger volume potential on an efficiently run railroad. It has been identified by experts as one of our emerging megapolitan regions. Discontinuance of this service west of Buffalo could result in the cutting off of the entire population of upstate New York from a convenient train outlet to Chicago and the west. Potential exists for fast corridor trains to connect between Milwaukee and Chicago, Detroit and Toledo, Cleveland and Columbus, Cleveland and Pittsburgh, and Toronto and Buffalo. In committee hearing and floor debate on this legislation, there was repeated emphasis placed on the undisputed proposition that the real volume potential for rail passenger service is in corridors through and between our densely populated areas. Excuses given for discarding this line do not stand up.

Since these trains should have been operated from the beginning as part of the basic national network, it follows that Amtrak erred in demanding State funds as a condition for their operation. Accordingly, I cannot criticize the States for waiting until Congress amends the basic act. Even on routes where State assistance is appropriate, States should not be forced to pay more than 33 percent of the deficit. I have sponsored, along with 51 of my colleagues, Joint Resolution 796 which reduces the State's share of the deficits from two-thirds to one-third. This is a more realistic appraisal of the ability of our States to finance public transportation services. The resolution also provides an additional $290 million for Amtrak. Clearly, in light of all its problems, Amtrak needs more money.

I am not surprised to learn that ridership on these trains has been relatively modest up to now. For the 15 years prior to Amtrak, Penn Central and its predecessor, New York Central, downgraded service and discouraged patronage. Amtrak cannot turn this around in 6 months.

Amtrak has spruced up the cars, but has done little else to increase the train's ridership. For example, there has not been an intensive radio or television advertising campaign along this route equivalent to the effort of the airlines and bus lines. Fares have not been lowered. And the terminals leave much to be desired. The December 6 issue of Transport Central magazine said the Buffalo railroad station "is so huge that any practical use for it is unforeseeable. Perhaps the Corporation might locate nearer the city center, possibly near the old Lackawanna or Lehigh Valley facilities."

Ironically, Amtrak plans to abandon one of the most ideally suited railroad stations along the route—the Cleveland Union Terminal—even if the trains remain in service. Amtrak claims that operating expenses of the Cleveland Union Terminal are excessive. These alleged high costs are in all probability due to obsolete working practices and joint facility contracts which the railroads have made no effort to correct because they have planned to get out of the passenger business. We have no evidence that Amtrak has tried to reduce expenses through hard renegotiation of old contracts.

What makes the Cleveland terminal so attractive is the connections available to the rapid transit lines that feed into the terminal from suburbia and the airport. Cleveland already has the "intermodal" facility that many other cities are eager to establish.

In addition, Mr. Speaker, I, along with Congressmen DULSKI and SMITH and Senators BUCKLEY and JAVITS just received the following telegram from David Mahoney, chairman of the American Revolution Bicentennial Commission.

AMERICAN REVOLUTION
BICENTENNIAL COMMISSION,
Washington, D.C., December 14, 1971.

HON. JACK F. KEMP,
House of Representatives,
Washington, D.C.:

With great pleasure, I wish to advise you that the American Revolution Bicentennial Commission today, December 10, 1971, in Washington, D.C., has given official recognition to Niagara Falls as a bicentennial city under the multi-city concept and that it has been awarded use of the official ARBC symbol.

The entire Commission shares the enthusiasm which you and your constituents have

for this recognition which will be a significant part of the observance of the 200th anniversary of our great Nation.

DAVID J. MAHONEY,
Chairman.

Mr. Speaker, it is obvious the railroad passenger travel to Buffalo and the area during our bicentennial year will be fantastic. Sightseers and vacationers will be traveling to Niagara Falls by the thousands. A 1957 New York Central schedule points out that there were six trains a day from Buffalo to Niagara Falls to handle the passenger traffic. The tracks are still there.

By tying in the Buffalo to Niagara Falls route with the New York-Chicago route by way of Cleveland a balanced system of travel will prevent undesirable results regarding bicentennial travel. For example, I was just informed that Disney World in Florida had to be shut down because automobile traffic going there backed up for 30 miles. I hope some of our transportation planners are thinking ahead. At this point I include the 1957 schedule previously mentioned.

Schedules shown on this page are in terms of "LOCAL TIME" (standard or daylight) as observed by each city

NEW YORK CENTRAL SYSTEM

The Water Level Route—You Can Sleep

Table 53—BUFFALO, NIAGARA FALLS AND SUSPENSION BRIDGE

687 ♦	685 ♦	683 ♦		207		217	681 ♦	Mls.	*April 28, 1957*	680 ♦	358	682 ♦	684 ♦	246	686 ♦
									(Eastern "Daylight Saving" time.)						
PM	PM	AM		AM		AM	AM		LEAVE] [ARRIVE	AM	AM	PM	PM	PM	PM
*5 33	*3 00	*11 25		†8 10		§7 55	*5 45	0	+....**Buffalo** (*Central Terminal*).....	7 42	9 45	1 30	4 57	10 25	11 25
5 40	3 07	11 32		8 19		8 03	5 52	3.0	lve..+**Buffalo** (*Exchange Street*)..arr.	7 35	●9 37	1 23	4 50	10 17	11 18
y5 53	y3 19	y11 45		y8 31		y8 15	y6 05	6.9	arr.....+Black Rock.....lve.	y7 23		y1 11	y4 38		y11 06
6 04	3 31	11 56		8 48		8 32	6 16	14.1	arr.....+North Tonawanda...lve.	7 10	●9 06	12 57	4 25	9 55	10 53
6 12				:8 56		:8 40		20.1	arr.....La Salle.....lve.	7 02					
				y9 01		y8 45		22.9	arr.....Echota.....lve.						
6 24	3 51	12 16		9 10		8 54	6 36	25.1	arr.....+**Niagara Falls**.....lve.	6 51	8 43	12 39	4 06	9 30	10 34
6 29	3 56	12 21		9 30		9 15	6 41	26.9	.....**Suspension Bridge**.....	*6 46	*8 33	*12 34	*4 01	*9 05	*10 29
PM	PM	PM		AM		AM	AM		ARRIVE] [LEAVE	AM	AM	PM	PM	PM	PM
Beeliner	Beeliner	Beeliner	Will not run May 31, June 1, July 5, 6 or Sept. 2.		Will also run May 31, June 1, July 5, 6 and Sept. 2.		Beeliner			Beeliner		Beeliner	Beeliner		Beeliner

°Daily; † daily, except Sunday; ‡ daily, except Saturday.
† Daily, except Monday; § Sunday only.
▪ On Sundays and May 31, June 1, July 5, 6 and September 2 leaves Buffalo 6:20 a.m.
ƒ Stops on signal to receive or discharge passengers.
ꜗ Stops regularly to discharge passengers only.
ₛ Stops on signal to receive or discharge revenue passengers only.
: Stops on signal to discharge revenue passengers only.
● Stops on signal to discharge revenue passengers from beyond Suspension Bridge.
* All seats reserved.
♦ This train does not carry checked baggage.

★ Beginning September 29, train times at this station will be one hour earlier than shown, as this community will return to Standard time.
C.D.T.—Central "Daylight Saving" time.
C.S.T.—Central Standard time.
E.D.T.—Eastern "Daylight Saving" time.
E.S.T.—Eastern Standard time.
+ Coupon stations.
Note ꜗ—Via connecting Limousine service between Ogdensburg and Canton daily, except Sunday and holidays. Railroad tickets from or to Ogdensburg only accepted on Limousine.

Mr. Speaker, if Amtrak wants ridership to increase, it must do more than run a few freshly scrubbed cars through musty terminals. Amtrak must energetically carry out a full-fledged program to operate a top-notch train. A real commitment is needed to make up for the years of Penn Central's deliberate downgrading of passenger service to make a case for discontinuance. In my study of this line, I have found specific examples which are quite illuminating. Take the cases of trains Nos. 27, 28, 63, 65, 51, and 98. Before Amtrak took over on May 1, they all ran between Buffalo and Chicago along the southern shore of Lake Erie through Cleveland. Trains Nos. 51 and 98 formerly carried "through" coaches which were interchanged at Buffalo between the subject trains and trains that ran to New York City. However, Penn Central eliminated these through coaches, and passengers were then required to change trains, with their luggage, at the Buffalo station. Many cases exist where Penn Central would not even show connecting schedules in its timetables.

Another complaint about Penn Central was poor on-time performance. Reports brought to my attention indicate in altogether too many instances the delays were attributable to defective equipment and facilities, slow orders, holding passenger trains for freight trains, and other similar causes.

Amtrak is operating much like Penn Central did. Amtrak's own figures show that during the period between May 1 and November 27, the two New York-Buffalo-Chicago trains have a 64.9-percent on-time performance record. The other 35.1 percent of the time, the trains were late an average of 41 minutes per train. To say the least, this is not a spectacular performance.

Many people mistakenly believe that train travelers are not time-conscious. Such is not the case. Most riders aboard a late train worry about their friends and family waiting extended periods of time in a semi-deserted, dark railroad station for a late train. How many persons arriving behind schedule have vowed never to travel again by train—Amtrak or no Amtrak?

Even when Amtrak has reasonable acceptable on-time performance, it sometimes is achieved through somewhat dubious means. A fine example is between New York and Buffalo, where the on-time performance factor is 83.3 percent. Because of deteriorating track conditions between New York and Buffalo, Amtrak trains had been running late. Amtrak solved the problem by lengthening out the schedules of all its trains by 40 minutes. The New York-Buffalo trip now takes 8 hours and 10 minutes. Back in 1956, trains were making this run in as little 7 hours and 25 minutes.

The point I wish to make is that Amtrak still has not proven itself to be the savior of the railroad passenger train. I am certain that Amtrak's management is working hard but the corporation is drastically underfunded and I am not surprised to see continued deficits, late trains, and low patronage.

I would like Amtrak to become more visionary. To think in terms of added service and super-railroads and Autotrains. A good start would be to retain the Buffalo-Cleveland-Chicago train—with or without State aid—and operate it with pizzazz. All talk about train discontinuances should cease.

Mr. Speaker, at this point I include extraneous matter previously referred to:

POPULATION

The population of the major cities along this route between New York and Chicago via Buffalo for 1970 are as follows:

New York City area	11,448,420
Albany, Troy, Schenectady area	710,602
Utica area	335,809
Syracuse area	629,190
Rochester area	875,636
Buffalo area	1,334,485
Erie area	136,000
Cleveland area	2,043,389
Toledo area	685,455
South Bend area	135,000
Chicago area	6,892,509
Total	25,226,555

AMTRAK DECEMBER SCHEDULES

NEW YORK/ALBANY/SYRACUSE/BUFFALO—Connecting Service to Toronto

Train Number		71	681	73	683	75	685	61	687
Train Name			Silver Star					Lake Shore	
Frequency of Operation		Daily	Daily	Daily	Daily	Daily	Daily	Daily	Daily
Type of Service	Miles from N.Y.	Y	Y	Y	Y	Y	Y	X★	Y
NEW YORK (Grand Central), N.Y. Dp	0	8 30 a	10 30 a	12 30 p	2 30 p	4 30 p	6 30 p	8 00 p	9 30 p
Croton-Harmon (NOTE)	33	9 22 a	11 22 a	1 22 p	3 22 p	5 22 p	7 22 p	8 52 p	10 22 p
Poughkeepsie (NOTE)	73	10 00 a	12 00 n	2 00 p	4 00 p	6 00 p	8 00 p	9 30 p	11 00 p
Rhinecliff	88	10 15 a	12 15 p	|	4 15 p	6 15 p	8 15 p	|	11 15 p
Hudson	114	10 35 a	12 35 p	|	4 35 p	6 35 p	8 35 p	|	11 35 p
ALBANY-RENSSELAER Ar	142	11 10 a	1 10 p	3 10 p	5 10 p	7 10 p	9 10 p	10 40 p	12 10 a
Colonie-Schenectady	151	11 31 a		3 31 p		7 31 p		11 01 p	
Amsterdam	177	11 58 a		3 58 p		7 58 p		|	
UTICA	237	1 00 p		5 00 p		9 00 p		12 28 a	
Rome	250	1 16 p		5 16 p		9 16 p		|	
SYRACUSE Ar	284	2 07 p		6 07 p		10 07 p		1 27 a	
ROCHESTER	370	3 23 p		7 23 p		11 23 p		2 46 a	
BUFFALO Ar	436	4 40 p		8 40 p		12 40 a		4 10 a	
Fort Erie, ONT Ar		5 20 p							
Welland		5 40 p							
HAMILTON		6 35 p							
TORONTO Ar		7 45 p							

BUFFALO/SYRACUSE/ALBANY/NEW YORK CONNECTING SERVICE FROM TORONTO

Train Number		60	680	682	70	684	72	686	74
Train Name		Lake Shore							
Frequency of Operation		Daily	Daily	Daily	Daily	Daily	Daily	Daily	Daily
Type of Service	Miles from Buf.	X☆	Y	Y	Y	Y	Y	Y	Y
TORONTO, ONT Dp									10 35 a
HAMILTON									11 40 a
Welland									12 35 p
Fort Erie									12 55 p
BUFFALO, N.Y. Dp	0	2 20 a			5 50 a		9 50 a		1 50 p
ROCHESTER	66	3 30 a			6 52 a		10 52 a		2 52 p
SYRACUSE Dp	152	4 50 a			8 15 a		12 15 p		4 15 p
Rome	186	|			8 51 a		12 51 p		4 51 p
UTICA	199	5 48 a			9 07 a		1 07 p		5 07 p
Amsterdam	259	|			10 13 a		2 13 p		6 13 p
Colonie-Schenectady	285	7 13 a			10 48 a		2 48 p		6 48 p
ALBANY-RENSSELAER Dp	294	7 45 a	7 20 a	9 20 a	11 20 a	1 20 p	3 20 p	5 20 p	7 20 p
Hudson	322	|	7 45 a	9 45 a	|	1 45 p	|	5 45 p	7 45 p
Rhinecliff	348	|	8 05 a	10 05 a	|	2 05 p	|	6 05 p	8 05 p
Poughkeepsie (NOTE)	363	8 45 a	8 20 a	10 20 a	12 20 p	2 20 p	|	6 20 p	8 20 p
Croton-Harmon (NOTE)	403	9 30 a	9 05 a	11 05 a	1 05 p	3 05 p	5 05 p	7 05 p	9 05 p
NEW York (Grand Central) Ar	436	10 25 a	10 00 a	12 00 n	2 00 p	4 00 p	6 00 p	8 00 p	10 00 p

PENN CENTRAL APRIL SCHEDULES

PENN CENTRAL

Table 6.

NEW YORK-ALBANY/RENSSELAER-BUFFALO

Miles	*March 3, 1971.*	No. ♦71 Daily	No. ♦81 Daily	No. ♦73 Daily	No. ♦83 Daily	No. ♦75 Daily	No. ♦61 Daily	No. ♦85 Daily	No. 63 Daily		
	(*Eastern time.*)										
0	Lve. New York (*Grand Central Term.*). +	8 30 AM	10 30 AM	12 30 PM	2 30 PM	4 30 PM	6 30 PM	8 30 PM	10 30 PM		
33	Lve. Croton-Harmon +	#9 22 "	#1122 AM	#1 22 "	#3 22 "	#5 22 "	#7 22 "	#9 22 "	#1122 PM		
73	Lve. Poughkeepsie +	#1000 "	#1200 Noon	#2 00 "	#4 00 "	#6 00 "	#8 00 "	#1000 "			
88	Lve. Rhinecliff▲ +		12 15 PM	2 15 "	4 15 "	6 15 "		10 15 "			
114	Lve. Hudson▲ +	10 35 "	12 35 "		4 35 "	6 35 "		10 35 "			
142	Arr. Albany-Rensselaer +	11 10 AM	1 10 PM	3 10 PM	5 10 PM	7 10 PM	9 10 PM	11 10 PM	1 25 AM		
142	Lve. Albany-Rensselaer	11 15 AM		3 15 PM		7 15 PM	9 30 PM		2 00 AM		
152	Lve. Colonie-Schenectady▲ +	11 30 "		3 30 "		7 30 "	9 45 "				
175	Lve. Amsterdam▲ +	11 55 AM				7 55 "					
237	Lve. Utica +	12 45 PM		4 45 "		8 45 "	11 05 "		3 35 "		
251	Lve. Rome▲ +			5 00 "							
286	Arr. Syracuse +	1 35 PM		5 35 PM		9 35 PM	11 50 PM		4 25 AM		
286	Lve. Syracuse	1 40 PM		5 40 PM		9 40 PM	11 55 PM		4 50 AM		
371	Lve. Rochester +	2 50 "		6 50 "		10 50 "	1 10 AM		6 30 "		
402	Lve. Batavia▲	3 25 "									
437	Arr. Buffalo (*Penn Central Station*) +	4 00 PM		8 00 PM		11 59 PM	2 35 AM		7 45 AM		

Table 6.

BUFFALO-ALBANY/RENSSELAER-NEW YORK

March 3, 1971.	No. ♦62 Daily	No. ♦80 Daily	No. ♦70 Daily	No. ♦82 Daily	No. ♦72 Daily	No. ♦84 Daily	No. ♦74 Daily	No. 64 Daily
(Eastern time)								
Lve. Buffalo (Penn Central Station)	2 30 A M		6 30 A M		10 30 A M		2 30 P M	10 00 P M
Lve. Batavia▲								
Lve. Rochester	3 30 "		7 30 "		11 30 A M		3 30 "	11 15 P M
Arr. Syracuse	4 45 A M		8 45 A M		12 45 P M		4 45 P M	12 40 A M
Lve. Syracuse	4 50 A M		8 50 A M		12 50 P M		4 50 P M	12 55 A M
Lve. Rome			9 15 "				5 15 "	
Lve. Utica▲	5 30 "		9 30 "		1 30 "		5 30 "	1 50 "
Lve. Amsterdam▲			10 20 "		2 20 "			
Lve. Colonie-Schenectady▲	6 45 "		10 45 "		2 45 "		6 45 "	
Arr. Albany-Rensselaer	7 10 A M		11 10 A M		3 10 P M		7 10 P M	3 30 A M
Lve. Albany-Rensselaer	7 20 A M	9 20 A M	11 20 A M	1 20 P M	3 20 P M	5 20 P M	7 20 P M	4 20 A M
Lve. Hudson▲		9 45 "		1 45 "		5 45 "	7 45 "	
Lve. Rhinecliff▲		10 05 "		2 05 "	4 05 "	6 05 "		
Lve. Poughkeepsie	#8 20 "	#1020 "	#1220 P M	#2 20 "		#6 20 "	#8 20 "	
Arr. Croton-Harmon	#9 05 "	#1105 A M	#1 05 "	#3 05 "	#5 05 "	#7 05 "	#9 05 "	#6 05 "
Arr. New York (Grand Central Terminal)	10 00 A M	12 00 Noon	2 00 P M	4 00 P M	6 00 P M	8 00 P M	10 00 P M	7 00 A M

ANNOUNCEMENT BY PAY BOARD

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. BLACKBURN) is recognized for 5 minutes.

Mr. BLACKBURN. Mr. Speaker, 2 weeks ago, the Pay Board announced its surprising decision that merit increases in excess of 5.5 percent would be allowed only under previously negotiated contracts by unions. In effect, a premium has been placed on belonging to a union, or on forming a union for future such situations.

The Pay Board has completely rationalized its decision. They state in a press release of December 3:

> The reason is that merit plan ranges under labor agreements generally are narrow, rigidly controlled and do not involve substantial increases in pay. However, merit plan ranges and increases under salary administration plans, not part of labor agreements, are generally wide, flexible, discretionary, and do involve substantial increases in pay. In the latter case, the increases often constitute an individual employee's entire wage increase for a given year.

I disagree—5.5 percent is less than "over 5.5 percent" in any way it is examined, whether the "over 5.5 percent" includes additional health benefits, pension plans, or whatever. Furthermore, what happens to the employee who in April was informally promised a substantial pay raise in October. Is he not being penalized because he is not a union member and a formal contract was not signed?

The precedent is dangerous. Is it to the benefit of our economy to encourage union membership? Some feel that one of the major causes of our inflationary problems has been substantial increases for unionized workers over the past years.

Today, I am introducing legislation which states that under the Economic Stabilization Act of 1970 "no action taken pursuant to authority contained in this section shall result in disparate treatment between employees covered by collective bargaining agreements and employees who are not so covered."

At a time when the Nixon administration is under constant and heavy attack from big labor leaders, I find myself somewhat amazed that it is cooperating with policies that are driving nonunion workers into the hands of big union bosses. This reminds me of the activities of John L. Lewis during World War II, who had more to do with increasing gas and oil consumption than any person, through the coal strikes which he engineered.

The question comes to my mind: Is the White House aware of what the policies announced by the Pay Board are going to do; that is, drive nonunion workers into the hands of big labor union bosses?

INDIA OPENS A PANDORA'S BOX

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. FRELINGHUYSEN) is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Speaker, it is impossible not to view the continuing military activity of India against Pakistan with alarm. What is being attempted, apparently with success, is the deliberate dismemberment of one country by its neighbor. India, of course, is much the bigger country and with far greater military strength, so the developments are not surprising.

It is most disheartening, however—indeed astonishing—that the world just stands by and watches this process. Although an overwhelming majority of the member nations of the U.N. are understandably opposed to this use of military force and seek a cease-fire and mutual troop withdrawal, it has not yet been possible even to get a statement of policy adopted by the U.N. Security Council.

Some argue, Mr. Speaker, that since it is inevitable that East Pakistan will become independent eventually, that India should be excused for hastening this process. I for one cannot accept this reasoning. To me India's actions are clearly aggressive in nature. They should not be condoned. By her decision to use force against her traditional enemy she has opened up a Pandora's box of troubles, for herself and the community of nations.

PRESIDENT'S PROPOSED PENSION REFORM PROGRAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Alabama (Mr. EDWARDS) is recognized for 5 minutes.

Mr. EDWARDS of Alabama. Mr. Speaker, I wish to commend President Nixon for the foresight and public concern he has displayed in his proposed pension reform program which will serve to enhance the retirement security of America's work force.

The President has drafted a 5-point plan that would provide new incentives and rewards for America's workers to encourage them to make substantial contributions to private pension funds, thus assuring them of future economic security and self-reliance. In addition, the pension reform plan will insure that, upon retirement, the participants will receive the full amount of accrued benefits.

The pension reform program includes three new legislative proposals, a renewed endorsement of an earlier proposal, and a major study project which could lead to further legislation. Specifically, the program entails the following recommendations:

First. Employees who desire to save independently for retirement or to supplement employer-financed pensions would be allowed to deduct for income tax purposes those amounts set aside as savings for the future, up to $1,500 per year or 20 percent of their annual income, whichever is less.

Second. Self-employed persons who invest in pension plans for themselves and their employees would be given an increased tax deduction of $7,500 annually or 15 percent of their income, whichever is less, as opposed to the deductions allowed under current law of $2,500 or 10 percent of their annual income.

Third. A formula for the vesting of the right to pension payments would be established to allow an employee to retain the right to receive pension payments regardless of whether he leaves his job before retirement.

Fourth. The proposed Employee Benefits Protection Act, which guards against carelessness, conflict of interest, or corrupt practices in the administration of pension funds, should promptly be enacted into law. The workingman needs the protection now.

Fifth. The Departments of Labor and Treasury are directed by the President to undertake a 1-year study to determine the extent of benefit losses under pension plans which are terminated. I believe there is a need for this study.

Mr. Speaker, I realize this program may not be devoid of faults and that it

may be subject to alteration or improvement by committee action, but it appears to contain a most workable plan for committee consideration. With this stipulation I am joining with the gentleman from Michigan, the Honorable GERALD R. FORD, in introducing the pension bill.

Too often there is a tendency for Government to neglect or take for granted the American workingman who represents the backbone of our strength as a free nation. However, by enacting the proposed legislation contained in the President's pension reform program, Congress can make a significant contribution to the cultivation of independent responsibility and the maintenance of the self-reliant pursuit of life as a continuing and flourishing aspect of the American experience.

M. P. VENEMA SPEAKS UP FOR FREE ENTERPRISE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. CRANE) is recognized for 5 minutes.

Mr. CRANE. Mr. Speaker, for too long American businessmen have tended to apologize for their successes, to sit by silently as capitalism was attacked by those who argued that, somehow, Government control of the economy would produce a more "equitable" sharing of the Nation's resources.

They failed, in too many instances, to point out that capitalism was simply freedom applied to economics, that under a system of free enterprise it was the consumer, the individual, who voted with his dollars in the marketplace and determined in this manner exactly what would be produced in the economy. In the socialistic, communistic, and fascistic econnomies supported by the advocates of collectivism it is a small band of bureaucrats who make this decision.

Under capitalism people not only decide for themselves what the economy is to produce, but they are able to procure for themselves a far larger share of that production than under any other system. Capitalism is the best economic system for those at the lowest level as well as for those at the highest. In fact, those at the lowest levels in our own country and in the capitalist societies of Western Europe and of Japan would find themselves in the upper levels of collectivist societies—where a radio, a television, and indoor plumbing are still considered to be luxuries.

Finally, businessmen are beginning to speak in forceful and affirmative terms. One such businessman is M. P. Venema, chairman of the board and chief executive officer of Universal Oil Products Co., of Des Plaines, Ill. Recently, he was installed as 1972 chairman of the board of directors of the National Association of Manufacturers.

In his acceptance remarks he stated that—

It is time we stopped apologizing for being businessmen and begin to talk about the vital facts of business life: the need for fair profit, the need for parity at the bargaining table, the need to stimulate greater productivity, the need to develop working capital.

He noted that—

Profits are necessary in order to build new plant and equipment, to create new jobs, to support research and to enable us to solve some of the environmental problems. Wages must be pegged to productivity.

In urging that the National Association of Manufacturers make its goals and legitimate needs known to "every segment of our society," Mr. Venema has stepped into what has been an unfortunate vacuum in our public life and in public debate. Now, it is to be hoped, the voice of business will be heard.

I wish to share Mr. Venema's thoughtful remarks with my colleagues, and insert them in the RECORD at this time:

ACCEPTANCE REMARKS BY M. M. VENEMA, CHAIRMAN OF THE BOARD AND CHIEF EXECUTIVE OFFICER, UNIVERSAL OIL PRODUCTS CO., DES PLAINS, ILL., ON THE OCCASION OF HIS INSTALLATION AS 1972 CHAIRMAN OF THE BOARD OF DIRECTORS OF THE NATIONAL ASSOCIATION OF MANUFACTURERS, WALDORF-ASTORIA HOTEL, NEW YORK, FRIDAY, DECEMBER 3, 1971

Thank you, Ed Dwyer. Thank you, ladies and gentlemen.

In accepting this office, I pledge my dedication to the high purposes of this great Association.

I am honored to join the distinguished company of leaders—a number of whom are seated at this table today—who have given up fully of themselves to the demanding tasks required of the Chairman of the National Association of Manufacturers.

Ed, the honor you have bestowed upon this office and the tireless devotion you have given to this Association during the past twelve months constitute an inspiring example for those who are asked to carry on this important work. You have set high standards that any man would be pressed to equal. I shall seek your active help and wise counsel in the months ahead.

In Shakespeare's "Julius Caesar," there occurs a pre-dawn dialogue between Brutus and Cassius as they await sunrise and the fateful Battle of Phillipi. One memorable line goes as follows:

"There is a tide in the affairs of men which, when taken at the flood, leads on to fortune."

The same may be said of the American business community and its principal national spokesman—our NAM—as we await the challenges of 1972 and the years to come.

Few years of this century have appeared more shrouded with uncertainty than the one which arrives four weeks from now. This Congress of American Industry has focused on some of the most pressing situations: a crucial national election, economic uncertainty and turmoil at home and abroad and adjustment to a period (short-lived, we trust) of strong governmental presence in the nations wage and price structures.

To these we must continue to list the as yet unsolved problems of our cities, the struggle to regain control over our environment, the disenchantment of our youth and a lack of confidence among some American people in the American Free Enterprise system.

Finally, there are those global issues beyond the immediate power of the business community to shape, but impacting upon our capabilities and opportunities, none-theless: the war in Indochina, the entrance of Mainland China into the family of nations, the inscrutable goals of the men in the Kremlin, the tissue-thin peace in the Middle East and the untested stamina of emerging nations around the world.

Not all of these problems will find solutions in 1972. Perhaps none of them will, in any lasting sense. But all will wax or wane in their intensity. And therein lies the tide we must find and channel to the greater good of all people.

This is, I submit, a collective task. Its scope far transcends the ability of even the giants among us to accomplish, acting solely within their corporate entities. The preeminent purpose of an association—whether it be of individuals, organizations, or groups of industries—is to achieve those things by working together that no single entity could achieve by itself. So I suggest to you that the hope of industrial America in making an impact on the many crucial problems rests largely with a strong, vigorous and resourceful National Association of Manufacturers.

Here we are—The NAM: more than 12,000 individual business enterprises of every size and description, located throughout the length and breadth of our nation; furnishing employment to more than half the industrial work force of the country and responsible for industrial output of comparable proportions.

I suggest it is time we stopped apologizing for being businessmen and begin to talk about the vital facts of business life: the need for fair profit, the need for parity at the bargaining table, the need to stimulate greater productivity, the need to develop working capital.

Profits are necessary in order to build new plant and equipment, to create new jobs, to support research and to enable us to solve some of our environmental problems. Wages must be pegged to productivity.

It is time to encourage the NAM to realize its full potential as the strong, united voice of the business community.

We need to make known our goals and our legitimate needs to every segment of our society: to government, at all levels; to labor; to teachers, clergymen, housewives, young people, and all the rest. We must take our message to them all, for we cannot succeed without the confidence and support of all segments of the American society.

This is the task that NAM is so uniquely qualified to perform. There isn't a community of any appreciable size anywhere in this country that does not have one or more NAM members. Thus we have a ready-made communications network, all across the land, and it is up to all of us to make it an effective communication channel to friends and critics alike.

The NAM can continue to influence the course of the nation, as it has for so many years, by cooperating in areas where the expertise of our membership is helpful. We can assist in bettering the educational process and strive for better representation in government.

Acting in concert with Mr. Gullander and the professional staff, we can do much to shape the course of future events. It will require much more of each of us than authorizing dues increases—important as this is. The stakes for which we are playing demand the very best we can muster, in service and spokesmanship as well as in dollars.

I have dealt in broad strokes today. In my NAM travels in the coming year, I will get into the specifics and seek your help in developing and applying them in the quest of our great goals.

PROFESSIONAL SPORTS AND ANTITRUST LAWS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. SMITH) is recognized for 15 minutes.

Mr. SMITH of New York. Mr. Speaker, my colleague, Mr. JACK KEMP and I are very much concerned about the fact that so far during 1971 at least 18 bills have been introduced dealing with professional sports as they relate to possible anti-

trust laws. We think it is extremely important, Mr. Speaker, that our colleagues in the House and Senate have the benefit of points of view that are not readily available in many cases, and to this end we wish to include the transcript of the University of Buffalo Roundtable, chaired by Dr. Joseph Shister, the outstanding chairman of the Department of Industrial Relations at the State University of New York at Buffalo. Dr. Shister, along with Mr. Robert Swados, vice president of Buffalo Sabres hockey team and Dr. Howard Foster, assistant professor, industrial relations, State University of New York at Buffalo on November 14, 1971, discussed the relation of antitrust law to professional sports.

These men have made a fine contribution to the dialog currently going on with regard to the future of professional sports and because of my interest and JACK KEMP'S past association as president of the American Football League players union, and because of our belief that professional sports have contributed a great deal to our community and our country, we would like to have as many colleagues as possible to have the benefit of their debate.

UNIVERSITY OF BUFFALO ROUNDTABLE

Participants:

Dr. Joseph Shister, Chairman, Dept. of Industrial Relations, State University of New York at Buffalo; Robert O. Swados, Attorney, Vice President and Counsel, Buffalo Sabres; and Dr. Howard Foster, Asst. Professor of Industrial Relations, State University of New York at Buffalo.

J. S. Now that the Supreme Court has accepted *certiorari*, that is to say, agreed to hear the Flood case in baseball, it is fairly obvious that either directly or indirectly or both all professional sports will come in for careful scrutiny as to whether or not the anti-trust laws should apply to them and how it should apply to them. To discuss this general question this morning we have with us Mr. Bob Swados, one of our distinguished attorneys in the area and also Vice President of Buffalo Sabres and Dr. Howard Foster, Assistant Professor of Industrial Relations, State University of New York at Buffalo.

Mr. Swados, let me begin with you. What is the relation of the anti-trust law to professional sports?

R. O. S. Well, I think first of all it should be understood that as the law now stands, the anti-trust laws technically apply to all sports, that is, all professional sports, with the possible exception of certain activities of baseball and certain permissions that are given to sports in the area of television; for example, that one can black out the home city when you are playing at home. But generally speaking they do apply. Now, the question that is often put is, should they apply; I say as a technical matter they do apply. If one would think of applying the anti-trust laws to major league sports leagues the way you would apply them to, let's say, IBM or General Motors, then I would have to say they make no sense as applied to a major league sports league. If what one is talking about is the abuse of power, the unfair use of whatever monopoly powers major sports leagues have, then I should say in that area, of course, there should be an application. But I would have to say as a general proposition that the anti-trust laws, so called, whether you're talking about the organization of leagues or the rights as between players and owners, when applied to major league sports don't make sense. If there are abuses it is my opinion the abuses should be corrected by direct action on the abuses but not by attempting to apply the anti-trust laws, which are a kind of blunderbuss scatter-shot, buckshot type of law that's aimed at a big trust, a big industry. They don't apply and shouldn't apply to the special types of relationships that you have in major league sports generally.

J. S. Dr. Foster, do you share Mr. Swados' qualified response to my question?

H. G. F. I think I would probably be inclined to qualify even a little bit more. It is, of course, correct that in a technical sense the anti-trust laws do apply to most professional sports with the exception of baseball and perhaps with the hearings of the Flood case even that exemption may be removed. To say that they apply, however, isn't really the end of the story because for a long time the courts have recognized with respect to the anti-trust laws that there is such a thing as a rule of reason that all activities of any particular company or individual that might have a tendency to restrain trade are not necessarily violative of the anti-trust laws; that certain activities have to be allowed and for the good of the industry in order to enable the industry to survive, if it were to take the extreme case. So my inclination would be to say that the anti-trust laws perhaps should be applied somewhat more stringently than they seem to have been up till now to professional sports, that some activities of the various games obviously cannot be subsumed under the anti-trust restrictions: such things as scheduling, having a league structure and a first place team that will therefore win a championship and hence play-off against another first place team. This sort of cooperation among teams, which could in a very narrow technical sense be construed as a restraint of trade, clearly should be exempted from condemnation under the anti-trust laws because it is a reasonable restraint of trade. It's the unreasonable restraints of trade that the anti-trust laws have historically attempted to deal with and I think it's along those lines that any meaningful discussion has to be pursued.

J. S. What are some of the unreasonable things that now prevail in sports thanks to the inapplicability in a de facto sense of the anti-trust laws?

H. G. P. Again, I am not sure if they are really applicable.

J. F. I said de facto.

H. G. F. Well, okay. In the sense that nobody has really made a case of it, in that sense, right.

R. O. S. There is a lot of litigation, you know. This is the favorite pastime of, let's say, one might characterize them as the prima donnas in sports, who believe that they should be like Dean Martin; that they should be able to negotiate for themselves, and run their own affairs, shop themselves around to whatever club they choose to shop themselves to, without regard for some of the things that you've mentioned which are essential to major league sports—that is, that you have competition, that you have a balanced league so that everybody gets a fair chance over a reasonable time to have a contending team, that you have cooperation among the league members so that a team that is suffering financially as in all sports, can be given succor, given help. So I wouldn't say, it isn't correct to say that the anti-trust weapon has not been raised; it's being raised right now down in Congress, in rather mad and bizarre terms.

J. S. The man in the street reads about the so-called reserve clause, in some sports, not in all sports, that the man belongs to some particular organization such as baseball—he's there 'til they either release him or fire him.

R. O. S. Let's make a point right here. (And let me say that my observations here are my own observations and not to be attributed to the Sabres or anybody else.) You've got to make a distinction as to the practices of different sports. They are not all the same and what you're talking about is basically the idea, which the term "reserve clause" means—I suppose in a general way, that when you sign a player to a contract that you have some opportunity to make sure that the player continues to play for you. Now that opportunity and that right has a rather different range depending upon what sport you're talking about. In baseball it is substantially a lifetime option and there are very few relief provisions in connection with it. In basketball, the basketball people apparently in the Rick Barry case sort of conceded they only had a one-year option. In football a fellow has the right to play out his option. That is, he says I'm not going to play for you next year, I'm not going to sign a contract next year, I will play for one year, and usually his compensation is fixed at some percentage of what his salary was—90% or 80%—and then, if somebody else picks him up the following year the commissioner can say, oh oh, you picked this fellow up, you've got to compensate the club from which he came. And then finally, there is hockey, where we have an element which none of the other sports have, and that is that we have compulsory arbitration of the player's salary, so that we don't say you've got to play for us and therefore, and here is your salary or your salary is 80 or 90 percent. We say you are required to play for us unless someone else drafts you or somebody else takes you away from us, but your salary is to be fixed by an arbitrator chosen by the player's representative and our representative. Now I would say I have pretty firm views on this. I would say very flatly, that if there were not some kind of option clause, some way by which a team like the Buffalo Bills or the Buffalo Sabres or the Buffalo Braves know that somewhere along the line it's got the opportunity of getting another young player and holding on to him, if there were not that opportunity, in my opinion, there would be no professional football, hockey or basketball in the city of Buffalo. Now I will expound on that later if you wish. I feel that that is an essential ingredient for the healthy continuance of major league sports the way we know it today.

H. G. F. Well I think that this is perhaps a prime example of what we might term as an unreasonable restraint of trade with respect to the relationship between the teams and the player. It is frequently said, as Mr. Swados just asserted, that the absence of any kind of tie between the individual player and the individual team could spell the death of professional sports, as we know it. That is yet to be shown to me empirically in any way, perhaps because we have never given it a chance to.

R. O. S. I just told you that no one would have invested in any one of those three sports in the city of Buffalo if we did not have some such arrangement.

H. G. F. There are still a number of questions that I think might be raised. In the first place, there is no guarantee, obviously, even with the reserve clause and with its companion the draft, and the option clause, that you will get a fairly even distribution of talent. That's presumably the reason why it is said that the absence of the reserve clause results in the death of sports.

J. S. I think we ought to spell out that it is the rationale of Mr. Swados' remark, mainly that, I gather, it's if you don't have some kind of reserve clause, call it what you will, some kind of control over the player, possession of the player by a given team, then the richest team would win away this talent and there would be no competition.

R. O. S. That's right. This is historically what has happened. That is, the economic power of the clubs in the major market is so much greater than the economic power in the small market, that there is no way that a club in the city of Buffalo could, in the long run, ever compete for player talent

with a club in the city of New York, the city of Chicago or the city of Los Angeles.

J. S. Isn't it true that the economic health of say the New York Rangers or the New York Knicks, or any of the New York teams is also dependent upon the economic and also professional health of the teams that they compete against?

R. O. S. That is why you have the draft. To make sure—which is also being attacked.

H. G. F. But the point is, over long periods of time you have wide dispersions of talent, you have even with the present system, you take teams like the New York Yankees that for decades dominated play despite all these protections that you name.

R. O. S. There's one basic distinction there—that baseball never had a real, honest to goodness, draft and to this day doesn't really have a draft.

H G. F. Let me raise this question, Mr. Swados. It has been argued that in terms of enlightened self-interest the richest teams would see to it that they don't dominate the towns because theoretically you take the richest team or two or three richest teams, they could have all the talent, there would be no real competition, there would be no league.

R. O. S. I think the best answer is the example you just mentioned—the Yankees dominated the American baseball league for more than a decade. So much so, that Kansas City A's which were supposed to be a partner in the American Baseball League, were almost a farm team of the Yankees. The Yankees had over that period, I think the figure is at least a million dollars more a year in radio and television revenue than any other club in the league. And they used that to swipe talent, to snip off the talent, and the theory was much like the theory of Bill Bradley or Oscar Robertson, the theory was we're the Yankees, wherever we go people will come to see us play. It's not so important that you be able to compete with us. *We're* going to be playing in your park. Well, my answer to that is what I stated earlier—that nobody today will invest in major league sports unless he has an assurance that somewhere down the line he can get a Simpson and hold on to him, he can get a Perrault and hold on to him, he can get an Elmore Smith and hold on to him. If you can't do that, then nobody wants to be in this precarious, very very difficult, demanding business.

H. G. F. What's the mechanics, what's the sort of logical mechanics that you would use to verify the assertions that a team would not be in the absence of the reserve clause or the draft, the compulsory draft, the team would not be able to hold on to any talent whatsover. Isn't there any marginal law for getting too much talent on a team? Isn't there any, not to mention the business interests of the richer clubs.

R. O. S. What you're suggesting is there are other areas where this could be helped. If you had a limited roster, and this is what we have in hockey—not as limited as Buffalo would like—but it's still limited. In other words, if you had a rule that said that you should only be able to keep the minimum number of players, and those other players are available to the other members of the league, either through draft, or waiver, then you might be able to moderate this problem and in hockey we do have this. Every June every hockey club has to freeze a certain number and everybody above that number is available for draft by the other members of the league. Now, I would like to go back to your suggestion—let's look at the empirical proof: I think it could be pretty well argued—and I haven't spoken to anybody on the Bills about this—but I think that during the days when the American football league and the National football league were competing with each other and this is in some testimony that I read by Pete Rozelle, Commissioner of the National Football League, that there were anywhere from 3 to 5 years, he says 5 years, during which certain teams in the American Football League did not sign a single No. 1 draft choice—they didn't either have the economic power or the dollars to do it, or they were unwilling to do it. And I think it could be well suggested that that's one of the reasons we have our troubles on the Bills today—it's not perhaps the coaching—it's that over a period of 4 or 5 years the Bills, faced with this tremendous competition in the player market, couldn't or wouldn't put up the money.

J. S. Is that a struggle for consideration or is that a particular situation? The Kansas City Chiefs in the American Football League, Oakland Raiders in the American Football League. . . .

R. O. S. They managed to stay in there, and I think it's probably because they did put up money for their drafted players.

H. G. F. But there's been a common draft for years in football. Even for at least 1 or 2 years prior to the merger, the merger itself is what, 4 or 5 years old, so we're talking about a period of 6 or 7 years. I don't think we can attribute the problem of the Bills right now. . . .

J. S. You earlier said, Mr. Swados, that there had been abuses in terms of this reserve clause.

R. O. S. I said abuses in the way that major league sports had conducted itself. I did not say in terms of the reserve clause. The point I would like to make there, very briefly, I will make it very briefly, there is a distinction between one sport and the other. Now in hockey and baseball we have tremendous investments in the development of players. Football and basketball, every year there are competent, well promoted, well known players coming out of the colleges. That's not true in hockey or baseball.

H.G.F. It's getting much more true in baseball.

R. O. S. Let me just say this—it's not true in hockey. In hockey we spent, the league as a whole, last year, I would say the figure is in excess of 2 million dollars * in helping amateur sports in hockey, in developing amateur hockey players and it probably is in the neighborhood of 4 million dollars if you count the losses in the minor leagues that we incur. Now when you have that kind of consideration, and when you have a type of player who cannot be brought, except in rare instances, directly into the major league, then you have, it seems to me, a reasonable basis for giving such a club the right to hold onto a player for a given time.

J. S. I have to interrupt here. I will address it to both of you because both of you have indicated there have to be some changes, or changes are warranted in the way the antitrust laws should be applied in de facto not only de jure. What changes would you suggest?

H. F. I think an important thing, I don't really buy the notion that a total reversion to the free market within professional sports would spell the death of professional sports as a whole. It seems to me that professional sports have become a business, that the people running professional sports are perhaps primarily interested in at least not incurring losses and there are a variety of incentives on the part of each team in the league to prevent the overloading of talent on any individual team. If we go back to the point that Mr. Swados made about training, there's no reason that this training, it seems to me, couldn't be done through the league itself. This is an area of cooperation.

J. S. Are you suggesting the establishment of a free market in sports as we have it in some industries.

H. F. Pretty much so, yeah. Free labor market. There are other areas, by the way, that we haven't even touched on like moving franchises.

R. O. S. I think that's where the most gross abuses have been, the move of the Washington franchise, the move of the Milwaukee franchise, the conduct of the baseball expansion in 1968 with which we were intimately and painfully connected. Those are situations where I would characterize gross abuse of power and where some kind of regulation is justified.

H. F. I think the whole structure of the sport might have been more healthy if in fact expansion were limited by invocation of the anti-trust laws. Instead of having expansion of the existing league you could have development of new leagues as we're having now in hockey—we're having now a world hockey league being developed and we're probably going to see the same kind of competition developing as has happened in football and basketball. It seems to me that the type of competition that exists between the leagues can serve at least to take the players out, it's primarily the players who are hurt by this, it's primarily the players who are not able to compete as they might be selling their services to the highest bidder as they could in virtually any other industry.

R. O. S. I just want to make one point on that. I don't know if anybody can see this chart, but this is some of the testimony by Mr. Robert Nathan before Congress on the pending merger between the American Basketball Association and the National Basketball Association. As I interpret this chart, the chief beneficiaries of the war between the two leagues have been the top 3 players. That's this heavy bar here. The journeyman player, the playmaker, the guy who is the guard in the back court, he hasn't benefited anywhere near to the extent that the warmakers have.

H. F. Why shouldn't the anti-trust laws serve to protect the top 3 players just as much as anybody else.

R. O. S. I'm not saying that they shouldn't protect both sets of players. What I'm saying is that the arguments that are being made to prevent the merger of the NBA and ABA—where you have a sick league financially (I think at least ¾ of the members of that league are showing cash losses)—the arguments that are being presented to oppose that merger are being presented primarily by the guys who have reaped most of the benefits from the war and they are using this club of the reserve clause. They are practically saying we won't go along with the merger unless you make us free agents from the word go. And in my opinion if the NBA or the ABA goes for that the only thing that will happen is not necessarily the destruction of major league basketball but you'll find that most of the clubs won't be able to stand the financial gaff and you'll end up with a loss of a number of clubs and you'll end up with a number of cities in the country that won't have the basketball clubs that they have now. Let's not forget the fans!

Dr. Foster. It seems to me that if the club simply can't absorb the salaries that would be commanded by the better players all gravitating toward these new teams, they simply won't pay it. Just as it seems like the Los Angeles Lakers have found problems along these lines by having an overloading of super stars as they did under the present system, they won't pay it, they won't be able to pay it, and therefore some of the players will then go to the other teams. And if the other teams run out of money then perhaps

* Note: These figures got a little garbled in translation. The actual NHL data are 1966–67 through 1971–72 seasons: direct and indirect payments for amateur hockey $1,200,000 plus losses in player development clubs (minor league operations) of as much as $300,000 per club per year, aggregating $6,500,000.

some other group will come in to take over.

R. O. S. Then the economist would say that we should only have a natural monopoly of say 10 clubs—we shouldn't have 24 or 28 clubs—well that's not really in the interest of the public. Its in the interest of the public that a city like Buffalo, which is a smaller community, be able to run a successful major league sport on a smaller economic base; and the only way it can do that is by giving that club the right to draft a new young, good player and hold onto him.

J. S. Let me ask you Dr. Foster, why do you want a strict applicability or I should say strict application of the antitrust law and return to a free labor market or competitive labor market? What can be gained? And for whom?

H. F. Well, I really don't think the burden of proof is placed on my position. We have the anti-trust laws which say you may not have—it is against the public interest to have an illegal restraint of trade in an industry, in a business, I don't think there is any argument now that professional sports has become a business and therefore fall under that particular category. (ROS: No argument about that.) Therefore it seems to me that the whole thrust of the anti-trust law is such that rendered this type of activity unacceptable unless it can be shown that it is in the interest of the industry as a whole, that the whole structure cannot survive, without some kind of restraint similar to the one we have now. This to me has not been shown either empirically or through argument.

J. S. I wish we could go on but our time is up. We're just getting into the thick of it. Ladies and gentlemen, our panelists are in disagreement as to whether and how the anti-trust laws should be applied to professional sports. There is an agreement on one point, that professional sports has become big business, anyway, and the owners of these various teams in basketball, football, hockey, etc., are out to make a profit or at least not to make a loss. But beyond that there is significant disagreement. Mr. Swados points out first of all one has to differentiate between different sports, which is, of course, true. As a general statement he indicates unless a team is assured of being able to get hold of a player and then being able to hold onto him, under reasonable conditions, you just couldn't have organized sports. He mentions specifically that a city like Buffalo with a relatively small market simply couldn't and wouldn't invest unless they were assured they would be able to get somebody and be able to hold on to them in a fair and equitable fashion. But basically he argues that if we apply the anti-trust laws to major league sports as they are supposed to be applied in non-sports industries, this would be the death knell of professional sports generally, for reasons that he elaborated.

Dr. Foster, on the other hand, argues that there is no evidence that, either empirical or deductive, if I may use that term, that that would in fact happen. It might very well be that through enlightened self interest the richer teams would hold off a little and let the poorer teams get some good players for the sake of continued competition in the league. And also argues this might be a philosophical argument if you will, that since professional sports is a business, there is no reason why the anti-trust laws should not be applied, as stringently to professional sports as they are to other kinds of industry. And Mr. Swados finally points out that in terms of public interest—that is, how many teams there would be and whether certain cities would have teams or not, the strict applicability of the anti-trust laws would make that very, very difficult.

Now next week.

PERSONAL ANNOUNCEMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. VEYSEY) is recognized for 15 minutes.

Mr. VEYSEY. Mr. Speaker, on October 21, because of official business in my district, I was unable to be present for rollcall No. 318. Had I been present I would have voted "yea" to provide a Delegate to the House of Representatives for Guam and the Virgin Islands.

On November 1, I was unavoidably in my district on official business. On rollcall No. 338, motion to adjourn, I would have voted "yea." On rollcall No. 336, passage of H.R. 11232, the Farm Credit Act, I would have voted "yea." On rollcall No. 335, H.R. 7854, to Amend the Small Reclamation Projects Act, I would have voted "aye." On rollcall No. 333, H.R. 9323, to amend the Narcotic Addict Rehabilitation Act, I would have voted "aye." On rollcall No. 332, H.R. 9180, to provide temporary assignment of U.S. Magistrates from one district to another, I would have voted "aye." On rollcall No. 331, H.R. 8389, to develop treatment programs for drug abusers, I would have voted "aye." On rollcall No. 329, to suspend the rules to pass the Emergency School Aid bill, I wound have voted "nay." On rollcall No. 330, to provide insurance on Federal Credit Union accounts, I would have voted "aye."

On November 2, rollcall No. 341, motion to adjourn, I would have voted "yea."

On November 10 and 11, I was in my district on official business with a leave of absence. Had I been present I would have voted "aye" on rollcall No. 375, to alter disability payments under social security to black lung miners; on rollcall No. 376, to strike out language that continues the time for an additional 2 years for the States to assume responsibility for providing black lung benefits, I would have voted "aye." On rollcall No. 377, final passage of H.R. 9212, to extend black lung benefits to orphans whose fathers die of pneumoconiosis, I would have voted "nay." On rollcall No. 378, to halt all funding for the Department of Defense after November 15, I would have voted "no." On rollcall No. 379, to remove the embargo on the importation of chrome ore from Rhodesia, I would have voted "aye."

On November 11, rollcall No. 380, the rule to the District of Columbia Revenue Act, I would have voted "yea." On rollcall No. 382, to reduce the Federal payment to the District of Columbia by $44 million, I would have voted "no." On rollcall No. 383, to reduce the Federal payment to the District of Columbia by $25 million, I would have voted "no." On rollcall No. 384, to bring truck drivers in the District under the Minimum Wage Act, I would have voted "no." On rollcall No. 385, final passage of the District of Columbia Revenue Act, I would have voted "yea."

On November 19, I was unable to be present because of a commitment in my district. On rollcall No. 410 to provide assistance to Radio Free Europe and Radio Liberty, I would have voted "yea." On rollcall No. 409, the rule to the above, I would have voted "yea."

On December 10 I was unavoidably absent on official business with an official leave of absence. On rollcall No. 455, on an amendment to the Economic Stabilization Act that altered the retroactive pay section to include as a prerequisite that prices have been advanced, taxes have been raised, or funds have otherwise been raised or provided to cover such increases, I would have voted "aye" on rollcall No. 456, which would have called for the disclosure of information of the National Productivity Commission, with the exception of trade secrets or confidential information, I would have voted "no."

On rollcall No. 457, which would have allowed the President to review pension and other retirement plans which qualify for special tax treatment, I would have voted "aye." On rollcall No. 458, final passage of the Economic Stabilization Act, I would have voted "yea." On rollcall No. 459, conference report on H.R. 11341, District of Columbia Revenue Act, I would have voted "yea."

On December 13 I continued in my district on official business. On rollcall No. 461, to authorize grants and loan guarantees for construction or modernization of hospitals and other medical facilities in the District of Columbia, I would have voted "nay."

On December 14, rollcall No. 465, conference report on H.R. 10367, to provide for the settlement of certain land claims of Alaska Natives, I would have voted "yea."

SENATOR GRIFFIN ONE OF NATION'S MOST BRILLIANT LEGISLATORS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. RUPPE) is recognized for 15 minutes.

Mr. RUPPE. Mr. Speaker, the State of Michigan is, indeed, fortunate to have as one of its representatives in the Congress Senator ROBERT GRIFFIN. As assistant minority leader of the Senate, Senator GRIFFIN has continued to distinguish himself as one of our Nation's most brilliant legislators.

Citing just one example of Senator GRIFFIN's effective leadership, I would like to bring to the attention of my colleagues a recent editorial published by the Evening News of Sault Ste. Marie, Mich., which praises the Republican Senator from Michigan for his diligent work in behalf of the city of Sault Ste. Marie:

SENATOR GRIFFIN'S EFFORTS INSTRUMENTAL IN BLOCKING REDUCTIONS AT SOO LOCKS

Sen. Robert Griffin's tireless efforts in blocking a planned government manpower reduction at the Sault Locks is another classic example of his influential congressional statesmanship.

Sen. Griffin's style is to get things done quietly—but to get them done well. He has worked hard, spoken softly, performed well in a job of crushing responsibility.

His all-out movement to vigorously oppose reductions at the vital government installation here started months ago after reviewing a government efficiency team's survey report regarding manpower requirements.

While others may dawdle, Sen. Griffin does his homework. His effective behind-the-scenes maneuvering in opposing and eventually halting the manpower cut testifies to his tenacity.

After a painstaking review of the government's survey reports, Sen. Griffin believed a manpower cut would seriously impair efficient and safe handling of thousands of vessels at the Sault Locks.

Sen. Griffin took a solid stand, opposing the reduction, and stuck with it despite considerable opposition.

Sen. Griffin's case was well documented. In fact, the Under-Secretary of the Army was so impressed, he took a personal interest in reviewing the manpower needs at the Sault Locks.

While dealing with so many problems throughout the state and nation, it would be relatively easy for a busy Senator to lose sight of the everyday grass roots interests of our area. Not so with Griffin. He has provided far more than lip service to the betterment of eastern Upper Peninsula.

By avoiding political demagoguery Sen. Griffin has compiled an impressive list of accomplishments since his election to Congress in 1956 at the age of 32. After 10 years in the House of Representatives, he was appointed to the senate in 1966 by then Gov. George Romney, to fill the vacancy created by the death of Sen. Patrick McNamara.

Six months later Griffin was elected to the Senate for a full (six-year) term by the largest plurality (nearly 300,000) given a Republican senatorial candidate in Michigan since the election of Arthur Vandenberg in 1946.

While still in his first term as Senator, Griffin was chosen assistant minority leader (the whip) by his GOP colleagues. He was the first Michigan senator in either party to be elevated to such a leadership position.

Griffin has been an activist. He is a congressman who takes the initiative in attempting to control and shape events rather than merely reacting to them.

Sen. Griffin has dedicated and committed himself to total participation in the area's economic problems, and has contributed immensely to making a better life for our citizens.

He has served the state and nation well. His sense of balance in troubled times is an asset to our country.

TAKE PRIDE IN AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. MILLER) is recognized for 5 minutes.

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a nation. The following thought-provoking editorial appeared in the December 9 Athens (Ohio) Messenger:

DON'T COUNT COUNTRY OUT

One of America's great stockbrokerage firms ran a full page ad in several metropolitan newspapers recently. The last line of the ad read: "Let others count this country out, if they wish. At Merrill Lynch, we are bullish on America."

Earlier, the ad said, "We hold no brief with those who take a dim view of America . . . We are bullish on America. Now and for the long haul."

Then it gave some key indicators from the report of the firm's own economists, reports that gave impressive support to their optimism. And repeated in sum, "We hold no brief with those who take a dim view of America. Let others count this country out . . . We are bullish on America."

What strikes us about this ad is that it makes sense. Too many people do take a dim view of America. Somewhere along the line a large number of our young people, and too many of us who are not young, have gotten the idea that there is a better country somewhere, where living is better for a higher percentage of its people. A certain number have even departed this land for such Shangri-Las and are happy while the sun shines. But watch them scurry home to get under America's umbrella when there's a sign of trouble!

Our country isn't perfect. Our country has much which needs to be improved and we must do our best to improve it. Meanwhile, it is merely the best country on earth.

PRAYER IN THE SCHOOLS—A LOST OPPORTUNITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Hampshire (Mr. CLEVELAND) is recognized for 15 minutes.

Mr. CLEVELAND. Mr. Speaker, recently the House of Representatives voted on a constitutional amendment to allow voluntary prayers in public schools.

Though the vote on the resolution was 240 to 162, it failed to get the two-thirds majority needed for passage. Because the issue is one that has interested many people, I am taking this opportunity to discuss it.

The resolution would have added the following amendment to the Constitution:

Nothing contained in this Constitution shall abridge the right of persons lawfully assembled, in any public building which is supported in whole or in part through the expenditure of public funds, to participate in voluntary prayer or meditation.

This proposed amendment would have restored the first amendment to what it was until the early 1960's, when the Supreme Court in a number of actions effectively rewrote the meaning of the first amendment.

Mr. Speaker, I signed the petition to discharge the Committee on the Judiciary from consideration of this resolution. I voted for passage of the resolution. The American people want prayers in our schools and I might add that a good many American schools are standing in the need of prayer. The first amendment allowed prayers in our schools for 171 years, until Supreme Court decisions, in effect, took them out. It is my opinion that any attempt to divorce this great country from belief and faith in divine guidance is hopelessly unrealistic. Proof of my point is written into the concluding verse of our national anthem, "The Battle Hymn of the Republic," and "America." It is stamped on our coins. It is emblazoned behind the rostrum of this very House. It is written into our covenants of freedom. It is embedded in our hearts and heritage.

THE FIRST AMENDMENT

The first amendment to the Constitution provides that—

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.

We have come to a situation where the courts of this country read this amendment to prohibit children in school from saying any prayer even though it is nondenominational, and even though it is completely voluntary. Our Founding Fathers never meant this when they wrote the first amendment.

How did this situation evolve?

In 1962 when I was campaigning for my first term in Congress, the Supreme Court ruled in *Engle* v. *Vitale*, 370 U.S. 421 (1962), that it was unconstitutional for the State of New York to require schoolchildren to say a prayer which had been composed by the board of regents of that State. This was a State-written prayer that was required by the State to be said by all students. At that time I publicly stated my opinion that the Supreme Court was right in its holding. I felt that this was indeed a "law respecting an establishment of religion."

Having made that decision, the Court then let its logic carry it further. The first step along that road was the case of *Abington* v. *Schempp*, 374 U.S. 203 (1962) in which the Court held unconstitutional State laws requiring readings from the Bible and authorizing the saying of the Lord's Prayer, in public schools. This case could have gone either way, but was not as clear as the Engel case.

Since that time, the Supreme Court has not handed down a decision involving school prayers. However, based on those two decisions, lower courts have gone to absurd extremes. The Supreme Court has consistently refused to grant certiorari on these cases, thereby in effect affirming them.

One of these lower court decisions held unconstitutional the saying on a strictly voluntary basis of nondenominational prayers, *Stein* v. *Oshinsky*, 348 F. 2d 999 (1965). Another decision, *State Board of Education* v. *the Board of Education of Netcong*, 270 A. 2d 412 (1970), held unconstitutional a practice by which students were allowed to voluntarily come to school early, and go to the gymnasium for voluntary prayer. Furthermore, the prayers recited were from the previous day's CONGRESSIONAL RECORD—they were the prayers of the Chaplain of the House of Representatives, which had been said before this very body. Other courts have handed down similar decisions as they attempt to follow the logic and words of the Supreme Court.

As a practical result of these decisions by various Federal and State courts, all of which the Supreme Court refused to review, confusion reigns in America's schools. Principals and teachers want to permit their students to say a voluntary prayer, or to have a period of voluntary silent meditation, but too often are afraid to do so because of these court decisions.

My vote for the prayer amendment was to clarify this situation; not to rewrite the Constitution, but to reaffirm what I am convinced was its original and correct meaning.

Ironically, the best hope for clarification of this situation at this time may be the Supreme Court. Following Senate approval of President Nixon's latest two nominees to the Court, it may be that the Justices will grant certiorari on a future decision in this troublesome area.

A concluding observation may be in order. I note with interest that many who strongly opposed congressional action on the prayer amendment are the same people who are in other areas urging a stronger and more representative Congress, or one that will stand up for the people and stand up to the President. As a longtime advocate of a stronger Congress, I believe we should also, on occasion, stand up to the Court.

SUBVERTING OF COLT'S QUALITY CONTROL PROGRAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. ASPIN) is recognized for 5 minutes.

Mr. ASPIN. Mr. Speaker, on November 10, I released seven affidavits by Colt Industry employees and former Colt employees detailing charges against Colt accusing the company of subverting its own quality control program.

On the basis of an impressive amount of new evidence, I have written to Chairman F. EDWARD HÉBERT of the House Armed Service Committee requesting public hearings to openly and thoroughly investigate the charges against Colt Industries in the manufacture of the M–16 rifle. I am releasing today two additional affidavits and a letter from a U.S. Army general.

So many more people have called so many aspects of Colt's M–16 program into question that I believe that only extensive public hearings, not a closed door investigation, can clear the air of charges.

The letter from the Army general that I am releasing today indicates that the Army has never approved the practice of bending rifle barrels by hand or by pounding them on the ground. According to the affidavits, senior military officials have seen rifle barrels bent by hand. Yet, the Army has done nothing about this obvious contradiction. Either the Army should allow the practice and explain why it is permissible or it should make sure that the bending of rifle barrels stops.

The affidavit by a Colt worker that I am releasing today indicates that Colt workers were given special orders, in direct violation of Government regulations, to place illegal stamps on rifles to avoid retesting after defects had been found. Government specifications indicated that when almost any part has been replaced, the rifle should be returned for a special firing test series. However, under the orders of a Colt official, workers were forced to stamp adjusted traveler cards on the rifles, avoiding the special firing test series.

The second affidavit, written by a former Government inspector, alleges that he "repeatedly informed superiors, verbally and in writing, of findings of mischief by Colt's employees during performance tests. No action was taken to assure tougher quality control."

Mr. Speaker, I do not know if these allegations are correct or not but the American people have a right to know the full story. I am afraid the military cannot be expected to adequately investigate improper practices in what they have been involved. The only way to get to the bottom of this is through a full congressional hearing. Therefore, I am requesting the chairman of the Armed Services Committee (Mr. HÉBERT) to hold public hearings to permit a full and open discussion of all the allegations and charges.

The affidavits and two letters follow:

AFFIDAVIT

I, Salvatore R. Chilone, Jr., do hereby swear that all the following information is the absolute truth to the best of my knowledge.

I am a citizen of the United States, and I reside at 204 Flatbush Avenue, Hartford, Connecticut. I am forty-two years of age.

I was first hired by Colt's Firearms in October 1966, as an assembler of M–16's in the West Hartford plant. Six months later I became a rifle repairman for the M–16. I repaired rifles that company inspectors rejected prior to range testing. In April 1968 I became a range repairman. I worked in this capacity until November 1969, when the second shift, on which I worked, was discontinued, and I was transferred to the main plant. My duty as range repairman was to fix M–16's rejected by range workers. Rejections might be necessitated by any number of performance failures, including failure to fire, sticking triggers, and the like.

My supervisor was range master Cliff Allen. I worked in the range repair room, which was separate from the range and from the main building. Louis Rodriquez and I worked alone in the room on the second shift, from 3:30 in the afternoon until midnight. Government inspectors periodically visited the repair room to check on our work and to determine what sorts of problems were cropping up.

When rifles were sent to range repairmen, at our discretion we could either adjust malfunctioning parts or replace them. We were supposed to stamp the gun's traveler card to indicate which action was taken, and which of us did it. An "adjusted" stamp in effect over-ruled the "rejected" stamp of a range worker. A gun with such a new marking could be sent directly to the final inspection area to join guns already range tested, accepted, and washed. If we replaced a part, and stamped "rep." on the card, we were supposed to consult a government specification sheet which was posted in the repair room. The spec sheet said that when certain parts were substituted, the rifle was to be returned to the firing range for retesting.

Cliff Allen gave us special orders to be followed when parts were replaced: if the problem wasn't major, we were to stamp the traveler card "adjusted" rather than "replaced" and send the gun directly to the final inspection area. Thus weapons which were supposed to go through a whole special firing test series with their new parts were being sent for packing with cards that falsely identified them as having been performance tested.

Under Allen's standing orders, I falsified traveler cards every day, many times a day. Parts which were replaced and which were treated in such a manner included firing pins, cam bolts, charging handles, flash suppressors, selectors (for full or semi-automatic fire), and buffers. All these parts were listed on the government spec sheet, indicating that all the weapons affected were supposed to have been sent to the range for performance tests.

Barrels which I rejected were stockpiled and shipped back to the main plant in Hartford. I was told that these barrels would be put on the commercial models of the M–16.

On the second shift, we never got many inaccurate barrels from the range targeting and accuracy tests. Bending was done after midnight, so usually the day shift repairmen got the bent barrels on the following day. The few we got were those that failed to respond to inrange hand bending. Our orders were to scrap all such barrels; we never tried to repair them. The bending machine which the company installed in the range for the targeters to use was strictly for show, for the Government's eyes only. The process would take 4 to 6 hours, and the barrel that was bent in it would probably return to its inaccurate shape under heat of rapid fire.

After range testing and acceptance, and washing, the weapons were sent to the final inspection room, where company inspectors made visual checks prior to delivery. If they suspected guns to be substandard, the inspectors were told to isolate the weapons in a special two-tiered rack in the middle of the floor. The decision whether or not to reject these guns was to be left to the quality control inspector. On many occasions, toward the ends of months, I saw quality control officers Ed Foley, or range masters Cliff Allen or Gordon Johnson, indiscriminately approve every tag on the more than 200 guns that filled the rack—without inspecting a single gun.

I was UAW shop steward for department 183, including inspectors and range workers, from 1967 through 1969, including the night that M–16 targeter Shaun Brown demonstrated hand barrel bending to a group of visiting Army and Navy officers. Cliff Allen had asked me to accompany the tour through the range. When Brown demonstrated the crude procedure the senior Army officer ordered that the range be shut down immediately until he had time to make an investigation. Brown was fired on the spot by Cliff Allen. I expected all hell to break loose the next day. Instead, not a word was said about the process, and bending at the firing mounts continued as always.

On the basis of range targeters' complaints about bending, I filed at least three union grievances with the company during my union office term.

AFFIDAVIT

I, Richard K. Clark, do hereby swear that all the following information is the absolute truth to the best of my knowledge.

I am a citizen of the United States, and I reside at Hampden Road, Somers, Connecticut. I am forty-eight years of age.

From 1950 until 1960 I worked at the Springfield Ordinance District as a tool and gauge checker. I was transferred to Boston, then back to Springfield where I worked for the government in the Springfield Armory. In 1966 I went into the Defense Contract Administration Service in Hartford as a quality assurance inspector assigned to Colt's Firearms. I worked at Colt's in this government capacity through September 1969, when I transferred to the W. Sickles Co. where I enjoyed the same title.

My supervisors at Colt's were Quality Assurance Representatives Herb Hanson and, in 1967, Christo Kantany. I started at the main plant in Hartford but went to the West Hartford facility in February, 1967. I was frequently assigned to the M–16 firing range where I had occasion to observe the endurance test; I also was assigned to the interchange test.

During my years at Colt's I repeatedly informed my superiors, verbally and in writing, of my findings of mischief by Colt's employees during performance tests and of my concern for the integrity of the quality control system. I have some documented evidence of my observations and reports and I have volunteered this information to Federal authorities and private researchers. In 1970 I pointed out these discrepancies in letters addressed through channels to the Director, Defense Supply Agency, DSAH–K and to Whitey Perrin, Acting Chief, Quality Assurance Division, Hartford District, DCAS. No action was taken to assure tougher quality control.

The endurance gun test was not always honestly performed. Test guns, which represented lots of some 10,000 M–16's, would be test fired during the day. When the maximum number of allowable malfunctions was approached and the company representative feared the gun might be rejected before the test's conclusion, he would stop the test, and schedule the remaining portion for the following day. On one occasion I saw that parts had been switched over night. A fresh bolt carrier group had been substituted, covertly, in an attempt by company personnel to secure approval of the test and acceptance of the whole shipment. On many occasions I specifically objected to the company having access to endurance weapons over-night. Although the test guns were locked in the government office, this incident alone proves that Colt's employees could and did tamper with the weapons in the office. I recommended to my superiors that the weapons be locked in a special combination safe or cabinet; this was not done.

Another time I found that the endurance test was being undermined by Colt's personnel during the periodic wash periods that are part of the test. When the weapon was removed to the wash room, another government inspector and I studied the bolt, and noted its distinctive markings. After the wash we again studied the part, and positively agreed that we were looking at a new bolt assembly, one that had been switched to replace the worn assembly, during washing. We were observed discussing this switch by a Colt's employee. We decided to wait and see whether the company people would actually fire the weapon with the new bolt—we were sure we had a positive, provable case of deceit. To our great surprise a second switch was performed and the original bolt assembly was reinstalled before the weapon was returned to the firing area. This sleight-of-hand was obviously the result of our being observed inspecting the illicit part. At least one other government inspector remarked to me that he had first hand knowledge of similar parts switchings on endurance weapons.

Endurance test weapons, after being selected at random from a shipment, were driven to the main plant in Hartford for velocity testing prior to West Hartford range performance tests. The essence of the quality control program was for government inspectors to retain custody of selected test weapons throughout test procedures, thus assuring test integrity. Under Mr. Hanson, government agents accompanied the weapons to and from the main plant velocity test. Under Mr. Kantany the requirement that we accompany the guns was waived. I objected to this reversal of surveillance procedure, as it permitted company personnel the opportunity to inspect the endurance weapons and prepare them for the reliability test in any manner they saw fit. The random selection aspect of the test would be defeated if these weapons were in any way adjusted during transit.

I worked at the interchange test perhaps once a month. Once an interchange retest was necessitated due to a light firing pin indent. The pin didn't penetrate a brass test cylinder deep enough. In the retest a similar defect was found. I noted the serial number of the defective weapon. The three Colt's men (Bruce Kennedy was one) examined the mechanism and offered an excuse for the test results. I allowed them to test the gun again. *This* gun met the requirements. But on checking the serial number, I found the weapon to be other than the one I had found defective. I personally retrieved the gun with the proper serial number from the rack where Colt's personnel had placed it; I checked it, and found it to be deficient as originally noted. I rejected the test group. My rejection determination was over-ruled by Mr. Carr who signed for Mr. Kantany. This occurred on November 15, 1967.

I strongly objected to the presence of additional M–16 parts in the interchange room. I complained to Mr. Kantany and to the Colt's people who were conducting the tests. Nothing was done to remove the extra parts from the test area.

I was over-ruled on occasions when I rejected parts or tests that failed to meet quality assurance program standards. When I worked in the main plant, I rejected a shipment of bolts for extractor stop surface's excessively out of tolerence. This is a critical dimension. Colt's production personnel agreed to screen out the defective parts. The following day I learned that Dan Grove, Colt's Quality Assurance Manager, waived the screening and sent the bolts to the West Hartford assembly line for the M–16's. When I informed Mr. Kantany of this, he said, "He can't do that." Mr. Kantany went into Mr. Grove's office. That was the last I heard of the issue. The bolts were not retrieved from the assembly area.

I never saw bending of any assembled M–16's at the firing range. However, following the 1968 Shaun Brown incident, I was told by some government personality that the bending was approved when performed with special bending machines installed at the range.

RICHARD K. CLARK.

Hon. WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MONDALE: This is in reply to your recent inquiry concerning "Quality Program Requirements" MIL–Q–9858 pertaining to repair of material, specifically in connection with barrel straightening of assembled M–16 Rifles in need of barrel repair after target testing by the manufacturer.

MIL–Q–9858 is a document stating general "Quality Program Requirements". MIL–Q–9858 does not contain any particular requirements for barrel straightening. Implementation of MIL–Q–9858 provides that repair of material by a contractor must be in accordance with documented procedures acceptable to the Government. In addition, repair or replacement of a part after final inspection or testing necessitates reinspection and retesting of affected characteristics to assure conformance with applicable quality performance requirements.

No contractor has submitted to the Government for approval, nor has the Government approved, in accordance with implementation of MIL–Q–9858, any procedures for straightening barrels on M–16 Rifles in the final assembly configuration.

Sincerely,

HENRY A. RASMUSSEN,
Major General, U.S. Army,
Commanding.

HOUSE OF REPRESENTATIVES,
Washington, D.C., December 13, 1971.

Hon. F. EDWARD HÉBERT,
Chairman, House Committee on Armed Services, Washington, D.C.

DEAR MR. CHAIRMAN: Enclosed are nine affidavits that detail a series of charges against Colt Industries' firearms division in Hartford, Connecticut. Also enclosed is a letter from an Army general. These affidavits and the letter, I believe, constitute an impressive amount of evidence detailing charges against Colt Industries' management of the M–16 Quality Control Program.

I am writing to request public hearings by the full committee or an appropriate subcommittee in order to openly and thoroughly investigate these charges against Colt in the manufacture of the M–16 rifle. I have no knowledge as to whether or not these allegations are correct. However, so many people have called so many aspects of Colt's M–16 program into question that I believe that only an extensive public hearing, not a closed door investigation, can clear the air of the charges.

Several of the allegations I would like to call to your attention. First, according to the affidavits, the Army has apparently known since 1968 that Colt workers bent the rifle barrel by hand or by pounding it on the ground. An Army general wrote that the Army does not approve of such a practice, but nothing has been done to stop it.

Second, an affidavit by a Colt worker, which I have enclosed, alleges that Colt workers were ordered, in direct violation of government action, to illegally stamp rifles to avoid retesting them after defects had been found and parts changed.

Third, a government inspector, whose affidavit is enclosed, claims he has tried for years to correct alleged Colt cheating. His charges have never been satisfactorily answered.

I am asking to call hearings because I believe the American people have a right to know the full story. The military cannot be expected to adequately investigate improper practices in which they have been involved. The only way to get to the bottom of this is through a full Congressional hearing.

I thank you for your cooperation.

Sincerely,

LES ASPIN,
Member of Congress.

A CLOSER LOOK AT GUN CONTROL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Mexico (Mr. RUNNELS) is recognized for 15 minutes.

Mr. RUNNELS. Mr. Speaker, as crime increases there is always a renewed effort in the Congress to legislate more laws to prohibit the ownership of pistols and for the registration of all guns and gun owners.

At first glance there might appear to be some relationship between the increase of crime and the increase of firearms ownership, but further study reveals this reasoning to be superficial and deductively erroneous.

The American Bar Foundation, in a research paper published in 1967, made the following statement:

A fundamental assumption of those who support the drive for stricter regulation of firearms is the belief that easily available weapons are stimulus to crime and that absence of the weapons would significantly reduce criminal activity . . . In our own inquiry we have discovered no convincing evidence on the question. However, the opinions of knowledgeable people suggest that considerable caution be used in hypothesizing a close and casual relation between firearms and the commission of crimes. In the published materials and in our interviews, there is a respectable body of opinion that legal restraints on weapons have little effect on crime and criminals.

In support of the above conclusion, we can look at a few statistics from the State of New York that I think prove that those who have advocated strict gun control laws are barking up the wrong tree. Instead of trying to control guns, we should be advocating stiffer laws and more stringent penalties to control the criminals.

Both New York State and the city of New York are the paragons of strong gun

control measures, with the New York pistol law, better known as the "Sullivan law," dating back to 1911.

Despite this law, in 1967 the Uniform Crime Reports show both New York City and the State of New York ranking high in crime. The State ranked second, generally, in both violent and property crimes; and was approximately midway in the ranking of States in criminal homicides, tied with California, where gun laws are a good deal less strict.

In 1966, unlicensed handguns accounted for 83.4 percent of all gun crimes in New York State and 86.16 percent of all gun crimes in New York City. It is true that 10.4 percent of the State gun crimes in 1966 were committed with licensed handguns, but in the city of New York no licensed gun was used in a gun crime. Also, in 1966, rifles and shotguns accounted for 6.8 percent of State gun crimes in New York and 4.95 percent of the gun crimes in New York City.

Since 1968, when a new gun law required the registration of all firearms, no legally owned rifle or shotgun has been involved in a homicide in New York City, despite the fact that, according to a recent newspaper article, there are in the city's five boroughs 400,000 legally registered rifles and shotguns and 23,000 permits to own pistols.

One thing that stands out more from the New York statistics than anything else is that criminals do not register their guns. The law-abiding citizens register their guns, but let us face it, these are not the people who should have to do so.

I know that gun control is an emotional issue to many people, and if new and stronger Federal gun laws were passed, those who plead for such laws would probably heave a sigh of relief. They would believe, erroneously I feel, that a great victory had been won and that all U.S. citizens would at last be saved from any would-be assailants.

Those who feel this way would undoubtedly be in for a great shock. Strong gun laws would not make much difference to murderers, armed robbers, and thugs. The main difference is that their victims would be less likely to be armed.

Finally, let us examine the effects of total registration and licensing of another lethal weapon—the automobile.

All cars are prominently tagged, sales are regulated, and every purchasing transaction is noted in official records. Also, every person who drives an automobile is required by law to successfully demonstrate his ability to operate a vehicle by passing a driver's test.

Even under all of these strict government controls, automobile operators kill over 50,000 people annually. Facts and figures verify that the registration and regulation of automobiles does not keep them out of the hands of those who are incompetent to drive.

In conclusion, I think we can say that laws in themselves do not prevent crime, but are only instruments for punishing crime; thereby removing criminals from society and stopping would-be criminals by the law's threat of punishment.

We must correct our approach to gun control by concentrating legislation against those who are committing the crime and not mistakenly against the inanimate instruments of their crime.

Therefore, I am today introducing a bill to repeal the Gun Control Act of 1968 and to reenact the Federal Firearms Act, thus making the use of a firearm to commit certain felonies a Federal crime.

The text of my bill is as follows:

H.R. 12353

A bill to repeal the Gun Control Act of 1968, to reenact the Federal Firearms Act, to make the use of a firearm to commit certain felonies a Federal crime where that use violates State law, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 44 of title 18 of the United States Code, known as the Gun Control Act of 1968, is hereby repealed.

SEC. 2. (a) The Federal Firearms Act is hereby revived and reenacted as in effect immediately before its repeal.

(b) Chapter 53 of the Internal Revenue Code of 1954 (relating to machine guns and certain other firearms) is amended to read as in effect immediately before the enactment of the Gun Control Act of 1968.

SEC. 3. (a) Part I of title 18, United States Code, is amended by adding immediately after chapter 115 the following new chapter:

"CHAPTER 116.—USE OF FIREARMS IN THE COMMISSION OF CERTAIN FELONIES

"Sec.
"2401. Definitions.
"2402. Use of firearms in the commission of certain felonies.

"§ 2401. Definitions

"As used in this chapter—

" 'Firearm' means any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; or any firearm muffler or firearm silencer; or any destructive device.

" 'Destructive device' means any explosive, incendiary, or poison gas bomb, grenade, mine, rocket, missile, or similar device; and includes any type of weapon which will or is designed to or may readily be converted to expel a projectile by the action of any explosive and having any barrel with a bore of one-half inch or more in diameter."

"§ 2402. Use of firearms in the commission of certain felonies.

"Whoever—

"(1) uses a firearm to commit any felony which may be prosecuted in a court of the United States, or

"(2) carries a firearm unlawfully during the commission of any felony which may be prosecuted in a court of the United States, or

"(3) uses a firearm to commit any felony, or carries a firearm unlawfully during the commission of any felony, which use or carrying for that purpose is unlawful according to the law of the State in which it occurs, shall, in addition to the punishment provided for the commission of the felony, be sentenced to a term of imprisonment for not less than one year nor more than ten years. In the case of his second or subsequent conviction under this subsection, that person shall be sentenced to a term of imprisonment for not less than two nor more than twenty-five years and, notwithstanding any other provision of law, the court shall not suspend this sentence in the case of a second or subsequent conviction of that person or give him a probationary sentence, nor shall the term of imprisonment imposed upon this subsection run concurrently with any term of imprisonment imposed for the commission of the felony."

(b) The analysis of part I of title 18, United States Code, is amended by inserting immediately before the last item the following:

"116. Use of firearms in the commission of certain felonies..... 2402".

SEC. 4. This Act shall apply only with respect to those felonies committed after the date of the enactment of this Act.

VOTING RECORD ON ENVIRONMENTAL LEGISLATION OF HON. CHET HOLIFIELD OF CALIFORNIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. HOLIFIELD) is recognized for 5 minutes.

Mr. HOLIFIELD. Mr. Speaker, I receive many inquiries from the citizens of the 19th Congressional District of California asking, "What is Congress doing, and what are you doing about environmental problems?"

I have researched my voting record on environmental legislation which has been passed by the House of Representatives since I was first seated in this House in January 1943. I find that I have voted "aye" on more than 211 major environmental laws and amendments.

I offer a list of these environmental measures and include it in the RECORD at this point:

VOTING RECORD OF CONGRESSMAN CHET HOLIFIELD ON ENVIRONMENTAL LEGISLATION

1a. AIR AND WATER POLLUTION CONTROL (CLEAN AIR)

Holifield Vote

Air Pollution Control Act: July 14, 1955, Yea.

Clean Air Act:
Pub. L. 89–272 October 20, 1965, Yea.
Pub. L. 89–675 October 15, 1966, Yea.
Pub. L. 90–148 November 21, 1967, Yea.
Pub. L. 91–137 December 5, 1969, Yea.

Clean Air Act Amendments of 1966: Pub. L. 89–675 October 15, 1966, Yea.

National Emission Standards Act: Pub. L. 90–148 November 21, 1967, Yea.

Air Quality Act of 1967:
Pub. L. 90–148 November 21, 1967, Yea.
Amendments, December 18, 1970, Yea.

National Gas Pipeline Safety Act of 1968: Pub. L. 90–481 August 12, 1968, Yea.

National Environmental Policy Act of 1969: Pub. L. 91–190 January 1, 1970, Yea.

National Advisory Committee on the Oceans and Atmosphere: August 5, 1971, Yea.

1b. AIR AND WATER POLLUTION CONTROL (CLEAN WATER)

Saline Water Conversion Act:
July 3, 1952, Yea.
June 29, 1955, Yea.

Saline Water Demonstration Act:
Pub. L. 85–883 September 2, 1958, Yea.
Pub L. 87–295 September 22, 1961, Yea.

Water Pollution Control Act Amendment of 1956: July 9, 1956, Yea.

Water Pollution Control Act:
June 30, 1948, Yea.
July 17, 1952, Yea.
July 9, 1956, Yea.

Federal Water Pollution Control Act Amendments of 1961: Pub. L. 87–88 July 20, 1961, Yea.

Anthracite Mine Water Control Act: October 15, 1962 Pub. L. 87–818, Yea.

Oil Pollution Act, 1961:
Pub. L. 87–167, Yea.
Pub. L. 89–551, Yea.

Federal Water Project Recreation Act: Pub. L. 87–88 July 20, 1961, Yea.

Oil Pollution Act, 1924: November 3, 1966 Pub. L. 89–753, Yea.
Water Quality Act of 1965: Pub. L. 89–234 October 2, 1965, Yea.
Clean Water Restoration Act of 1966: Pub. L. 89–675 October 15, 1966, Yea.
National Water Commission Act: Pub. L. 90–515 September 26, 1968, Yea.
Water Quality Improvement Act of 1970: Pub. L. 91–224 April 3, 1970, Yea.
Water Pollution Control Act: September 20, 1970, Yea.
Saline Water Conversion Act of 1971: July 15, 1971, Yea.
Water Resources Research Act of 1964: October 4, 1971, Yea.
Regulation of Ocean Dumping: September 9, 1971, Yea.

II. FLOOD CONTROL AND WATER CONSERVATION

Flood Control Act of 1944: December 22, 1944, Yea.
Soil Conversion and Domestic Allotment Act Amendments, 1944, 1946, 1947, 1948, 1950, 1952, 1954, 1955, 1956, 1957, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1969, 1970, Yea.
Boulder Canyon Project Act: March 6, 1946, Yea.
Boulder Canyon Project Adjustment Act: April 30, 1947, Yea. May 14, 1948, Yea. June 1, 1948, Yea.
Flood Control Acts: July 24, 1946, Yea. January 19, 1948, Yea.
River and Harbor Act of 1945: March 2, 1945, Yea.
Flood Control Act of 1950: May 17, 1950, Yea.
River and Harbor Act of 1950: May 17, 1950, Yea.
Soil Conservation and Domestic Allotment Act Amendments, 1950–1970, Yea.
Submerged Lands Act: May 22, 1953, Yea.
Flood Control Act of 1954: September 3, 1954, Yea.
Water Facilities Act: August 17, 1954, Yea. August 25, 1958, Yea.
Watershed Protection and Flood Prevention Act: August 4, 1954, Yea. Amendment, 1956, 1958, 1960, 1961, 1962, 1965, 1968, Yea.
Water Supply Act of 1958: Pub. L. 85–500, July 3, 1958, Yea. Pub. L. 87–88, July 20, 1961, Yea.
Flood Control Act of 1958: Pub. L. 85–500, Yea.
River and Harbor Act of 1958:
Pub. L. 85–500 July 3, 1958, Yea.
Pub. L. 89–298 October 27, 1965, Yea.
River and Harbor Act of 1960:
Pub. L. 86–645 July 14, 1960, Yea.
Pub. L. 89–298 October 27, 1965, Yea.
Pub. L. 91–611 December 21, 1970, Yea.
Flood Control Act of 1960:
Pub. L. 86–654 July 14, 1960, Yea.
Pub. L. 91–611 December 31, 1970, Yea.
Wetlands Act of 1961:
Pub. L. 87–383 October 4, 1961, Yea.
Flood Control Act of 1962:
Pub. L. 87–874 October 23, 1962, Yea.
Water Resources Research Act of 1964:
Pub. L. 88–379 July 17, 1964, Yea.
Pub. L. 90–547 October 2, 1968, Yea.
Flood Control Act of 1965:
Pub. L. 89–298 October 27, 1965, Yea.
River and Harbor Act of 1965:
Pub. L. 89–298 October 27, 1965, Yea.
Shore Line Erosion Protection Act: (Public Property)
October 27, 1965 Pub. L. 89–298, Yea.
Water Resources Planning Act:
Pub. L. 89–90 July 22, 1965, Yea.
Pub. L. 90–547 October 2, 1968.
Flood Control Act of 1966:
Pub. L. 89–789 November 6, 1966, Yea.
Land Water Conservation Act of 1965:
Pub. L. 88–578 September 3, 1964, Yea.
Public Works for Water and Power Resources Development and Atomic Energy Commission Appropriation Act, 1969:
Pub. L. 90–479 August 12, 1968, Yea.
Public Works for Water, Pollution Control and Power Development and Atomic Energy Commission Appropriation: Pub. L. 91–144 December 11, 1969, Yea.
Water Bank Act: Pub. L. 91–559 December 13, 1970, Yea.
Public Works for Water, Pollution Control and Power Development and Atomic Energy Commission Appropriation Act of 1971: Pub. L. 91–439 October 7, 1970, Yea.
River and Harbor Act of 1970: Pub. L. 91–611 December 31, 1970, Yea.
Water Bank Act: Pub. L. 91–599 December 13, 1970, Yea.
Flood Control Act of 1970: Pub. L. 91–611 December 31, 1970, Yea.

III. FISH AND WILDLIFE CONSERVATION

Wild Life Restoration Act:
July 24, 1946, Yea.
August 3, 1950, Yea.
August 12, 1955, Yea.
July 2, 1956, Yea.
August 1, 1956, Yea.
October 23, 1970, Yea.
Black Bass Act:
July 30, 1947, Yea.
July 16, 1952, Yea.
August 25, 1959, Yea.
December 5, 1969, Yea.
Fish and Wildlife Coordination Act:
August 14, 1946, Yea.
September 2, 1958, Yea.
October 4, 1961, Yea.
May 20, 1964, Yea.
July 24, 1965, Yea.
June 12, 1970, Yea.
August 24, 1970, Yea.
Insecticide Act: June 26, 1947, Yea.
Whaling Convention Act of 1949: August 8, 1950, Yea.
Tuna Conventions Act of 1950: September 7, 1950, Yea.
Northwest Atlantic Fisheries Act of 1950: September 27, 1950, Yea.
July 24, 1968 Pub. L. 89–753, Yea.
Alaska Salmon Fisheries Act: March 16, 1955, Yea.
Fish and Wildlife Act of 1956:
August 8, 1956, Yea.
September 2, 1958, Yea.
October 4, 1961, Yea.
May 20, 1964, Yea.
July 24, 1965, Yea.
June 12, 1970 Pub. L. 91–279, Yea.
August 24, 1970 Pub. L. 91–387, Yea.
Great Lakes Fishery Act of 1956: June 4, 1956, Yea.
Pesticides Research Act:
Pub. L. 85–582 August 1, 1958, Yea.
Pub. L. 86–279 September 16, 1959, Yea.
Pub. L. 89–232 October 1, 1965, Yea.
Pub. L. 90–394 July 11, 1968, Yea.
Federal Insecticide, Fungicide and Rodenticide Act:
August 7, 1959, Yea.
May 12, 1964, Yea.
October 15, 1970, Yea.
Commercial Fisheries Research and Development Act: Pub. L. 88–309 May 20, 1964, Yea.
Federal Laboratory Animal Welfare Act: Pub. L. 89–544 August 24, 1966, Yea.
Laboratory Animal Act of 1966: Pub. L. 89–544 August 24, 1966, Yea.
Marine Resources and Engineering Development Act of 1966:
June 17, 1966, Yea.
Pub. L. 89–688 October 15, 1966, Yea.
Pub. L. 90–242 January 2, 1968, Yea.
Pub. L. 90–477 August 11, 1968, Yea.
Pub. L. 91–15 May 23, 1969, Yea.
Pub. L. 91–414 September 25, 1970, Yea.
Migratory Bird Hunting Stamp Act: October 15, 1966 Pub. L. 89–669, Yea.
National Sea Grant College and Program Act:
Pub. L. 89–688 October 15, 1966, Yea.
Pub. L. 91–349 July 23, 1970, Yea.
National Wildlife Refuge System Admin. Act of 1966: Pub. L. 91–135 December 6, 1969, Yea.
Anadromous Fish Conservation Act: Pub. L. 91–249 May 14, 1970, Yea.
Bald Eagle Protection Act: October 24, 1962, Yea.

IV. PARKS, FORESTS, WILD RIVERS, RECREATION AND HISTORICAL SITES

Cumberland Gap National Historical Park Act:
May 26, 1943, Yea.
July 26, 1961, Yea.
Clarke-McNary Act (Reforestation):
September 21, 1944, Yea.
October 26, 1949, Yea.
Everglades National Park Act:
December 6, 1944, Yea.
October 10, 1949, Yea.
July 2, 1958, Yea.
September 14, 1959, Yea.
October 16, 1969, Yea.
September 14, 1959, Yea.
September 26, 1970, Yea.
Forest Pest Control Act: June 25, 1947, Yea.
Fort Vancouver National Historic Site Act: June 19, 1948, Yea.
De Soto National Memorial Act:
March 11, 1948, Yea.
September 8, 1960, Yea.
Federal Property and Administrative Services Act of 1949: June 30, 1949, Yea.
Joshua Tree National Monument Act:
September 25, 1960, Yea.
June 30, 1961, Yea.
Cooperative Forest Management Act:
August 25, 1950, Yea.
September 25, 1962, Yea.
National Capital Planning Act of 1952:
July 19, 1952, Yea.
September 25, 1962, Yea.
Multiple Use Law:
August 13, 1954, Yea.
December 24, 1970, Yea.
Jefferson National Expansion Memorial Act:
May 17, 1954, Yea.
October 19, 1965, Yea.
Recreation Act of June 14, 1926:
June 4, 1954, Yea.
June 20, 1966, Yea.
Fort Danielson National Battlefield: Publ. L. 86–738 September 8, 1960, Yea.
Haleakala National Park Act: Pub. L. 86–744 September 13, 1960, Yea.
Cape Cod National Seashore Act: Pub. L. 87–126 August 7, 1961, Yea.
Shenandoah National Park Acts: June 30, 1961 Pub. L. 87–71, Yea.
Padre Island National Seashore Act: Pub. L. 87–712 September 28, 1962, Yea.
Point Reyes National Seashore Act:
Pub. L. 87–657 September 13, 1962, Yea.
Pub. L. 89–666 October 15, 1966, Yea.
Pub. L. 91–223 April 3, 1970, Yea.
Carlsbad Caverns National Park Act: December 30, 1963 Pub. L. 88–249. Yea.
Canyonlands National Park Act: Pub. L. 88–590 September 12, 1964, Yea.
Roosevelt Campobello International Park Act: Pub. L. 88–363 July 6, 1964, Yea.
Wilderness Act: Pub. L. 88–577 September 3, 1964, Yea.
Assateague Island National Seashore Act: Pub. L. 89–195 September 21, 1965, Yea.
Delaware Water Gap National Recreation Area: Pub. L. 98–158 September 1, 1965, Yea.
Historic Sites Buildings and Antiquities; October 9, 1965 Pub. L. 89–249, Yea.
Nez Perce National Historical Park Act: Pub. L. 89–19 May 15, 1965, Yea.
Spruce Knob-Seneca Rocks National Recreation Area Act: Pub. L. 89–207 September 28, 1965, Yea.
Bighorn Canyon National Recreation Area Act: Pub. L. 89–664 October 15, 1966, Yea.
Cape Cod National Seashore Act: Pub. L. 87–126 August 7, 1966, Yea.
George Rogers Clark National Historical Park Act: July 23, 1966, Yea.
Indiana Dunes National Lakeshore Act: Pub. L. 89–761 November 5, 1966, Yea.
Mount Rogers National Recreation Area Act: Pub. L. 89–438 May 31, 1966, Yea.
National Museum Act of 1966:

Pub. L. 89-674 October 15, 1966, Yea.
Pub. L. 91-629 December 31, 1970, Yea.
National Park Foundation Act: Pub. L. 90-209 December 18, 1966, Yea.
Pictured Rocks National Lakeshore Act: Pub. L. 89-668 October 15, 1966, Yea.
San Juan Island National Historical Park: Pub. L. 89-565 September 9, 1966, Yea.
Wolf Trap Farm Park Act: Pub. L. 89-671 October 15, 1966, Yea.
River Basin Monetary Authorization Act: Pub. L. 90-17 May 12, 1967, yea.
National Trails System Act: Pub. L. 90-543 October 2, 1968, Yea.
River Basin Monetary Authorization Act: Pub. L. 90-483 August 13, 1968, Yea.
Wild and Scenic Rivers Act: Pub. L. 90-542 October 2, 1968, Yea.
Volunteers in the Parks Act of 1969: Pub. L. 91-357 July 29, 1970, Yea.
Gulf Islands National Seashore: December 29, 1970, Yea.

V. MASS TRANSPORTATION AND URBAN GROWTH

High-speed Ground Transportation Act: Pub. L. 89-220 September 30, 1965, Yea.
New Communities Act of 1968: Pub. L. 90-448 August 1, 1968, Yea.
Urban Mass Transportation Act of 1964: Pub. L. 88-365 July 9, 1964, Yea.
Amendments, 1965, 1966, 1967, 1968, 1969, 1970, Yea.
Urban Growth and New Community Development Act of 1970; Pub. L. 91-609 December 31, 1970, Yea.

VI. POPULATION

Commission on Population Growth and the American Future: Pub. L. 91-213 March 16, 1970, Yea.
Family Planning Services and Population Research Act of 1970: Pub. L. 91-572 December 24, 1970, Yea.

VII. ALTERNATE SOURCES OF ELECTRICAL ENERGY

Geothermal Steam Act of 1970: Pub. L. 91-581 December 24, 1970, Yea.
Atomic Energy Act of 1946: Placing this new energy source under civilian control, Yea.
Atomic Energy Act of 1954: Provided for private ownership of nuclear reactors and opened the way to development of clean, abundant and cheap nuclear electrical power plants, Yea.
Numerous annual authorization and appropriations bills for research and development of nuclear reactors including fission reactors, fast breeder reactors and the fusion process, and the use of these reactors to convert sea water to fresh water.

VIII. OTHER GENERAL ENVIRONMENTAL LAWS

Environmental Education Act: Pub. L. 91-516 October 30, 1970, Yea.
Resource Recovery Act of 1970: Pub. L. 91-512 October 26, 1970, Yea.
Environmental Data System: May 17, 1971, Yea.
Joint Committee on the Environment: July 20, 1971, Yea.
Noise Pollution and Abatement Act of 1970: Pub. L. 91-604 December 31, 1970, Yea.
Weather Modification: September 28, 1971, Yea.

CONGRESS RESPONSIBLE ROLE ON GOLD AND THE INTERNATIONAL MONETARY CRISIS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. VANIK) is recognized for 10 minutes.

Mr. VANIK. Mr. Speaker, the Congress can be proud of the constructive role it has played in promoting a better world monetary system. A large part of that credit must go to the Subcommittee on International Exchange and Payments of the Joint Economic Committee, and to its chairman, the gentleman from Wisconsin (Mr. REUSS).

Let me review some recent international monetary history.

In late 1967 the dollar was under severe attack from international speculators who were bidding up the price of gold in an effort to bring the dollar down. Congressman REUSS took the floor of the House on December 12, 1967, and suggested a method to prevent the collapse of the international monetary mechanism—CONGRESSIONAL RECORD, volume 113, part 26, page 35957.

Mr. REUSS. Mr. Speaker, there are a variety of ways open to the free world to make sure that foreign gold speculators in the end will be left holding the bag.

One way is to "pedigree" gold—to keep the present $43 billion of gold now in the hands of central banks, and to provide that members of the International Monetary Fund will purchase or sell gold only from or to each other, and not from or to the private market. The price of gold on the outside market can then fluctuate up or down.

In March 1968—3 months later, the leading nations adopted the so-called two-tier gold agreement—precisely the "pedigree" arrangement suggested. The two-tier agreement has operated well to protect the international monetary system against gold speculation.

But the deterioration of the U.S. balance of payments has continued. By last August, it was clear that the dollar was in fundamental disequilibrium. On August 6, the Subcommittee on International Exchange and Payments of the Joint Economic Committee issued its trail-blazing report, recommending that the U.S. "take unilateral action to go off gold and establish new dollar parities."

The administration immediately issued a statement denouncing the joint subcommittee's report. But 9 days later, on August 15, President Nixon very wisely took unilateral action to go off gold and to establish new dollar parities after an interim float, as recommended by the subcommittee.

In mid-September our principle trading partners—France, West Germany, Italy, the Netherlands, Belgium, Luxembourg, Japan, Canada, Great Britain, Sweden, and Switzerland—agreed on a monetary accord in which they accepted the principle of a realinement of currencies, provided that—

Such a realignment should include the currencies of all the countries concerned, including the dollar.

The U.S. Treasury immediately let it be known that it refused to include dollar devaluation as part of any bargain the United States might be willing to consider.

This was the situation on September 21, 1971, when Representative REUSS made a floor speech entitled "Raising the Bookkeeping Price of Gold: A Way Out of Our Dilemma." In that speech he advocated a modest increase in the bookkeeping price of gold in order to obtain a satisfactory realinement agreement. He said:

[From the CONGRESSIONAL RECORD, Sept. 21, 32566-32568]

In the interests of American industry and workers, we must seek the earliest possible resolution of the current impasse.

I suggest we strike a bargain with our major trading partners that includes the following provisions:

First. A real realinement of the foreign exchange value of the dollar by an amount sufficient to enable the United States to terminate balance-of-payments deficits, as measured on the official settlements basis, within the next year, by a combination of an increase in the dollar price of officially held gold, and appropriate decreases in the yen, mark, Swiss france, and other foreign currency prices of gold—in other words, by a combined devaluation of the dollar and revaluation of other major currencies.

Second. At no time in the future will free convertibility between the dollar and gold be reestablished; the Treasury's gold window will remain closed.

Third. The March 1968, two-tier gold price agreement should be strengthened such that the aggregate physical quantity of gold reserves held by the International Monetary Fund and the member countries remain constant at the current level with no further purchases by monetary authorities from gold producers or in the free market.

Fourth. The band within which the exchange value of each currency is permitted to fluctuate should be widened to permit greater fluctuation on either side of parity.

Fifth. The governors of the IMF should instruct the managing director and executive directors to assume the responsibility of recommending exchange rate changes to industrial, as well as developing countries, to prevent the entrenchment of persistent payments disequilibria. These recommendations would have the sanctions of refusing to loan to deficit countries that fail to follow the recommendations, and of invoking the scarce currency clause against recalcitrant surplus nations.

Sixth. The other major industrial countries should give their assurances that they will negotiate promptly and constructively on the mutual reduction of tariff and nontariff trade barriers.

Seventh. Japan and the members of NATO similarly should agree to negotiate an appropriate redistribution of the costs of mutual defense. In these negotiations the principle that no country's balance of payments should either benefit or suffer from its contribution to the mutual defense should be observed. . . .

The United States vitally needs, for the health of our own domestic economy and for the preservation of equitable trading and monetary relationships internationally, quick agreement on a set of exchange rate changes sufficient to once again establish a strong U.S. balance of payments. The failure to reach an agreement on exchange rate realinement and the unreasonable continuation of the import surcharge, imposes totally useless and fruitless sacrifices on American industry and workers.

First. A substantial decline in foreign exchange value of the dollar would stimulate sales of merchandise exports and services abroad. Obviously the greater these sales, the more employment in the United States will increase.

Second. An appropriate realinement would check the flood of undervalued imports we are now experiencing. Since the average exchange rate change required is more than the 10-percent surcharge now in effect, even with the surcharge, imports are larger than they would be in the event of successful exchange rate realinement.

Third. The surcharge has absolutely no effect upon international purchases and sales of services. Thus in the absence of the exchange rate changes that are needed, the present course of action encourages American tourism abroad and the use of foreign-owned airlines and ocean shipping companies. Similarly, foreign tourists are discouraged from visiting the United States.

Fourth. The maintenance of an unreasonably high external value for the dollar discourages foreign portfolio and direct investment in the United States. Given an adequate shift in exchange rates, Wall Street

would find its business nicely stimulated by a revival of foreign interest in the purchase of U.S. stocks and bonds. As long as the cost of building a factory and purchasing capital goods in the United States remains above its true level, foreigners will postpone any commitment to make direct investments in the United States. A higher level of foreign direct investments could help reduce unemployment and bring the benefits of foreign-developed technology to this country. The assumption that America is and will always be technologically superior in all respects helped instill the complacency that led us to today's sorry state.

Fifth. The maintenance of untenably high dollar exchange rates reduces the cost of, and thus encourages, U.S. direct investment abroad. Thus American technology is transmitted to other nations more rapidly than it might otherwise be, and U.S. citizens are deprived of jobs.

Sixth. The longer the surcharge is retained, the greater is the threat of retaliation from other nations. The surcharge is clearly illegal under the GATT. Thus, if other nations do resolve to introduce retaliatory measures, the United States will have no legal alternative but to passively accept these punitive actions. Retaliation would also curtail American sales abroad and thus depress domestic employment.

The import surcharge was introduced under the rationale of producing early concessions from foreigners on the problems that the administration believes have been crucial in weakening the international economic position of the United States. If an agreement is not reached soon, the rationale for this measure will have collapsed. In the meantime, the protectionist package of the surcharge, a discriminatory investment tax credit, and DISC is hardly a benefit to American industry and labor.

Collectively these measures would further impoverish low-income Americans, and do less to ease the domestic problems resulting from international economic disequilibrium than would a substantial realinement of exchange rates. As a consequence, domestic output lags, the capabilities of our businessmen and industrialists are not fully exercised, and employment fails to receive the stimulus it would from a rational solution for our international economic ills. Under the guise of doing something to help American industry and labor, the administration has produced something that hurts American industry.

The increase in the dollar price of gold I have suggested as a means of breaking the current impasse is—because of the accompanying conditions—merely an accounting manipulation. But, if this concession can help to break the deadlock and bring the benefits of significant exchange rate realinement to American businessmen and workers, this is the least we can do.

Ultimate responsibility to establish the dollar value of gold resides, of course, with the Congress. Before the Congress acts, I would want to see agreement upon all of the points included in the package outlined above. In the event of such agreement, I believe the Congress would be willing to give its assent without delay. I have discussed the matter with Speaker ALBERT, Majority Leader BOGGS, and Ways and Means Committee Chairman MILLS. I believe they share my views.

I urge the Treasury to promptly reopen its discussions with our major trading partners and quickly secure an agreement on the program I have outlined. Next week's IMF meeting here in Washington offers the proper participants, time, and place.

By making the dollar price of gold negotiable, we can obtain a satisfactory compromise without delay, and lift the burden of disequilibrium exchange rates from U.S. industry and labor. If our representatives apply themselves diligently to the task, they should be able to reach an agreement by the conclusion of next week's International Monetary Fund meetings.

Once again, the administration denounced the Reuss proposal, saying that it had no intention whatever of devaluing the dollar. Fortunately, cooler heads have now prevailed. President Nixon's announcement on December 14 of his acceptance of a package along the essential lines of the Reuss proposal of September 21 is welcome news.

This record of the constructive leadership of our distinguished colleague from Wisconsin, the Honorable HENRY REUSS, is one of which Members on both sides of the aisle may well be proud.

MEDICARE COSTS TO SKYROCKET FURTHER?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. BURKE) is recognized for 5 minutes.

Mr. BURKE of Massachusetts. Mr. Speaker, I rise today to call the attention of this House to a report which appeared in yesterday's Wall Street Journal, to the effect that the administration is about to announce some staggering increase in medicare premiums under part B. The report not only confirms what some of us have been predicting all along, but more important, underlines some of the inherent contradictions in the administration's price control policies. Clearly, such policies will not succeed unless medicare costs are included in these controls. I hope that the soon to be announced policies of the Price Commission for dealing with these problems will have the necessary teeth to do the job.

The need for such action is apparent. Not only because of today's news about a likely increase in medicare premiums, but in view of the publicity surrounding the recently announced increases in the Blue Cross-Blue Shield health care plans for Federal employees. Not only is it ineffective, but it is unjust to hold down incomes of employees while at the same time failing to exert adequate controls over one of the most important cost ingredients in their budgets—health care costs.

As I said before to no avail when HEW announced its increase in medicare deductibles, I hope the Secretary reconsiders the wisdom of announcing any significant increase in medicare premiums under part B. The damage such an announcement will have on the morale of those who have been taking the administration at its word on wage and price controls will be incalculable. It is time for all agencies of the Government to translate words into deeds and set a good example for the whole economy. The article referred to above follows:

[From the Wall Street Journal, Dec. 13, 1971]

RISE REQUIRED IN MEDICARE PREMIUM IN 1972 POSES PROBLEMS FOR PRICE-WAGE POLICIES

(By Jonathan Spivak)

WASHINGTON.—An increase that will be required next year in the Medicare premium paid by 20 million old folks poses problems for the Nixon administration's price-and-wage policies.

Social Security Administration experts say there isn't any way to avoid an increase in the $5.60-a-month Part B premium, which covers doctors' services under the health insurance for the aged program. Actuaries currently are working on the precise figures, but if the program's past policies are followed, it could range as high as 50 cents a month.

The new rate won't take effect until next July 1, but under law must be issued by the Health, Education and Welfare Department before year-end. The Medicare premium, which must cover the full cost of operating the program, has risen steadily from its initial rate of $3 a month in 1966, mainly because of increases in physician fees and greater use of the program. The contribution by the aged is matched by the government, so the prospective rise could mean additional outlays of $75 million to $125 million in HEW's budget for the year that starts July 1.

Social Security experts say a projected 2% increase in the use of Part B services, including use of more expensive medical procedures, will automatically increase premium costs as much as 20 cents a month. The big uncertainty is how much physician fees will be allowed to increase under Medicare, and officials anticipate major problems in dealing with this issue.

BASED ON CUSTOMARY CHARGES

Currently, Medicare's 80% reimbursement of physicians is based on their resasonable and customary charges for the calendar year 1970. As the program has operated in the past, the new Part B premium rate for July 1972 through June 1973 would be based on charges for calendar 1971, which government experts figure have risen about 6.2% from 1970.

Thus, any wage-price controls issued to hold down medical costs in the future wouldn't restrain the premium increase. The only way to hold down the doctor-bill payments would be to continue to limit the reimbursement to the 1970 level, or at least some level lower than current charges. This, of course, would bring anguished howls from the doctors and could precipitate a bitter political battle.

The Social Security Administration fears that the Part B premium may be forced up beyond the 5.5% Phase 2 wage guideline. A 30-cent increase would be at about this level, while a 50-cent increase would equal 8%. "All of it is fraught with public-relations problems," says a Social Security aide. "The great salvation which I hope for and don't expect is that the actual increase won't be any more than what is completely consistent with the guidelines," he adds.

Moreover, the Medicare premium rise is likely to be compared with the 2.5% Phase 2 price target, resulting in even greater criticism of a large boost. And, in any event, the Part B premium increases anticipated from the very beginning of the program have always been bitterly criticized by consumer advocates on Capitol Hill and by organizations for the elderly.

NEW ECONOMIC POLICIES

The Price Commission is expected to announce new economic policies for controlling health costs by the middle of this week. The commission hasn't yet fully grappled with the complexities of the Part B premium, and when it does it may not find any easy solutions. "It seems very doubtful that they could order the (HEW) Secretary to promulgate a rate that's actually inadequate to cover the cost of the program," says one HEW official.

One saving factor could be that the current $5.60 a month is more than enough to cover the program's current costs. Hospitalization rates, an important factor in the use of doctors' services, haven't been increasing as they have in the past, and there hasn't

been a flu epidemic to increase costs. If the actuaries conclude that the $5.60 rate has produced savings for the program, this would decrease the size of the coming premium rise. Final figures haven't been developed but it's clear that any savings won't be enough to prevent a boost next year.

The pending welfare reform bill, which is likely to be enacted next year, would provide some protection to the aged against this prospective premium increase. The bill provides that the aged wouldn't have to pay more for their Part B coverage than the percentage rise voted by Congress in their retirement benefits, expected to be 5%. The government would pick up the balance.

The Part B premium has produced persistent financing problems for HEW. An attempt to hold the premium at an unrealistically low level of $4 two years ago almost broke the fund. The fund currently totals $300 million and the agency's actuaries say it should be gradually built up to $800 million to cover accrued obligations.

REPRESENTATIVE GARMATZ INTRODUCES LEGISLATION TO REQUIRE 50 PERCENT OF ALL OIL IMPORTED INTO THIS COUNTRY TO BE CARRIED IN AMERICAN-FLAG SHIPS

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

Mr. GARMATZ. Mr. Speaker, I am today introducing a bill which would require 50 percent of all oil imported to this country be carried in American-flag ships.

The Committee on Merchant Marine and Fisheries has been conducting hearings for the past 12 months with respect to the problems involved in securing more cargo for American vessels. We all know that the Merchant Marine Act of 1970, which passed this House overwhelmingly last year, was designed to encourage the construction of 300 merchant vessels over the next 10 years. This legislation was proposed by President Nixon and subsequently endorsed by all segments of labor and management. I still think it is an excellent law and that in time the objectives sought to be accomplished will in fact be achieved.

However, at the time this legislation was being considered, many of us in the Congress felt that implementation of this law would be attended by many difficulties. And during the past year, some of those problems materialized. Indeed, the shipbuilding program itself has been slow in developing.

One of the most pressing problems confronting not only the maritime industry but the Nation today involves oil tankers. For the past 20 years or more, we have had no American-flag tankers—I repeat, no American-flag tankers—in the foreign trades of the United States. At one time we did have a viable fleet of tankers in the domestic trade plying the routes between Texas and the North Atlantic. However, early in the 1960's. the Colonial pipeline was built, and this displaced a considerable number of those tankers. Indications today are that pipelines will be expanded and extended.

Our imports of oil are increasing at a rapid rate. In 1950, imports averaged 850,000 barrels per day, or 12.6 percent of our total oil supply; by 1970, imports had risen to 3.3 million barrels per day, representing 22.4 percent of our supply During that period, total supply doubled, while imports quadrupled.

This situation was graphically described to the committee by a representative for all maritime labor and by a representative of the independent tanker owners. Granted that these parties have a subjective interest in participating in the trades involving the importing of oil to the United States, I am prompted much more by the dangerous threats to our national security which this situation poses. Other maritime nations in the world, I am advised, have taken steps to guard against this danger. France, for example, has a statutory stipulation that two-thirds of the crude oil imported for internal consumption must be carried in French ships or chartered ships approved by the French Government. By administrative action Japan also insures a massive participation of its own vessels in oil import movements. In my opinion, this country should do no less.

The bill would amend the existing cargo preference law, which has been on the books since 1954. Our existing law applies only to Government-sponsored cargoes, and some will say that this amendment is a drastic step in that it would extend our cargo preference system to commercial imports brought in under a quota system. And they are right—it is a drastic step, but the danger I see calls for drastic measures. The national security demands it.

SALARIES IN AMTRAK

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

Mr. VAN DEERLIN. Mr. Speaker, just 7½ months ago we established a new semipublic corporation called Amtrak. Its assignment: to save what was left of rail passenger service in the United States. We provided $40 million in seed money.

That obviously was not enough. Amtrak is now back asking Congress for $170 million more. Our Committee on Interstate and Foreign Commerce will consider new authorizing legislation early in the second session.

It is too early, of course, to pass judgment on Amtrak's success or failure. Indeed, many of our railroads had permitted passenger service to decline so sadly that only time, new equipment, better roadbeds and a massive redirection of policy can hope to recapture a traveling public so long accustomed to abuse.

Yet it is not too early to venture some conclusions concerning the scale of values reflected in Amtrak's board of directors. Selected from the upper echelons of industry and finance, these men appear to follow the "trickle down" theory of economics—to feel that the matter of first importance in a new undertaking is to set fat executive salaries.

Roger Lewis, the Amtrak president, is paid $125,000 a year.

In all likelihood, that is less than Mr. Lewis made in his previous job as president and chairman of General Dynamics Corp.

But it is big money by Government pay standards. On the regular Federal payroll, only the President of the United States makes more than Mr. Lewis. Cabinet members, at $62,500, earn just half as much.

High pay may have become the rule for top executives in America's *deficit*-ridden private railroads, like Penn Central. But so far as I can learn, there is not a single official of the publicly operated, highly successful railroads of Europe or Japan who draws as high a salary as Roger Lewis.

The following table indicates, six of Mr. Lewis' subordinates receive more than $36,000, which is the top bracket for Federal supergrade employees:

Roger Lewis, president	$125,000
Gerald Morgan, vice president, Government affairs	50,000
David Watts, Jr. vice president planning	37,500
Sydney Sterns, controller	40,000
Harold Graham, vice president, marketing	50,000
Harold Wanaselja, vice president, operations	55,000
Robert Medvecky, vice president, general counsel, secretary	55,000

Is it not strange that an organization losing so much money can be so generous toward its key personnel? With Amtrak now looking for another $170 million under the Christmas tree, we should insist that the money be used to improve service—not for more executive gravy.

Clearly, Congress was at fault in failing to set salary limitations for this new public corporation. As a member of the authorizing Commerce Committee of this House, I accept my share of blame. I hope to see that the oversight is corrected.

Nor is it merely the matter of pay that concerns me. I have surveyed biographical material on its top executives, and feel moved to wonder—is Amtrak a vehicle for preserving a balanced transportation industry, or is it some sort of elephants' graveyard?

On balance, Amtrak seems overweighted with men who developed their reputations, and who became seasoned in other fields, some unrelated to transportation.

I wonder whether Amtrak really needed so many men from high finance—or, preferably, people at the top who can read a timetable.

And might it have been wiser to seek out men still on the way up, rather than in the closing phase of their careers?

Discussion of age and experience leads inevitably into sensitive areas and possible disagreement. I hope that to raise questions will not be deemed an affront to any of the men concerned—none of whom I know personally.

Roger Lewis, who is 59, became Amtrak's top officer after an extended career as an aerospace executive.

Gerald Morgan, now 63, is remembered as an aide to the late President Eisenhower, and as a Washington attorney.

Sydney Sterns, 53, served a quarter-century in the business office of corpora-

tions ranging from meat packing to electric power.

Robert Medvecky, a relatively youthful 40, has spent most of his life working with the Southern New England Telephone Co.

Harold Graham, 54, is a former executive with Pan American Airways.

Two of Amtrak's top-paid officials—David Watts, Jr., and Harold Wanaselja, both in their early forties—can claim prior experience in running a railroad. I hope it will not be unkind to note that they served the B. & O. and New Haven roads, respectively. Neither line earned plaudits for recent efforts on behalf of passenger comfort or convenience.

Amtrak has accepted responsibility for operating 185 passenger trains over 20,000 miles of track. Its initial appropriation, $40 million, was clearly insufficient for that enormous job.

What is less clear is how much of the $170 million now being sought should be authorized, and what conditions, if any, should be attached to the authorization.

As a minimum, we should insist that executives earn their keep, at amounts commensurate with other top-level Government pay, Amtrak must not enter the downshill race with Penn Central, which inflated executive payrolls while holding service to a minimum. If that happens, Amtrak is headed down the wrong track for sure.

But considering those salaries, it should reach the poorhouse in real style.

PESTICIDE REMARKS

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

Mr. GUDE. Mr. Speaker, there has been great concern among the American people over the serious problems related to highly toxic and persistent pesticides in the environment. In my own State of Maryland, the ecology of the Chesapeake Bay—the Nation's largest estuary—is threatened by the accumulation of these chemicals. Small amounts of PCB's have been detected in the bay's soft shell clams. Various chlorinated hydrocarbons have caused reproductive failure in certain birds and other area wildlife species. The bald eagle, our national symbol, are not as abundant in the bay area as they were.

On Sunday, December 12, there appeared in the New York Times magazine an excellent article entitled, "Last Hope for the Ospreys on Long Island Sound." It tells the story of Paul Spitzer, a 25-year-old graduate student, whose research and efforts are directed toward saving the remaining ospreys in the sound area. His studies show that these birds are rapidly diminishing in number as a direct result of a chemical known as DDE, a breakdown product of DDT, dieldrin and PCB's. It is a tragic situation brought on by man's negligence.

Recent efforts of the Congress to control the use of chemical pesticides have been only moderately successful.

A decade ago scientists indicate that DDT has played a major role in the diminishment of their numbers.

The Federal Environmental Pesticide Control Act of 1971, passed earlier this year, is a step in the right direction in that it serves to demonstrate, to some degree, congressional recognition of the problems involved here. I do not believe, however, that this act is strong enough to deal with the situation.

For example, it leaves the burden of proof of a pesticide's harmfulness up to the Government rather than demanding that the manufacturer prove his product's safety.

Clearly, chemical pesticides do cause environmental damage. Equally as clear is that fact that our farming community must have effective tools with which to deal with agricultural pests.

I am convinced that only by taking a positive approach to finding alternate pest control methods will we find the solutions we seek. I am introducing legislation designed to specifically earmark $4 million annually for the Department of Agriculture and the National Science Foundation to carry out pilot field research programs for the control of agricultural and forest pests by integrated biological control methods. This money would be appropriated for at least 5 years in order to build a solid base upon which these methods can be used in the future as alternatives to the single method use of chemical pesticides so predominant today.

The Agriculture Research Service has for a number of years conducted research in this field and the results have been most promising. In fact, prior to the advent of World War II and the advent of DDT, integrated biological control methods showed the most promise of any other type of insect control. Among those insects which have been effectively controlled by the integrated biological method are the Japanese beetle, the sereu worm—a serious cattle pest—the Oriental fruit fly, the green peach aphid, and the alfalfa weevil.

I believe that this research must be continued and greatly expanded, taking full advantage of the resources of the National Science Foundation and the Forest Service, so that our foolhardy reliance on dangerous chemical controls can be ended.

Mr. Speaker, action in this area is vital. I include at this point in the RECORD the Times magazine story as a clear example of the need for action and, further, request that the text of the legislation be included in the RECORD.

LAST HOPE FOR THE OSPREYS OF LONG ISLAND SOUND

By DAVID R. ZIMMERMAN

A desperate, last-ditch effort is in progress to save the doomed ospreys of Long Island Sound. The experimental project, now in its fourth year, is apparently the first attempt to forestall the death of a pesticide-burdened bird population. It commands attention because there is growing evidence that not just a few but many kinds of birds are similarly threatened. This puts a premium on the development of methods for preserving those birds that human populations deem worth saving. The ospreys are a first test of whether and how this can be done. The project's success, however, is not certain; there are long odds against it.

Saving Long Island Sound's ospreys was the idea of a college boy, Paul Spitzer. Now a graduate student at Cornell University, he is continuing the experiment as part of his doctoral research requirement. Spitzer is a resident of Old Lyme, Conn., which once had one of the world's largest colonies of breeding ospreys, and he is a neighbor and protégé of Roger Tory Peterson, the artist-ornithologist and field-guide editor.

For Peterson, who first kindled Spitzer's interest in the osprey, this regal, chocolate and white raptor is a favorite. "Of all the birds that fish," he says, "the osprey is the master." He thus describes one that worked the Connecticut River estuary near his home:

"Cruising over its fishing grounds, it checked itself 40 or 50 feet above the water and hovered on laboring wings in one spot. Scanning the ripples below, it took a bead on its quarry, then plummeted, its needle-sharp talons thrown far forward and its head in line with them. This falconlike thrust plunged the big bird completely out of sight in a splash of spray, but a moment later it reappeared to flap off with a fish. As it almost invariably does, it carried its prey nose forward live a silvery torpedo."

Paul Spitzer is a slight, smooth-faced young man whose casual agreeable manner contrasts sharply with his deep sense of commitment to nature and to the redemption of America's troubled environment. He affects none of the current youth fads, yet privately he wonders if he may be a part of that new consciousness that has been identified with America's greening.

The summer he was born—1946—was the first in which DDT was widely used in American agriculture. There were then more than 1,100 active osprey nests in southern Long England and on Long Island. This past spring, in a meticulous census, Spitzer could find only 105 active nests—which produced 64 native fledglings.

The principal cause of the osprey's decline is chemical pollution. Although adult birds apparently have not been killed outright by it, their ability to lay viable eggs has been virtually destroyed. Some eggs have shells that are too thin and crack. Others, with apparently adequate shells, contain embryos that fail to develop. Some eggs are defective both inside and out.

The exact mechanisms underlying this destruction are less well understood for ospreys than for some other species, but the causes seem clear. Infertile eggs contain high levels of DDE, a breakdown product of DDT, and/or similarly high residues of Dieldrin and/or PCB' (polychlorinated biphenyls). The PCB's are industrial compounds, used in electrical equipment, paint and many other products. They resemble DDT chemically, and are believed to be dispersed in the environment when objects made with them are burned as trash. In the United States, PCB's are made only by Monsanto, DDT only by Montrose Chemical and Dieldrin, another common pesticide, only by Shell.

The 64 fledgling osprey on Long Island Sound this year represent significantly fewer than one bird per active nest. Actuarial data indicate that for an osprey colony to survive each active nest must produce at least one fledgling each year. The prepesticide norm was almost two birds per nest each year.

This year, perhaps just at the threshold of final decline, the Long Island Sound birds exhibited abnormal traits that have rarely, if ever, been seen. Females outnumbered males in some places. Lone females built nests and laid eggs without regular mates. Bigamous relationships developed, in which one male copulated with and then brought fish to two brooding females. For the first time on record, an immature, 2-year-old male was taken as mate by a mature female.

Now that the bald eagle is gone, the osprey (*Pandion haliaëtus*), or fish hawk, is the last great eaglelike bird that breeds within easy

access of the 20 million or more Americans who live in New York City and along the shores of Long Island Sound. Because it was more common, and far more accommodating to man's presence, than the bald eagle and other great predators like the peregrine falcon, the osprey has been far more affectionately regarded. It used to nest in trees or on low, man-made platforms along roads and railways, and, occasionally, even in places as close to man as rural dooryards and chimneys.

"Yet, it remained constantly vigilant, always a wild creature," Spitzer says. "No one who saw the bird hunt, or heard its piercing cry could doubt that." To Spitzer "the osprey is the primer, the elementary lesson, the 'popularizer.' . . . The salt marsh is beautiful and productive, part of the countryside and part of New England's heritage, but [it is] the osprey [that] gives it animation. . . . Marsh areas provide recreation for the people of the supercity which threatens to stretch uninterrupted from Washington to Boston. There, people can still see an osprey—vanishing symbol of the 'country' they seek. . . . The dying osprey is part of the agony of the dying river and marsh. . . ."

It well may be that only Paul Spitzer stands in the way of the birds' disappearance. This is what he is doing:

Each spring for the last four years, he has obtained, with Government help, osprey eggs and chicks taken from nests along the Chesapeake Bay, where pesticide pollution and reproductive failure have been less severe than around Long Island Sound. Eggs and young birds have been carried by car or plane to Connecticut and Long Island. There, they have been put under brooding ospreys, which, with remarkable tolerance, have almost invariably accepted and nurtured them as their own. In the four years, transferred eggs and chicks have accounted for almost a quarter of the young ospreys fledged from nests on Long Island Sound, with the exception of those on Gardiners Island (whose remnant osprey population is doing better than elsewhere, though still not holding its own.)

Ospreys winter around the Caribbean and in South America, and studies of banded birds show that they customarily return to breed in the place where they were fledged. Spitzer believes each bird acquires its "home" sense early in life, on its early flights around the nest and its initial migration. If this is true, his transferred birds should return to Long Island Sound rather than Chesapeake Bay when the time comes to mate. And since ospreys indigenous to Long Island Sound rarely interbreed with ospreys to the north or south, from which they are separated by 50 or so urbanized miles of coastline, success, for Spitzer, is narrowly defined: his transferred birds must return to the coast of Long Island Sound.

Normally, ospreys first breed when 3 years old—that is, in their fourth spring. Thus only 14 birds, sucessfully transferred in 1968, the first year of Spitzer's experiment, were due to breed this year. Of these only four or five were actually expected back, since it has been calculated that two-thirds of all ospreys die of natural causes before reaching the breeding age. All the transferred birds were tagged with jesses—brightly colored leg bands—before they left their nests, so that they could be identified in flight. Disappointingly, none of the first-year transfers were spotted last spring. Close to a dozen are due back next year, which could provide the critical test of Spitzer's project.

To preserve the osprey population of Long Island Sound, Spitzer must, of course, sacrifice the purity of the native birds' gene pool. Fortunately, while ospreys inhabit all continents except the Antarctic, they are so alike that they are considered to belong to a genus consisting of just one species. Populations living as close together as Chesapeake Bay and Long Island thus may be genetically quite alike.

Transferring ospreys to Long Island Sound, of course, cannot cure the underlying problem. These birds, too, can be expected to lay thin-shelled, nonviable eggs when they eat the same poisoned food as the birds they have replaced. At best, Spitzer is buying time in the hope that pesticide and PCB pollution will abate—which it thus far shows little sign of doing. For him effective control of pollution at its many sources is essential to success.

Spitzer's experiment is apparently the Long Island Sound ospreys' last hope and these birds are far from alone in their perils. Also threatened, Spitzer says, are virtually all North American predatory birds that feed at the top of long food chains. (In a food chain each successive predator absorbs, and thus concentrates, the poisons in its prey. Algae in a river may have DDT only in the ratio of a few parts per trillion, but worms that eat algae may have a few parts per billion; fish that eat them, a few parts per 100 million or 10 million; and ospreys, at the top of the chain, enough parts per million to addle their eggs.) Spitzer's estimate reflects recent finds of one of his mentors, Dr. Joseph Hickey, a bird-population specialist of the University of Wisconsin.

"We've found eggshell changes in most of the larger birds of North America that we've studied," Hickey says. "But these changes are not necessarily critical; it remains to be seen how cirtical they are." And he adds: "With the exception of rough-legged hawks and broad-winged hawks and the whooping crane, eggshell thinning seems to be fairly widespread among fish-eating birds and raptors.

Except for the peregrine falcon, Hickey says, no species or subspecies is about to vanish from its entire North American range. Rather, specific residential populations are disappearing, the areas of illness and health varying from bird to bird. The bald eagle, for example, is failing on the East Coast, in Florida, Maine and the Lake Superior region. But it is doing well in central Minnesota and Alaska. Conversely, the double-crested cormorant is holding its own in Maine, but Hickey anticipates it will be the next bird to become extinct in his home state, Wisconsin.

In New York State, field ornithologist John Bull of the American Museum of Natural History says most of the hawks have been hard hit. "Cooper's hawks and sharp-shinned hawks (which eat birds) have decreased significantly in the last decade. Mammal-eaters, like the broad-winged and red-tailed hawks are doing all right here because they don't feed as high up on the food chain. Red-shouldered hawks are doing badly. They feed on frogs and snakes and other aquatic things that might be affected by pesticide runoff into streams."

Information on the small, hard-to-count songbirds is sparser, but there is at least a suggestion, based on field censuses, that they too may be down in numbers. "I'd say that in general the insect-eating birds are the ones we should worry about, because they feed on the land—which is where we put our poisons." This is the view of Dr. Edgar Reilly, zoology curator of the New York State Museum in Albany and currently president of the New York Federation of Bird Clubs. "My observation," he says, "is that the populations of warblers and vireos are down. And over the last five or six years, so are the thrushes."

This belief that the songbirds may be declining is shared by Robert Arbib, editor of the National Audubon Society's American Birds, a periodic compilation of sightings by field ornithologists and bird watchers all over the nation. "I think pesticides are a factor," Arbib says. "I think loss of habitat is in many species more important. And there are a large number of bird kills on TV towers and buildings, and there are road kills by cars. Birds are sometimes hard put; if natural causes don't do them in, then man finds a way."

What man hopes to preserve, he therefore must save. One might imagine that by now—a quarter of a century into the DDT era, a decade past Rachel Carson's "Silent Spring"—myriad techniques would have been developed to sustain endangered birds. Nothing could be further from the truth. The number of such projects, experts indicate, can be counted on one's fingers; Paul Spitzer and his ospreys are in the vanguard.

The lag perhaps partly reflects the fact that ornithologists heretofore were trained to *study* birds. No one conceived of a need to protect birds from ubiquitous, invisible poisons. So, it took a generation for these scientists to discover—and allow themselves to see—the pesticide problem.

Even now, perhaps only the more courageous among them will accept that much of their wild "study material" has been profoundly, perhaps irrevocably, changed by toxic artifacts of man. Perhaps only a new generation of wildlife workers, who have grown up with the pesticide threat as a fact of their lives, will be free enough from shock to face the situation as it exists.

This could explain why it is that Paul Spitzer, now 25 years old, is conducting one of the first important experiments to determine whether endangered birds can be preserved within their ecologic niches in nature. His head start in the coming generation's labors grew out of his fortuitous early association with one in the present generation who saw, more clearly than most, the magnitude of the pesticide danger.

Spitzer, born in Brooklyn, lived in and around New York City until he was 10, when his family moved to Old Lyme. He soon met Roger Peterson, who had come to Old Lyme a few years before "because of the many ospreys." "I estimated," Peterson says, "that there were roughly 150 nests within a 10-mile radius of our home. Some [birds] were living in wild, undisturbed areas; others were right in the town, even on telegraph and private poles. In fact, the attitude toward the osprey was very much like that of Europeans toward their storks: no persecution whatsoever." Accommodatingly, one osprey family had built its nest on a ridge within view of Peterson's studio window.

It was in the summer of 1957 that Peterson made the discovery that something was amiss with the ospreys. He had rowed to Great Island, a long, low piece of land at the mouth of the Connecticut River where there were many osprey nests. Surprisingly, on that July day the adult birds were present—but Peterson could find no young in the nests. He recalls that he at once guessed why: "The bald eagle was in trouble in Florida because of pesticides. It was logical that if the bald eagle, which eats dead fish, was in trouble, then the osprey, which eats live ones, would also be in trouble."

In 1960 the Petersons and several of their colleagues and friends started an informal osprey study group, and young Spitzer was invited to take part. What it seemed possible to do to help, the group did. They built raccoon-resistant nest platforms, and the birds used them. But raccoons were not the ospreys' destroyer, and the study group soon became a dead watch. In 1960, there had been 71 active nests, fewer than half as many as a few years before. In 1961, there were 31 nests; in 1965, 13 nests. (Peterson has predicted that 1973 will be the last year ospreys will nest on the Connecticut River. This past spring there were three nests, which produced two viable native young.)

Each year a different member of the study group took charge of the osprey project. "In 1968, it was my turn," Spitzer says. "The

year before, all we'd done was watch and count."

Could more be done? Were there important scientific data to be gathered—quickly, before the evidence vanished—by a more active approach to the dying osprey colony? "I was fascinated," Spitzer says, "that you could watch the birds go. I was fascinated that even then there was a chance to learn, from the field situation, what was going on."

That winter he entered his senior year at nearby Weselyan University, and elected a biology tutorial, for which he was required to design and carry out an original research project. The tutorial provided added incentive—and structure and direction.

There was one key question—of possible widespread scientific interest—that he and Connecticut's dying ospreys might help to resolve: Why were the eggs failing to hatch? Was the ultimate defect an *intrinsic* one, inherent in the eggs? Or, was it an *extrinsic* factor, perhaps something in the parent birds' behavior? Human interference might contribute to this latter possibility. Or, as others suspected, pesticides might derange the parent birds so that they did not adequately brood their eggs.

Mulling over these alternatives, Spitzer realized that the question of intrinsic or extrinsic damage could be resolved by exchanging eggs from Connecticut osprey nests with eggs from osprey nests elsewhere. If the Connecticut eggs hatched well under faraway birds, while the eggs of these birds did poorly in Connecticut, then clearly an extrinsic factor—the Connecticut birds' behavior—was responsible. But if the Connecticut eggs failed elsewhere, while imported eggs hatched, then it was an intrinsic factor: the eggs themselves were defective.

At a conscious level, his plan initially was to *study* the birds, not save them. "I'd been thinking about ospreys all winter," he recalls, "and one day in January, I wrote down the egg-transfer experiment. Then a week later, the other idea—the attempt to stock a faltering colony with fertile eggs—came to me." Unconsciously, the conservation idea perhaps had been in his mind from the start.

Having won the approval of his biology tutor, Dr. Austin Platt, Spitzer drafted a proposal for the experiment and sent off copies, under covering letters from Peterson, to a dozen research biologists and ornithologists, including Dr. Tom Cade at Cornell University and Dr. Hickey at Wisconsin.

Cade wrote back: "Your idea of substituting eggs from a normally reproducing colony of ospreys to provide your Connecticut birds with 'good' eggs should prove fruitful, if the transfer can be made without damage to the eggs. . . . It would also be worthwhile, and easier, to substitute downy young for overdue eggs." Spitzer incorporated Cade's suggestion into his plans.

Hickey, too, was impressed with the proposal and asked Spitzer's permission to present the idea to a small group of osprey researchers who were scheduled to meet soon in Madison. Spitzer agreed. One participant at the meeting was Dr. C. Eugene Knoder, an ecologist of the U.S. Fish and Wildlife Service's Patuxent Research Center in Maryland, which approves and administers Federal studies on pesticides and birds.

"Dr. Knoder was in Madison," Hickey wrote to Spitzer a week later. "We had an extended discussion of your research proposal, and he assured me that his bureau could guarantee the safe transportation of viable osprey eggs from Chesapeake Bay to Connecticut. This gives you a real chance to pull off the experiment that you have in mind. I assume that Knoder will get in touch with you."

At Knoder's urging, and with help from a co-worker, biologist Dr. William Krantz, Patuxent entered the picture. Money was provided; osprey eggs and young were promised, and Spitzer was hired as a Federal biological aid to conduct the project. Later, funding was provided through grants from the Audubon Society and the Northeast Utilities Company.

Stiff logistic problems had to be solved so the two-way transfers could be accomplished within prescribed limits of a single day. Eggs and young birds collected in Maryland at dawn would be flown to Connecticut by plane. The eggs would be carried in an insulated case, which a biologist would carry on his lap so his body would insulate them from motor vibrations that might damage the embryos. Spitzer would meet the plane and hand over the eggs he had collected in Connecticut to be taken to Maryland. Then he would distribute the Maryland eggs and young among nests in Old Lyme and nearby Niantic.

With the return of spring came the ospreys. Events moved quickly. In April of 1968 Spitzer was able to state in a biology tutorial report (for which he received an A minus) that 22 intact Maryland eggs had been placed in seven Connecticut nests and 21 Connecticut eggs had been placed in seven nests in Maryland. By summer, he could write to Hickey that he had resolved the question of whether hatching failure was due to the eggs or the parent birds:

In Connecticut nests, 41 per cent of the Maryland eggs (eight chicks) hatched—a rate identical to that of Maryland eggs that had never been moved. Of the Connecticut eggs moved to Maryland, however, only 5 per cent hatched, which was about the same as if the eggs had remained in Connecticut. Clearly, intrinsic damage to the eggs was to blame.

Besides the research findings, the experiment yielded initial results that were encouraging from a conservationists' viewpoint. In addition to the eight chicks hatched from Maryland eggs and raised by Connecticut parents, seven young birds were also transferred from Maryland, and of these six were successful fledged in Connecticut nests.

"The flexibility of the adult birds in accepting introduced young is almost beyond belief," Spitzer reported enthusiastically. "In one case I received from Maryland three young birds. 5, 10 and 12 days old, and had no Connecticut nests with young less than 18 days old. I [temporarily] removed young aged 18 and 23 days from a Connecticut nest, [and] replaced them with the three Maryland birds . . . [which] had been without food for 18 hours, and began to demand it as soon as the female returned to the nest. Without hesitation she began to feed them from the same piece of fish she had been using to feed the two older birds a few minutes earlier.

"By introduction of eggs and young birds, we built up the number of young in four nests on Great Island to three birds apiece. . . . The successful introduction of eggs and young birds into Connecticut nests has convinced Gene Knoder and Bill Krantz to cooperate with me in attempting to maintain the Connecticut River ospreys."

Since that first year, the wild birds' extraordinary tolerance of human interference in their family lives has allowed the transfer experiment to continue and to achieve a modest, partial success. As of July this year, more than 50 transferred birds had been fledged from Long Island nests in four breeding seasons.

What happens next? A critical juncture comes next spring. The number of active nests will probably drop below 100 for the first time. But, for the first time an appreciable number—perhaps a dozen—of the transferred birds are due back as breeders. At the same time, Spitzer's Audubon grant will expire, and the transfer experiment, which already has provided the answers it was explicitly designed to produce, will end.

Directly, or by default, a decision will be made—in part by Spitzer, in part by the Audubon Society, the U.S. Fish and Wildlife Service and the public; ospreys are low on the list of national priorities, and he who wants to preserve them will have to pay out of pocket to do so. The decision to be made is whether to stop and let Long Island Sound's ospreys disappear or, on the basis of Spitzer's final results, to transform the transfer experiment into a conservation program.

A key problem would be to find an adequate supply of uncontaminated osprey eggs and/or young. To maintain the Long Island Sound population at the level of 100 active nests might require 150 eggs, or 75 chicks or an equivalent combination of the two each year. Providing full clutches of three young for each nest would require considerably more.

There is serious question as to whether these resources exist. On Chesapeake Bay, pesticide residues are now overtaking the ospreys. Last year one of Spitzer's collaborators, Stanley Wiemeyer, a Patuxent biologist, found that ospreys at the mouth of the Potomac were no longer sustaining the maintenance rate of one fledgling per active nest. This spring he declined to provide eggs for transfer. On the Maryland Eastern Shore the fledgling/nest ratio is at the danger point. On Virginia's Eastern Shore, where corn is a primary crop and DDT a primary crop spray, only 25 per cent of the osprey nests produced young this spring; the number of nestlings is down by half from last year. Elsewhere in Virginia, the birds are doing better, according to Robert Kennedy, a graduate student in biology at William and Mary College, who has been one of Spitzer's suppliers. But Kennedy adds: "I'm kind of leery about the transfer experiment because we're getting to the point where every young bird produced in Virginia should stay in Virginia—if we're going to have any around!"

It thus is at his suppliers' doors that Spitzer's quest may fail. But in the drama of survival upon which he and the ospreys are embarked, it also just may be that it is Virginian Robert Kennedy who will save the day. Knowing that transferable young are now needed in his own state as well as Long Island Sound, he recently decided to try to exploit a trait of osprey behavior that was remarked upon 35 years ago by the great American ornithologist, Arthur Cleveland Bent:

"Only one brood is raised in a season, but, if the eggs are taken, a second set will usually, though not always, be laid."

To verify this observation, Kennedy removed the entire first clutch of eggs from the nests of three pairs of Virginia ospreys that were relatively "clean" in terms of pesticide exposure. The birds, as predicted, remated and laid more eggs, while Kennedy put their first sets in an incubator, carefully controlling the temperature and humidity during the month-long gestation. The experiment was surprisingly successful—four eggs hatched; the fifth baby bird died while trying to break out of its shell. Kennedy successfully transferred two of the incubator babies outdoors to osprey nests.

The parent birds, meanwhile, had laid their second clutches. When Kennedy tallied their total productivity for the season, he found that the three pairs had produced 3.5 young per nest, about double the normal rate for healthy Virginia ospreys. He had thus demonstrated a possible new method of doubling each year's production of young ospreys.

The birds' second clutches were numerically slightly smaller than their first ones, but this deficit was compensated for by a higher proportion of viable eggs. Kennedy has a hunch that production of a second clutch may provide a reproductive bonus: unhealthy birds may deposit enough of the pesticide from their bodies in early eggs for the fifth or sixth egg of a season to be "clean" enough to survive. In fact, a "dirty" female that previously had produced only dead eggs this year produced one live one in a second

clutch, after Kennedy had taken her first clutch away.

Kennedy is excited by the possibility that his second-clutch and incubation technique could provide enough young birds to turn Spitzer's original transfer experiment into a practical conservation method. By producing two clutches from 50 osprey pairs next year, he believes he could obtain enough incubator-born young to fill Virginia's barren nests—with the possibility, if everything works perfectly, of having enough left over to ship 50 or more viable eggs north for Long Island Sound. Such a possibility could strongly influence any decision about abandoning Spitzer's egg-transfer work or expanding it into a full-scale osprey-conservation program.

Whether osprey conservation will work is another question. Roger Tory Peterson is pessimistic. He points out that the land continues to be "sour" from pesticides and industrial poisons. The Federal Government has not yet banned DDT, Dieldrin and similar poisons, although it has restricted their use. Monsanto has voluntarily cut back the uses for which it will sell PBC's. But toxic spills continue to occur.

Once the ospreys have disappeared from Long Island Sound, their breeding grounds could conceivably attract ospreys from other regions, but considering the condition of the Sound today, Dr. Hickey considers this doubtful. "New birds will not come into an area unless it is very attractive," he says. "If it is marginally attractive, the old birds will come back—but new ones will not come in."

It might also be possible to restock the area with cage-reared ospreys. Recently there has been some success with attempts to breed other types of threatened hawks in captivity. The hope is that like Elsa the lion, these birds, or their descendants, could be hand-trained by falconers to hunt so that they could be released in the wild to be "forever free." Thus far, however, there have been only a handful of instances in which cage-reared birds made the transition back to nature satisfactorily. No one knows how to teach such birds dependable migratory behavior. And adult wild birds that are brought into a new area rarely return there from a migration.

Neither Paul Spitzer nor his co-workers are eager to discuss the odds they face; neither, however, are they ready to accept the irrevocable loss of the ospreys. Despite its inherent problems, Spitzer's plan may yet be the most promising. Although his Patuxent collaborator, biologist Stanley Wiemeyer, takes a highly qualified view of the venture, he says nonetheless: "It would be much more difficult to reintroduce the birds than to maintain the population—assuming that we have a good source eggs and young birds."

For Spitzer, the apparent odds against success might well be cause for thought. He has won his colleagues' approval for a successful *scientific experiment;* should he risk that approval on a long-range *conservation program* that well might fail? Will he remain faithful to the statement he made only a few years ago as a college youth:

"If I, as a scientist, do not treat the osprey as something rare and precious, I cannot expect others to do so. . . . If possible, the trend toward extinction must be reversed. . . . Perpetuation of ospreys in an area where they appear doomed has beauty, and an element of defiance, as well as scientific merit."

H.R. 12338

A bill to authorize pilot field-research programs for the control of agricultural and forest pests by integrated biological-cultural methods

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of Agriculture is authorized and directed to carry out, through the Agricultural Research Service and the Forest Service of the Department of Agriculture, pilot field-research programs for the purpose of (1) developing and testing the control of agricultural and forest pests by the employment of integrated biological-cultural methods, (2) determining the economic and environmental consequences of predicting and modifying agricultural and forest pest populations through utilization of multidisciplinary and integrated biological-cultural methods, and (3) developing methods of collecting, handling, and interpreting data obtained from such field research.

(b) The Secretary of Agriculture is authorized to reimburse farmers and ranchers for any losses sustained by them as a result of any research authorized under this Act being conducted on their lands, crops, or livestock.

(c) There are hereby authorized to be appropriated to the Secretary of Agriculture to carry out the provisions of this section during the fiscal year ending June 30, 1972, the sum of $2,000,000, and such sum as may be necessary for each of the five succeeding fiscal years.

SEC. 2. There are hereby authorized to be appropriated to the National Science Foundation for the fiscal year ending June 30, 1972, the sum of $2,000,000, and such sum as may be necessary for each of the five succeeding fiscal years for the purpose of expanding its fundamental research on integrated biological-cultural principles and techniques to control agricultural and forest pests.

POUNCE ON POLLUTION

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

Mr. HANSEN of Idaho. Mr. Speaker, in today's nationwide effort to protect, restore, and enhance our environment, what could be more appropriate than the entrance of a popular, nationally known and influential figure into the picture to take up the cause.

As many of my colleagues are already aware, Snoopy—fighter pilot, author, former Head Beagle, star infielder, and illustrious star of Charles M. Schulz's comic strip "Peanuts"—recently announced that he will "pounce on pollution" as a full partner with Johnny Horizon in the Department of the Interior's environmental program.

I commend the Interior Department for warmly welcoming Snoopy as an integral part of the pollution-fighting team. I know that he will provide much-needed impetus in the continuing struggle to save our environment. Snoopy's flying secretary, Woodstock, asks people to "Bend a little—pick up a lot." We could all take heed.

Bob Lorimer, farm editor of the Idaho Statesman in Boise, recently commented on Snoopy's new mission. I am including Mr. Lorimer's comments as part of my remarks and commend them to the attention of my colleagues:

SNOOPY JOINS ECOLOGY FIGHT

(By Bob Lorimer)

The Forest Service no more than came out with the announcement that a Smokey Junior has been obtained to carry on the duties of his illustrious namesake, Smokey the Bear, than the Department of the Interior comes up with a bomblike announcement with a similar earth-shaking impact.

Johnny Horizon, the conservative leader of the department's environment program, now has a far-from-conservative partner, none other than the famed fighter pilot and head beagle of Charles Schultz' "Peanuts," Snoopy.

Interior Secretary Rogers C. B. Morton responded to the announcement with:

"We are proud to have Snoopy as a Johnny Horizon partner. He is one of the nation's most celebrated adventurers and is easily one of the finest infielders ever to wear a baseball uniform in any league. Now, as he seeks even greater accomplishments, I am confident that Snoopy will distinguish himself as a peerless and faithful leader in the federal government's efforts to halt pollution and improve the environment."

Well, if he can't do it no one can.

CONGRESSMAN ORVAL HANSEN, OF IDAHO, INTRODUCES H.R. 12325, THE HOMEMAKING SERVICES FOR THE ELDERLY ACT OF 1971

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

Mr. HANSEN of Idaho. Mr. Speaker, today I am introducing H.R. 12325, which will amend that part of the Vocational Education Act of 1963 which authorized appropriations for grants to the States for consumer and homemaking education. Unlike other sections of the 1963 act, these programs are not necessarily focused upon gainful employment outside the home. However, one-third of the funds must be used for programs of consumer education or to help improve home environments and the quality of family life in low-income areas. My understanding is that this is proving to be a very useful feature of the program. I propose a further earmarking of one-third of the funds for special programs for the elderly.

Thus far in the hearings of the Select Subcommittee on Education on the problems of the aging, several problems have emerged as common to most elderly persons. Among these are nutrition, loneliness, and personal isolation. These are closely interrelated in many instances, as isolation leads to indifference to food preparation and eating. Many elderly persons, moreover, could, with a little help, live independent lives at home rather than be consigned to institutional care at great public expense and loss of personal dignity. My bill is designed to provide that kind of help at least for those who would be reached by this program. I think it would be a useful and rewarding experience for the home economics teachers and students and for the old persons it might reach. In my judgment, it would strengthen the small portion of the home economics program affected by Federal funding and set a good example for most of the programs which are dependent on State and local support.

I am pleased to welcome as cosponsors to my bill 24 of my colleagues in the House of Representatives. They are: Mrs. ABZUG, Mr. BEVILL, Mr. DELLUMS, Mr. EILBERG, Mr. FULTON of Tennessee, Mr. HALPERN, Mrs. HANSEN of Washington, Mr. HARRINGTON, Mrs. HICKS of Massachusetts, Mr. HORTON, Mr. HOSMER, Mr. JOHNSON of California, Mr. KEMP, Mr. MATSUNAGA, Mr. MCDADE, Mr. METCALFE, Mr. MORSE, Mr. RANGEL, Mr. ROE, Mr.

SCHWENGEL, Mr. SHOUP, Mr. STOKES, Mr. TALCOTT, and Mr. WYMAN.

It is my belief that this bill would be a significant step in implementing the hope which was frequently expressed at the recent White House Conference on Aging. This hope is that support must be generated at all levels of government for positive programs and actions that will be truly responsive to the needs of our elderly citizens. When enacted, my bill will insure more dignity, meaning, and enrichment to our Nation's 20 million elderly citizens.

As a part of my remarks, I wish to include the text of my bill, H.R. 12325:

H.R. 12325

A bill to amend section 161 or the Vocational Education Act of 1963 to utilize a portion of the funds for homemaking and consumer education programs to assist the elderly

Be it enacted by the Senate and House of of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Homemaking Services for the Elderly Act of 1971."

SEC. 2. Subsection (d) of section 161 of the Vocational Education Act of 1963 is amended by inserting "(1)" immediately after "(d)" and by inserting at the end thereof a new paragraph as follows:

"(2) At least one-third of the Federal funds made available under this section shall be used for special consumer and homemaking programs for the elderly (who for the purposes of this section shall be defined as persons sixty years of age or more who are in need of such services) designed to assist such persons to live independently in their own homes and to alleviate the adverse effects of loneliness and isolation."

DR. JASPER W. CROSS

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

Mr. PRICE of Illinois. Mr. Speaker, under leave to extend my remarks, I would like to include an article from a recent issue the St. Louis University magazine by Dorothy Hite Claybourne about the late Dr. Jasper William Cross. Dr. Cross was a friend and scholar and it was my privilege to have known him for some 20 years. He was a professor of history at St. Louis University until his untimely death early this year.

It was in the course of my work in the Congress that I met Dr. Cross while he was on a 1-year leave of absence from his work at the university. During this time, he came to Washington to serve as administrative assistant to our former colleague, the Honorable Peter F. Mack, Jr. Dr. Cross was a dedicated public servant and an outstanding student of government. He took a great interest in the affairs of our State and participated in many major problems confronting our Nation. After returning to the university upon completion of his year of Government service, he continued to take an active part in public affairs and was elected, himself, as city councilman in the city of Ferguson, Mo., where he resided with his wife and family. Dr. Cross was a credit to his country, his family, and his profession, and he leaves behind a rich heritage.

The article is as follows:

JASPER W. CROSS—A TRIBUTE

(By Dorothy Hite Claybourne)

On February 4, 1970, Dr. Jasper W. Cross died suddenly of a heart attack. A sharp-witted, laconic, iconoclastic personality, he was the gadfly of the University's administration, "the voice of the faculty" on the University Council and the Executive Committee of the Arts Faculty. He was celebrated for his clever articulate assaults on the things he knew and loved best—the University, his country, and his church were his chief targets. He has with justification been compared at one time or another with William Buckley and Mark Twain, by Dr. Rita Adams of the history department, and said to be a direct descendant of Benjamin Franklin, Will Rogers, and H. L. Mencken, by Victor P. Staudt of the English department. An acute critic with great erudition and discriminating taste, controversy was his native ground. He was a contemporary man, deeply rooted in America's historic past, with a strong streak of mid-western conservatism, yet capable of flexibility and change.

The only child of Jasper and Emma (Irvin) Cross, Jasper William Cross was born in Reserve, Wisconsin, the Lac Court Oreilles Indian Reservation, on August 25, 1916. His father was an agent with the U.S. Bureau of Indian Affairs. A gifted child, Jay as he was known to his family and colleagues, was taught to read at four years of age by the Sisters who ran the missionary school on the reservation. He was the only white child in the school, and it was not, in fact, until his high school days that he associated with other white children. This early education, furthered by his father in an almost private tutorial situation, emphasized social responsibility and community service.

When Jay was seven years old his father was appointed agent to the largest Indian reserve in Kansas, the Potawattomi reservation, at Mayetta. By the time he had graduated from Mayetta High School at 15 years, his family had moved to another reservation in Oklahoma and back again to Mayetta. He probably could have entered a university after graduation but he did not apply; instead he worked for a year in a grocery store at Mayetta. By this time the Depression was taking its toll among the Indian agents, and the Cross family came back to Southern Illinois which had been their earlier home. They settled down in Carbondale because there was a university where Jay could continue his education. The elder Cross obtained work with the Illinois Central Railroad.

In 1937 Jay earned his B. Ed. degree from Southern Illinois University, and then he enrolled at the University of Missouri to study for his M.A. degree which was awarded two years later. At the same time he taught history, government, and economics at Hannibal-LaGrange Junior College in Hannibal, Missouri, commuting back and forth between the two towns. He then sought his Ph.D. degree at the University of Illinois which was conferred upon him in 1942. In the same year he married Catherine Mack and joined the faculty of Our Lady of the Lake College in San Antonio, Texas as an instructor in history.

Dr. Gross enlisted in the armed forces in 1943. After he received the second highest GCT score ever made to that date, he was sent to the U.S. Army Intelligence School in Maryland. Until 1945 he served as an intelligence officer first in England and then in the European Theater. For a short time after the war he taught at the University of Shrivingham where G.I.s were able to work for college credit while awaiting orders to return to the States.

After World War II he resumed his teaching duties as assistant professor at Our Lady of the Lake College for one year. In September 1947 he arrived on the Saint Louis University campus to begin his tenure of almost 23 years. He was promoted to associate professor in 1951, and was granted a one-year leave of absence to serve as administrative assistant to U.S. Representative Peter F. Mack, Jr., of the 21st District (Illinois), while the Congressman made his celebrated solo friendship flight around the world in 111 days in a small twin-engine plane. He became full-professor in 1961.

A scholar in U.S. history in the Civil War and postbellum period, Cross was also an expert in the age of big business. Among his colleagues and students he was known for the scrupulous care that he brought to the analysis and preparation of his classes and to his research direction. Rev. John F. Bannon, S.J., history department chairman, characterized him as a "pillar of stability and continuity." Others have described him as "brilliant," "an inspiring teacher," "a thorough, methodical, and highly organized professor," and "a dedicated educator." *The University News* wrote: "Dr. Cross was admired by his students for his fairness and his clear, precise lecture methods. His classes were conducted in a relaxed manner, punctuated by his dry humor and polished rhetoric." He was always available to counsel students whom he swiftly put at their ease. Dr. J. M. Sanchez recalls sitting in his office about a week before he died, when an angry student knocked on his door. "Dr. Cross," he said. "I don't think I deserved that F you gave me." Jay, who was extremely fair to students, looked at him coolly and replied. "I didn't think so either, but that's the lowest grade we have."

Father Bannon asserts: "He was extremely cooperative and helpful in the affairs of the department. Since 1965 he handled ten Ph.D. candidates, something of an achievement. A fine research director, he trained his people well to meet the meticulous demands of scholarly writing." Rev. William B. Faherty, S.J., who served on a number of graduate committees with him, has another viewpoint: "A fellow examiner would always see new facets to American development whenever he served with Dr. Cross on an examination board. With him examinations were truly learning-experiences for all concerned. He set high but consistent and reasonable standards."

During part of the first semester of this academic year he headed a departmental search committee for several vacancies on the faculty. He was responsible for screening more than 200 applicants, and was very successful in his study, for the first three choices for the three openings recently returned signed contracts.

At one time it was his brief ambition to become a journalist and hence an editor, but this goal was soon displaced by his attraction to teaching. For eight years, from 1948 to 1956, he served with *The Historical Bulletin,* as a member of the editorial board or as associate editor. In addition to his articles and book reviews for that quarterly, his published writings appeared in the *Journal of the Illinois State Historical Society,* the *Missouri Historical Review,* and the *Missouri Historical Bulletin.* A voracious reader, he began in 1964 to review several books each year on history, government, and politics for the *St. Louis Globe-Democrat.*

He was a member of several professional organizations, including the American Historical Association, the Organization of American Historians, and the Southern Historical Association.

Father Reinert's appointment of Cross as a director of the Harry S Truman Library as representative for the University occasioned no surprise among the faculty. Beginning on February, 1969 the connection was one which he especially enjoyed.

Jay and Catherine Cross had four children: Bill (Jr.), a junior in the School of Commerce and Finance; Kelly, their only daughter, an Arts freshman; Marty, a high school sophomore, and Jack who attends grade

school. They live in Ferguson where he was active civilly for several years. When the Cross family first moved to that municipality they were urged by the Sisters to remove their children from the crowded parochial schools to the public schools. They did this, and at the first meeting of the P.T.A. the subject of the budget and its allocation came up. It was reported that a rather considerable sum was spent on shrubbery but only $75.00 for books for the school library. Cross rose and delivered a commentary on the importance of first things first and the disparity between values and actions. A week later he was asked to run for councilman and was elected.

Early in his career at Saint Louis University he established himself as a master of dry humor and incisive wit. When relaxing among friends at home or on the academic scene, he was a lively conversationalist and an outrageous punster. Dr. Chauncey Finch relates an example: "Once at a coffee break a group of faculty were discussing how they were going to spend their sabbatical-summer leaves. Several said they were going to travel and otherwise enjoy themselves, but the majority replied that they intended to do research and write. Jay's comment, 'As I read the Bible it says that the Lord after creating the world in six days said that he was taking the seventh day off for rest and not taking a sabbatical leave to do research!' " Another sample comes from Dr. Edwin G. Eigel, Jr., Dean of the Graduate School. "In a conversation on the subject of birthplaces, Jack Malone remarked that he had come from Wichita, Kansas. Jay replied: 'Wichita? I spent a week there one day' " (An amusing aside to this anecdote is the fact that the town where Jay Cross was born, Reserve, Wisconsin, is no longer in existence!) Rev. B. T. Lukaszewski tells: "Jay Cross and his daughter Kelly were faculty-picnic regulars (Jay himself usually served on the picnic committee.) At one particular picnic Kelly outran all the other girls—she ran really fast—kinda floated along. Later I accosted Jay: 'You know that kid is really a terrific runner! Maybe we ought to consider training her for the Olympics or something.' Jay's rejoinder was: 'Ah, she's too lazy!' "

Dr. James Cronin reminds us that Jay was the person who named Father Henle "The Burning Bush," and gave Dr. Donald S. Ousterhout that it was he who gave Father Reinert the nickname "The Great Bald Eagle." Another academician remembers that he called his salary "the monthly insult." Dr. Irvin Arkin retells about the time recently when he told Jay that he was going to offer a course in introductory Egyptian hieroglyphics to the Free University. Jay's response: "You know, if you want any students to enroll you'd better list the course as "Egyptian Hieroglyphics and the Urban Crisis."

"At a Council meeting, a proposal to increase the number of student representatives from five to ten was under consideration." Dr. Gerald Dreifke tells. "Dr. Finch called attention to the fact that, though there was no restriction on their qualification, faculty members had to be full-time and ranked to be eligible. He therefore proposed an amendment that student members should be full-time and ranked as upperclassmen or graduate or professional students. His motion was immediately seconded by Dr. Cross but voted down after considerable discussion. Dr. Cross made a motion that restriction of Council membership to full-time faculty be eliminated, stating 'I don't intend to vote for my motion, but I think it should be in the record.' When someone inquired the reason for his motion, he answered, 'Parity, just simply parity.' His idea was to never let the students get ahead of the faculty!" Dr. Dorothy Feir reports this happening at the recent Graduate Faculty Assembly: "There was a discussion on the subject of the faculty teaching load, and Dr. Cross asserted: 'As you all know, the history department has recently suffered from untimely illnesses, administrative promotions, unusual marriages, and other catastrophes.' " He never thought that before long he would be adding to that decimated department's difficulties.

Competitive by temperament and athletically inclined, he admired physical fitness. His interest in sports included basketball, softball, baseball, and tennis; one of his own favorite pastimes was golf. He was varsity tennis coach for several years and was also instrumental in developing a junior tennis program in Ferguson. From 1955–63 he was official scorer for the Billiken basketball team. Dr. George Wendell, who was assistant scorer during the same period relates details of his friend's own basketball playing: "Jay was not the most polished player but there was one spot on the court where he was deadeye in his accuracy to sink the ball; it was the defense of the faculty regulars to keep him off the spot." Dr. Paul Steinbicker, currently on leave of absence at the University of Dayton, refers to him as "a maddening golfer" who frustrated not only his opponents but also his partners with his ability to bounce his ball on the hard, mud-caked old Creve Coeur course almost the same distance as the others drove theirs.

A convert to Roman Catholicism about the time of his marriage, he liked the solidity and positiveness of the old Church. A member of the Law School faculty tells of a talk about the movement for ecclesiastical reform and renewal. "Jay had originally been a Methodist and he commented: 'I could have just stayed where I was and they would have moved over to me!' "

Jay's first interest in politics at the grass-roots level took place when Peter F. Mack, Sr., his father-in-law, ran for the first of three unsuccessful times for Congress. The entire family was active throughout the three campaigns as they were in working for his brother-in-law's election in 1948 and his subsequent reelections for each successive Congress until 1962. This was the year Mack was gerrymandered out of office to Jay's complete outrage.

Of slight build, he was five feet ten inches tall and weighed about 155 pounds. His eyes were blue, and his hair, worn crew cut, was a graying brown. He dressed conservatively with the ever present bowtie. In the summer of 1966 he had a serious heart attack and his doctor advised curtailing his activities. He, therefore, gave up his work on the Council in Ferguson, reduced his writings to book reviewing, cut down attendance at outside meetings, and limited his indulgence in such sports as tennis (although he still played on rare occasion).

On the day before he died, it was announced that James E. Higgins, professor emeritus of law, had passed away. Mr. Higgins had joined the faculty in 1922 and for five years had been Registrar of the Law School; he had retired from active teaching in 1961, yet someone asked Jay who he had been. Jay's reply was: "I have the feeling a man could be here 25 years and leave, and no one would ever miss him." The following day he took up the cudgels on behalf of the faculty in his usual friendly and masterly way. His classes met as scheduled. He went home and made his special martini, the ritual act that went with the evening newscast. At 10 P.M. this man who gave tone and integrity to his profession was unexpectedly dead. He is buried in Dahlgren, Illinois, in a small cemetery where most of the graves bear the names of "Cross" and "Irvin."

MY DEAD FRIEND

He was certainly
Dead there
The old mockery
Gentled further
So we watched him
Our eyes
Trembling their
Wet ambiguities
Our lips
Straightened
In half smiles
Of dread
While the old
Toughness
Flickered still
About the mouth
Gentled into
Certain death

—By Dr. Elias J. Chiasson
Professor of English

THE HOLY PLACES OF JERUSALEM

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

Mr. SANDMAN. Mr. Speaker, it has come to my attention that the Jordanian Government may soon introduce a resolution at the United Nations to censor Israel for the so-called Judaization of Jerusalem.

Such an effort, in historical perspective, staggers even the wildest imagination.

Could the world have forgotten the fate that befell the once vibrant Jewish Quarter of the Eternal City during the Arab occupation?

As a reminder to us all during the time of the year when people of all faiths pause for religious observances, an article written by Leonard E. Whartman is worthwhile reading. He is head of the Middle East Bureau of Mutual Broadcasting System of Jerusalem, and is a native of Atlantic City, N.J., in my district.

Mr. Speaker, I insert this article by Mr. Whartman in the RECORD:

TO FAITHFULLY GUARD THE HOLY PLACES

(By Eliezer Whartman)

"The Royal Hashemite Kingdom of Trans-Jordan will allow free access to the Holy Places and cultural institutions, and use of the cemetery on the Mount of Olives."

Article 8, Para. 2, General Armistice Agreement, April 3rd, 1949.

"We had been prepared for almost anything, but this staggers the imagination. The human mind is unable to grasp the scope and barbarity of this willful, savage destruction of our homes, schools, synagogues and cemeteries," murmured a shaken Levi Eshkol, then Prime Minister, as he toured the Old City of Jerusalem and the burial grounds on the Mount of Olives a week after the Israeli troops had taken the area.

I was with him and dazedly we made our way through what had once been the thriving Jewish Quarter of the Eternal City. Many of the homes were now hollow shells, the stones ripped from them and used for construction in the adjoining Moslem Quarter.

Of the 58 synagogues that had graced the Old City for centuries, not one remained intact. Some of these buildings were among the most ancient and venerated of Jewish holy places. The synagogue in the name of

Rabbi Yohanan Ben Zakkai, a treasure house of Jewish ritual art, had stood in the Jewish Quarter for four centuries, and the Karaite Synagogue, also in the Jewish Quarter, was more than a thousand years old! Gaping holes, littered with garbage and human feces, were all that were left of the holy arks. The ashes of burnt Scrolls of the Law littered the floors. We went to look for the Hurva Synagogue whose domed roof had been a landmark on the Jerusalem skyline for a hundred years. Not a trace of the building remained. Tiferet Israel Synagogue with its silver chandeliers, each one of which contained 150 candles, and its library of rare and ancient books on the Cabala and Hassidism, had also disappeared. What had once been houses of prayer were now dumping grounds, stables, poultry runs and public latrines. Many of the yeshivas, some of them dating back hundreds of years, had also simply vanished.

We made our way to the sacred Mount of Olives where Jews, since Biblical days, lay entombed near the site of the Temple Mount. Horror gave way to nausea as we surveyed the scene of vast desolation: a sea of broken tombstones piled grotesquely along the narrow paths, as though a giant rake had been pulled through the area, leaving stone ripples behind; tens of thousands of unmarked graves, their headstones and supporting masonry missing; stark empty holes which had once been the final resting places of Jews whose last wish had been to lie next to the tombs of the Kings, Prophets and Sages; skeletal bones and ash strewn as shoulder filling for three asphalted roads, hacked through the heart of the cemetery, leading to Jericho, nearby Silwan village, and the plush Intercontinental Hotel that crowns the Mount of Olives.

Fifty years of virulent hatred preached in mosques and schools, over the radio and through newspapers, had produced this result. It provided a terrifying glimpse of the fate which would have befallen the Jewish population of western Jerusalem had the fortunes of war gone the other way. But as we mournfully looked out over this ocean of carnage, we did not dream that this ghoulish vandalism had been deliberately, systematically planned and executed by the Jordanian government and army. The mind, even today, still boggles at the thought; but the facts, inconceivable as they may seem, speak for themselves . . .

On July 21, 1967 an inter-ministerial commission consisting of representatives of the Ministries of Justices, Foreign Affairs, and Religious Affairs, was appointed to look into the atrocities committed against the cemeteries on the Mount of Olives and in Hebron, the holy city where the patriarchs and matriarchs lay buried. The commission discovered that approximately 38,000 of the 50,000 graves on the Mount of Olives had been violated. Most of the tombstones had been broken; thousands more had simply disappeared.

Where had they gone?

A search of the area produced some results. The nearby King Hussein village had been constructed in a large measure of the pilfered tombstones. Walls, floors, stables, chicken runs and even kennels had been built with them. Most of the villagers had fled at the approach of Israeli troops. Those who remained, when confronted by the commission, professed astonishment at the discovery of the stones in their homes. All swore by Allah that they were newly arrived residents and hadn't any idea how the stones had come there or where they were from.

The search led on to other nearby villages: the same discoveries, the same astonishment, the same protestations of ignorance. The stones led the commission to as far away as Jericho.

But the greatest horror was yet to come. "Possibly the most shocking spectacle," notes the report, "was the coldly calculated manner in which the [Jordanian] army made use of the pilfered tombstones, for in eight camps discovered by the commission, wherever one turns he encounters tombstones used for paths, the flooring of installations and tents, walls, trenches, storage pits, even latrines."

Tourists visiting the Holy Land will pass a small, unobtrusive road sign as their bus speeds along the road from Jerusalem to Jericho. The sign, located a few miles east of Jerusalem, reads simply: "Azariya (Bethany)—Site of Former Arab Legion Camp." Few people take the trouble to enter. Those that do reel at the sight.

The camp, preserved by the Ministry for Religious Affairs as a monument to man's barbarity to man, was constructed of tombstones ripped from the cemetery on the Mount of Olives. Its floors, walls and paths still clearly bear the names of Jews who, even in death, were not permitted the dignity denied them in life by their Arab neighbors. Most gruesome of all are the two latrines, probably the only ones in the world built of tombstones.

A frequent visitor to this camp, which was hastily evacuated before battle was joined, was King Hussein, a close friend of the former Beduin commander. Apparently the taste of the coffee served the King by his host was not affected by the fact that in order to enter the commander's home, the monarch had to climb a flight of steps constructed of tombstones, and walk on this interesting flagstone arrangement from the garden to the house.

The same sight met the commission at the camps on Mount Zion, where above the tombstone steps leading to a neatly tended garden were inscribed the words: "Long Live King Hussein, the Redeemer"; at Ras el Amud, where the stones were used, for instance, to pave the terrace of the local police station; at Abu Tor, where they made excellent supports for recoilless rifles; in King David's Tower in the Old City wall, the former Legion Intelligence headquarters; and in camps in the American Colony and the Batei Makhseh area.

How did the stones get there?

The watchman of the Mount of Olives Cemetery, Sader Khalil, who had been appointed by the Jordanian government, had, unfortunately, fled to Jordan, but his 33-year-old son, Khalil ibn Sader Khalil, remained and was able to provide an explanation:

Q. "What was your father's job?"

A. "He was supposed to see to it that private individuals did not take out tombstones or other stones without a permit from the government. There were several merchants who held concessions that allowed them to trade in stones from the cemetery. We would chase away all the rest . . ."

Q. "Who paid your father's salary?"

A. "The City did. Mayor Anwar el Khatib sent the checks . . ."

Q. "How were the graves mutilated?"

A. "Workmen came during the day and pulled apart the stones and the tombstones, and at night the army trucks came, loaded up the stones and drove off. The rest were taken by the merchants."

Ali Mohammed Ali is part-owner of a filling station located not far from the two-acre parking lot which the Jordanian government had constructed from part of the cemetery. His testimony, too, proved revealing:

Q. "Did you know about the defacement and destruction of graves?"

A. "Everybody knew. Anybody who needed building stones used to go to these merchants and buy stones from the Jewish graves . . ."

A touch of sardonic humor was unconsciously provided by Mohammed Sayek of Abu Tor, the watchman for the "Congregation of Jerusalem Burial Society."

Q. "How did you perform your duties as watchman?"

A. "What could I do? If I had spoken out against the government, they would have shot me on the spot . . . And I expect the burial society that hired me, to pay me now what they owe me for all these years. It's not my fault that the government decided to destroy the cemetery."

"The destruction," notes the report, "was absolute and total." It was repeated in Hebron, long the scene of Arab vandalizing of Jewish tombstones, where much of the cemetery made up of some four thousand graves was leveled, and an area of an acre containing, among others, the mass grave of the 59 victims of the 1929 pogrom, was turned into a tomato patch. Abasi Taleb whose home and stable were constructed in part of the tombstones, informed the commission that before he put the field under the plow he had requested permission from the Kadi of Hebron, who had promptly granted it. Still unsure of the title, Taleb turned to the Jordanian governor of the area who confirmed the Kadi's authorization.

Summing up its findings, the commission reported: "The vandalism began immediately after the war in 1948, but reached its peak in 1962 with the construction of the approach road to the Intercontinental Hotel. (The owners, Pan-American World Airways, disavow responsibility for the road's construction.) Hundreds of dwellings in the West Bank are presumed to have been built from material taken from the cemetery. Supervisors, paid by the [Jordanian] Jerusalem Municipality, oversaw the work of destruction, and ensured that private persons would not remove any stones without government permission.

"It is difficult to imagine that the [Jordanian] Ministries of Interior, Transport, Tourism and Labor had not been partners in the paving of the three roads which resulted in the destruction of a considerable section of the cemetery, a project which involved scores of architects, engineers, surveyors and contractors, and hundreds of workers. A fact which gives rise to many misgivings is that the Jerusalem-Jericho road was a joint effort of the Jordanian and the U.S. governments . . .

"The most shocking aspect of all was absence of any sensitivity to fundamental human values on the part of the Jordanian army. It is impossible to grasp how human beings could stoop to such degradation. The desecration was on such a scale that only one conclusion remains: it was undertaken at the highest level of the army. The desecration was carried out systematically, and always at night, indicating that the army was aware of the nature of the deed.

"The higher army officers who carried out this foul act were personally appointed with the knowledge and consent of King Hussein, as were the senior civil servants, including the Mayor of [Jordanian] Jerusalem, and all actions undertaken by them had to be cleared by the government in Amman.

"Did the King actually see the tombstones everywhere in the camps he visited regularly? It is difficult to conceive of his not having seen them. There can be no other conclusion than that he was well aware of what had taken place.

"The Jordanian authorities—civilian as well as military—bear the full and clear responsibility for all the acts of abomination and desecration carried out in the cemeteries on the Mount of Olives, at Hebron, and in the various camps of the Jordanian army. It is established beyond all doubt not only that these authorities knew of the acts of defacement and devastation, but that these acts were the direct result of systematic, deliberate and careful planning in the highest echelons of the Jordanian government."

The report concludes with a question that has not yet been answered: "The Jordanian sector of Jerusalem was filled with the consulates of foreign countries; numerous churches, monasteries and religious orders are located around the Mount of Olives cemetery and other Holy Places They could not have avoided seeing what was occurring. Why were they silent? How *could* they have remained silent?"

The Ministry for Religious Affairs has been recovering the stolen tombstones wherever they have been found, and, with the help of maps, has restored many to their original graves. The search goes on.

The parking lot and approach roads leading to Silwan village and the Intercontinental Hotel have been closed, and an effort has been made to identify and restore the graves buried beneath them, most of which, unfortunately, have been entirely obliterated. The Jerusalem-Jericho road is still in use, and it is presumed that hundreds of graves still lie beneath it.

Human bones and ash have been collected and placed in two mass graves over which monuments, constructed in part of broken tombstones, have been erected. The cemeteries on the Mount of Olives and in Hebron have been fenced off.

The Legion camp at Azariya has been left as it was, like Auschwitz, an eternal witness to the world of the depravity of human beings supposedly cast in the image of God.

A postscript must be added.

On August 24th, 1967, in a speech given in Beirut, King Hussein of Jordan demanded the return of the Old City of Jerusalem. He asserted "the right to faithfully guard the Holy Places which our Arab hand has faithfully guarded these thousand years and more."

CAN WE STABILIZE TODAY'S ECONOMY?

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

Mr. PEPPER. Mr. Speaker, on April 20, 1951, the Honorable Francis P. Whitehair, distinguished attorney and citizen of Florida, formerly Under Secretary of the Navy, as General Counsel for the Economic Stabilization Agency spoke before the Commonwealth Club of California in San Francisco. Mr. Whitehair's address on the stabilization of the economy in 1951 is immeasurably helpful in understanding the problems of the present economic situation and in designing programs to meet them. Mr. Whitehair is one of the ablest attorneys in the Nation and I commend his fine address to my colleagues and all those who will read this RECORD. I ask, Mr. Speaker, that Mr. Whitehair's address appear immediately following my remarks in the RECORD.

CAN WE STABILIZE TODAY'S ECONOMY?

(A Speech by Francis P. Whitehair)

Distinguished citizens of California—my fellow Americans:

Those of us who live East of the Mississippi are fully aware of the signal honor which flows from an invitation to address the Commonwealth Club of California. And, some of us realize the heavy responsibility of measuring up to your expectations. But, now and then, I hope you go in for a bit of diversification in talent and quality. However, if you do not, you have done so today, for you are looking at a person who possesses little or no background in education or achievements. In fact, your speaker can boast of nothing really great, unless you would agree that being a country lawyer and farmer for thirty years, the father of three fine children, married to one and only one red-headed woman for 27 years, serving in two world wars, and managing to accumulate enough of the worldly goods, as a citizen of Florida, to pay-as-you-go—is greatness.

My tour of duty in government, aside from that of a soldier and bluejacket, consists of nearly five of the longest months of my life. Thus far I do not have ulcers—that takes, so they say, 6 months; but I confess I am one of the many victims of Washingtonitis which I understand is an abnormal accumulation of hot air crying out in the language of Patrick Henry "Give me liberty or give me death."

So please, I beg of you, be patient as I proceed in the role of General Counsel of the Economic Stabilization Agency to discuss those popular subjects: higher taxes, more restricted credit, a tighter lid on industrial, commercial and agricultural prices, a severe ban on wage increases, and, in short, a series of sacrifices by every member of the American community.

In the distant land called Florida, I have lived not only in the sunshine of that glorious state, but in a climate of individual freedom and resistance to the centralization of power. I have heard it said that we Floridians are not more than a century behind you in most things, except popularity contests. However, I wonder what kind of a popularity contest I could win on the job at hand. I pray for courage, for I do not conceive it to be one of our functions to seek popularity. Many times I have heard the Administrator, Mr. Eric Johnston, say to his staff "Our job is to stabilize the American economy—and NOW—so that our nation will be prepared to withstand any and all external attacks on the democratic way of life—come what may."

Your question: "Can we stabilize Today's Economy?" is answerable by two short, but *very important* words: the first is "yes;" the second is "if." *Yes*, we can succeed, *if* we are able to overcome unprecedented obstacles occasioned by a period unparalleled in the history of America. I know we *can* do so; I firmly believe that we *will* do so.

Although I have been warned not to go far afield of the subject assigned, it is essential to state some of the problems which confront us foremost, everything must give way to the defense production effort. And, we are told that defense production and defense demand will be on the incline for at least two years. The full extent of the defense demand is not publicly known; but, we do know that by the end of the present calendar year about one-third of many of America's basic materials will be channeled to the expanding defense program.

Despite the personal feelings which you and others may entertain on the question of present necessity for stabilization, almost all will agree that the problems are more difficult now than in 1940, because, then, there were idle plants, idle manpower and materials which were readily available to the defense effort. However, since our present economy has been running full blast, the defense program must draw men and materials, as well as plants, away from existing peacetime uses and normal peacetime production.

As a consequence, inflationary pressures will mount with indescribable intensity. And, unless such pressures are met head on, production will be stifled—public confidence, the value of the dollar, the value of savings will all be impaired, and an intolerable burden imposed upon fixed income groups.

By the enactment of the Defense Production Act of 1950, which became a law of the land on September 8 of that year, and by the issuance of Executive Order 10161 on the following day, the Congress and the President declared war on inflation. To successfully carry on the campaign, we have already discovered many internal enemies. Perhaps the most serious one now confronting us is a *psychological barrier* to the stabilization program. In effect, I mean that the American people are not ready to freely accept controls, and we cannot succeed unless we have the support of the American people—not merely passive acquiescence but active cooperation. To obtain the necessary active support, under a half-war, half-peace environment is new to Americans and thus made very difficult.

It is my firm belief that today's inflation is primarily the result of a scarce philosophy that overcame the American public at and after the outbreak of the Korean war, and certainly after the Red-Chinese crossed the Yalu river, in force, on November 27. Since June, 1950, the cost of living index has risen some 8 percent; the cost of war materials has increased at an even greater rate. These increases can be attributed in large part to the fact that following June 25 of last year, there were heavy consumer purchases for fear of future shortages, there was destruction of savings by both business and the consumer in order to purchase goods in anticipation of price rises, there was hoarding, speculation, price boosts in anticipation of price ceilings, and just plain profiteering. The cost to the American people has been staggering. And yet all this psychological pressure was exerted before any genuine economic pressures set in. The Director of Defense Mobilization, Mr. Wilson, in his report of April 2, 1951, states: "Production of most consumer items during the first quarter of 1951 actually exceeded production during the same period of 1950." Now, mind you, as of this time, only seven percent of our national production was devoted to defense materials. By the middle of 1952 almost three times this percentage will be so used. A conservative estimate by the Joint Economic Committee of Congress indicates that as of the middle of 1952, there will have built up an excess of consumer purchasing power over available consumer goods of some 16.3 billions of dollars. Just picture the problem if the economic pressures make themselves fully felt before the psychological pressures are removed.

The converse of the scare buying is the pollyanna-ish response of the public to small bits of good news. If controls are to be effective this attitude is as much a threat as the one already described. An example is at hand. On April 1, 1951, one section of an eastern newspaper revealed that prices received by farmers had risen 26 percent since June 1950, while farm costs had increased by less than 10 percent during the same period. On that same day, another section of the same newspaper contained the following headline: "Farm Price Dip of Nearly 1% as Costs Rise Seen Easing the Demands for Sharp Curbs." The reaction of the financial and commodity markets to the news from Korea affords another example.

So long as the American public thus views the stabilization program as a day-to-day, week-to-week, month-to-month job, and does not recognize that it is a long-term undertaking which will exist so long as civilian goods production is not sufficient for civilian goods demand, the program is in jeopardy. We have recently observed and I predict that we will see, in the very near future, a decline in most retail prices. If I am correct, the decline will be due in part to the pressures exerted by tightening credit on the holders of inventory thus forcing goods onto the market, in part of temporary cutbacks on military orders, and in part to the fact that the fear psychology is wearing off to a degree and consumers—individual and commercial—may start living on their accumulated supply rather than buying more.

If the public assumes this price decline as a demonstration that controls are no longer needed—that inflation is licked, it will be

deluding itself at a fabulously high cost. Because, the ratio of consumer goods to demand is bound to grow smaller and smaller and, the inventory liquidation will be a very short term break in the inflationary pressures.

Still another psychological barrier is the "Let George do it" attitude that has been adopted by vital segments of our economy. To illustrate: Labor says it will accept limitations on wages, but not until prices have been effectively brought under control. Business and management will accept price controls, but not until it is first assured that wage increases have been eliminated. The farmer indicates that he will accept price limitations on his products, but not until the other segments of our economy have been stabilized.

I can understand this attitude, because each factor in our economy must receive equal treatment, but, the circle and the upsurging spiral must be broken. To achieve this end, many will be hurt perhaps, but only temporarily, and the alternatives would be disastrous to those who protest.

Undoubtedly, our greatest difficulty at present is the failure of many people to comprehend or accept the fact that we are truly at war.

Were we in a widespread "shooting war" as in 1942, controls would be accepted and sacrifices made. I am sure of that. The problem today is that the American people are not sufficiently aware of the threat to American democracy from the "small shooting war" in Korea and an even more serious "cold war" all over the world.

The repercussions of these psychological problems are twofold. First, we all know that we cannot successfully impose controls on a people who do not understand the necessity for them. The so-called "noble experiment" of the Eighteenth Amendment provides a painful example of such a fatal error. Second, the existence of a stabilization program depends on the support of Congress and that support may not be forthcoming if the people indicate to the Congress their unwillingness to cooperate with the most necessary limitations on their right to increased prices, profits and wages and unlimited discretion and freedom in spending their income.

It is the duty of all of us personally to undertake our share of the burden of this problem. As Mr. George A. Sloan said in a recent speech:

"If you want any substantiation of this, study the inflation experiences in Germany, in China, in France, in Italy. The after-effects of inflation in Germany helped in producing Hitler; it gave China Mao Tse-tung; to Italy Mussolini and to France an unhappy parade of cabinets that require a score card to keep track of. But more than this, inflation destroyed confidence everywhere in these countries. And even here in America, it has and is steadily undermining the confidence of our people.

"Inflation is Stalin's best ally. Next to Soviet imperialism this is the most difficult problem facing America and our friends abroad."

Insofar as hoarding, speculation and profiteering continue to enervate the stabilization program, the answer may have to come through inventory controls, increased margin, requirements, and consumer rationing and the like. None of these is pleasant to contemplate; they will not be necessary unless the people of this country place their own comforts above the safety of the nation and refuse to accept responsibility for membership in the American community.

Assuming that the people are ready and willing to enlist in the campaign against inflation, what are the measures necessary, first, to remove the pressures of excess purchasing power, and, second, at the same time to assure that each segment of the public shares equitably in the consumer goods which are available.

As Mr. Wilson stated in his first quarterly report, there are two methods for combating inflation:

"1. To get demand and supply in better balance.

"2. To prevent the normal effects of an unbalanced demand and supply situation by regulating prices and wages."

Of course, the most desirable way to bring civilian demand and supply into better balance would be to increase production of civilian goods. And every effort is being made and will continue to be made toward that end. But, if a substantial increase in civilian production is not adequate at all times the blame must be placed where it belongs, on Mr. Stalin and the Politburo.

Even though we will greatly increase our civilian production during the next two years, the problem of inflation will remain with us. So long as twenty percent of our goods and services are to be devoted to defense—as called for by current plans—we will be placing into the economy twenty percent of the buying power which cannot be used for civilian goods. That additional income over and above civilian production will always remain an inflationary threat, which must be met by one or more of the authorized means of control.

Since increased production alone will not lick inflation at the time, the answer must lie in a means of cutting down demand. The principal methods are taxation, credit curbs, and increased savings. These must be used immediately to drain off over sixteen billion dollars worth of purchasing power from the American community.

TAXATION

Let's look first at taxation.

Every March 15th takes two years off my life, and it is only the most painful and inescapable logic that has made me an advocate of higher taxes. But I am fully convinced that the economic health of the Nation necessitates tax increases. Increased taxes present this apparent dilemma: Taxes must be high enough to permit the Government to pay for the defense program as we go along; they must also dry up a substantial part of the excess purchasing power. But they must not be so high as to destroy the initiative for increased production.

The Treasury has proposed a plan to raise taxes by some ten billion dollars. In essence the Treasury proposal will mean an 8 percent rise in corporation incomes taxes, a 4 percent increase in individual income taxes and an additional $3 billion in excise taxes secured primarily by increased rates.

Increased corporate taxes are necessary both for revenue and as a matter of equity. Heavy purchases by corporations are as inflationary as purchases by individuals, and large dividends are thrown into the civilian market by their receipients. They also cause inflated security values. Further, the public will not accept higher individual taxes, nor wage earners ceiling on their earnings, while corporate profits remain at unprecedented levels.

The shouts of pain from corporate officials about such tax increases will have to be taken with a grain of salt. In spite of the high taxes of 1950, corporate net profits fared very well. To illustrate: It was announced on April 3, 1951 that, A Manufacturing Co. Sees 1951 Net at New High—B Steel Reports for 1950 Record Net of $10.53 a Share—C Food Company 1950 Net Sets New High at $9.07 a Share—D oil 1950 Net Rose to $2.97 a Share from $1.77 in 1949—E Airlines' Net in 1950 Equaled $2.19 a Share for New High—X Railroad 1950 Net Rose to $4.49 a Share from $2.42 in 1949. I think no comment is necessary on these figures—for all of you see them almost every day.

Individual income taxes are to be increased uniformly by 4 percent. The C.I.O. complains that this is contrary to our tax philosophy of paying taxes according to ability to pay. Admittedly, the impact will be most heavily felt by the lower and middle income tax paying groups. This is necessary for two reasons: First, because there is not much room left for increases at the upper levels and any additional tax returns would be very small. Second, and more important, the inflationary pressures come from the lower and middle income tax paying groups and the tax must meet inflation at this level.

Another suggested excise tax is a 1% tax on loans to be paid by the borrower. The merit of such a tax lies in discouraging the expansion of credit in our economy as well as for the large financial return to the Government, draining off purchasing power at the very place where it is being used.

Another tax suggestion finds sponsorship from both business and labor—that the Federal tax exemption now granted on interest payments by state and municipalities on bonds be eliminated. The existing tax exemption enables state and local governments to borrow and spend money today for purposes and activities which are questionable—as necessities. Money spent by government—whether federal, state or local—exerts just as much inflationary pressure as that spent by business or the consumer.

Finally, I subscribe to the proposals of the Committee for Economic Development that "all possibilities of reducing tax avoidance and tightening up tax enforcement should be thoroughly explored. One step in this direction would be a requirement for withholding part of the individual income tax on dividends at the source."

CREDIT RESTRICTIONS

Let me say just a word about the second weapon in the arsenal of fiscal policy—the use of credit restrictions. Probably the most effective steps yet taken to curb inflation have been by this means.

In September of 1950, the Federal Reserve Board issued Regulation "W" which increased the down payment required for purchases of durable consumer goods and cut down the period of time for payment. As a result, consumer credit was decreased by $287 million in January and an additional $392 million in February.

The Federal Reserve Board adopted a similar policy on the purchase of homes by increasing down payments and requiring tighter mortgage terms. Credit terms on commercial construction were also stiffened.

Probably of wider effect in cutting down credit was the raising of the rediscount rate from 1½% to 1¾% and raising the reserve requirements of the member banks. The increased margin requirement of 75% instead of 50% was principally a preventive measure. And finally, in March, after vigorous efforts, the FRB succeeded in withdrawing support from the Government bond market, thus decreasing the available bank credit throughout the country.

In addition, the Federal Reserve Board and private financial institutions have set up tougher standards for borrowers. The cooperation of private lending institutions has been most successful, and is an example of what can be accomplished by voluntary action in the anti-inflation campaign.

The Federal Reserve Board has the necessary power to cut back much of the available credit. Thus far it has sponsored a policy of realistically fighting inflationary trends and it is to be anticipated that it will continue this program. Assuming that the same approach will be taken by Government lending institutions—though such a policy has not yet been manifested—we will win the battle on this front.

SAVINGS

Savings is the third element of fiscal control necessary to win the battle against inflation. The importance of savings cannot

be over-estimated, both to decrease inflationary pressures now and to provide a cushion against deflation should that time ever come. Unfortunately, we are not saving out of current income, and, in fact, are rapidly consuming past savings and throwing additional dollars into the consumer market. As a single example, the excess of redemption of savings bonds is running at the rate of $1 billion per year—a billion dollars that will either have to be removed by taxes and credit controls or result in increased prices. And there are now outstanding some $50 billion, par value of series E, F, and G bonds which are payable on demand. This explosive element alone could blast our economy to Kingdom come.

If the Government is to get cooperation by the public in a savings program, the Government must set an example. Every effort must be made by *defense agencies* as well as non-defense agencies to cut down. Several plans have been suggested. For example, the Committee on Federal Tax Policy and the Committee for Economic Development have each suggested ways of economizing under the federal budget. The former states that $8¼ billion might be saved; the latter more realistically suggests a savings of from $3 billion to $6 billion. Here again, however, the same people who shout for economy in government shout even louder when that economy cuts down on government benefits of their own. Did you ever hear of a Government official favoring economy which would cut his budget? Yet anyone who has ever served in the Government, whether in civilian or military capacity, knows that there is waste and unnecessary spending which should be eliminated.

Another step is to stimulate greatly increased purchases of government savings bonds. I am one who believes, however, that there must be more incentive than Government urging to encourage people to invest in savings bonds. Such a program must demonstrate that savings through the acquisition of government bonds is a good solid investment which will not disappear in the future.

Can taxation, credit controls and savings stop inflation without price and wage controls? My economist friends tell me that the answer to that question depends upon whether you belong to the "equilibrium" or "disequilibrium" school of thought. My short period with the Government has taught me that economists use just as much gobbledygook as lawyers. In any event, there is no need to answer that question now, for full fiscal controls have not yet been put into effect and, when such a day arrives, it will be time enough to determine whether it will be necessary to continue anything but very selective wage and price controls.

At this moment, however, price and wage controls are a very necessary element in the campaign against inflation. As Eric Johnston recently stated, we have not met with the best of success in this field so far, due in part to problems of organization, and in part to experimenting with the new problem of peacetime controls. But the time has come to correct past errors and issue really effective price-wage controls.

At the very heart of any price-wage policy must be a basis for fixing and holding a line of prices. For if prices ooze out from under controls, it will be impossible in a non-war economy to keep a lid on wages and the destructive spiral will be on its way upward once more. Following the general price freeze of January 26 last, there have been issued a series of price regulations which, for the most part, were necessary to adjust the inequities resulting from arbitrarily fixing business relationships during the base period. As a result, prices in general have been moving slightly upward.

Of necessity, the date of the general freeze was arbitrarily chosen. But since controls were put into effect at that time, it has become a base date for future action. The first of the principles of a price policy is that there shall not be, except in extraordinary cases, any price increases over the general freeze date price. Should the seller be faced with increased costs, he will be required to absorb the increased costs at least to the extent that he can fairly be called on to do so.

This policy alone is not sufficient, however, for in the period between June 1950 and January 25, 1951, many sellers had taken advantage of the war hysteria, the buying panic and the opportunity to profiteer. Such increases in prices over the level for the month preceding Korea which are extraordinary and unwarranted must and shall be rolled back. Otherwise, the profiteer would benefit from his actions at the expense of businessmen who followed decent standards. Of course, increases of hardships or inequities, or where there are other compelling reasons of public policy, relief will be readily granted.

As soon as ceilings have been established effective by a compliance program which has under these principles, they must be made two goals: one shall be the education of both the seller and buyer as to the ceilings established; the second shall be punishment for those who willfully violate the price ceilings. There are sufficient civil and criminal sanctions provided in the Defense Production Act to make violations not only unpopular but unprofitable.

Basic to a wage policy, as it is to a price policy, shall be an attempt to maintain wages, salaries and other forms of compensation at the level reached on January 25—the freeze date.

Insofar as prices have continued upward and are allowed to remain above the prices of January 25, it will be necessary to permit wages to exceed the January ceilings. And insofar as it can be demonstrated that the so-called fringe benefits sought by labor do not add to the inflationary pressures, such benefits may be sought. Health, welfare and pension plans may very well assist in the savings program, rather than add to the money in competition for consumer goods.

With the lid on inflation through price and wage controls, and the pressure being reduced by fiscal controls, the inflationary evil can successfully be controlled.

The Congress is about to consider whether the Defense Production Act needs to be amended in order to give to the defense agencies sufficient tools to do the job. It would be presumptuous to suggest what Congress should do. But I will point out just a few of the big questions that will come before them.

First is the question of rent control over both housing and commercial properties. Rent represents one of the biggest items in the household budget as well as in the businessman's budget. If the family income is limited by wage ceilings and a limit placed over prices to be charged by businessmen, should the rent item be permitted to eat into family or commerical income? If there were no shortages of housing—especially in highly industrialized areas—and if there were no shortages of commercial space, no rent control would be necessary. But these shortages still exist. And the shortages are likely to increase rather than decrease as a result of shortages of critical materials.

Secondly, there is the difficult problem of the parity floor under prices for agricultural products. In the law as it now stands, ceiling prices cannot be lower than parity, and parity still permits many price increases leading to a rising cost of living, which in turn might justify wage increases. As a farmer myself—I raise the best citrus fruit in the world in my Florida groves—I have a selfish interest in keeping the present parity limitation. But there might be some difficulty in maintaining effective price control with a floating parity limiting the prices that can be set on important cost-of-living items.

A related question is whether subsidies should be permitted to relieve extraordinary stresses and strains in the supply of agricultural commodities. No one likes to advocate subsidies, although the Government has been granting them in some fields for many years. But when price controls are imposed, subsidies may be the only alternative to rationing and black markets where demand far exceeds supply, as might be the case with meat. Or subsidies might be the only alternative to passing on to consumers an extortionately high price in foreign markets, which multiplies in effect as the goods pass through the distributors.

These are but a few of the problems of controls still unanswered. In the meantime, the program must advance with the tools at hand, for there will always be some problems that remain unanswered among the complexities of imposing controls upon the free economy of this nation.

CONCLUSIONS

I have talked to you of the unpleasant methods which are necessary to secure economic stability. I have talked to you of sacrifices. I have talked to you of the enormous price, in absolute terms, that we have to pay in our fight for peace. But you must keep in mind, too, the things we secure by these efforts. Peace and prosperity are expensive items, but their alternatives come far higher.

In response to your question then, I quote Mr. Wilson: "With the fullest degree of drive and unity, we can do this job by 1953. By that date our readiness to enter upon total mobilization should be sufficient; and production, in addition to meeting current military needs, should support a civilian economy at or above pre-Korean levels."

In the interim we will not be suffering any pangs of austerity. Civilian consumption will still be far greater, perhaps 25 percent greater, than in 1940. By comparison with the standards of living anywhere else in the world, ours can only be described as luxurious. It will remain so only if we defeat inflation.

I earnestly beseech your aid and assistance to successfully secure this country from the physical ravages of war and the economic ravages of inflation. If we succeed, we can keep America really free—free to criticize—free to think—free to change, and at the same time free to survive. That is sufficient reward for any effort required of us.

A PEN IN THE SERVICE OF LIBERTY

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

Mr. PEPPER. Mr. Speaker, the very successful Spanish-language daily newspaper in my district, Diario Las Americas, recently published a tribute to an outstanding Washington newspaperwoman who has a special understanding of and concern for all of the peoples of the Western Hemisphere. I call the attention of my colleagues to this article by Uva A. Clavijo, which appeared under the title "Virginia Prewett, A Pen in the Service of Liberty," on October 1, 1971:

VIRGINIA PREWETT, A PEN IN THE SERVICE OF LIBERTY

(By Uva A. Clavijo)

In today's newspaper in a little two line filler that appears in one of the inside pages, I read that 17 persons arrived from Cuba in a boat including 6 children who were given ice cream popsicles.

Ice cream popsicles when they come asking for liberty! How much tragedy, suffering, and history those 17 people must have and how

easy it is to reduce it to two sentences devoid of feeling! This is the way the American press frequently treats the case of Cuba. We could bitterly lament how often the history of our country has been misrepresented—intentionally or not—, but we have also observed that among newspaper people we have had those who have defended our cause as if it were their own. Among them, Virginia Prewett has especially distinguished herself. Two recent articles, one last week in reply to the insipid proposal of Senator Fulbright to the effect that the United States should resume relations with Cuba, and another today, regarding Soviet bases in Cuba, are indisputable proof that Virginia Prewett does not accept our cause as lost.

Virginia Prewett stands out in the newspaper world as the only woman in the City of Washington who writes regularly on politics. Since 1959, when the column first appeared, hers is the only one to be published regularly on the subject of Latin America. But Virginia Prewett excells in the humanitarian field as well as in the newspaper field. She has always been known to attack all dictatorships, be they to the right or to the left, and to defend noble and just causes. Her belief in human rights, in systems of government based on democracy and equality for all, on socio-economic reforms that achieve a more equitable distribution of goods, is genuine, and as such, more pragmatic than idealistic. Virginia Prewett is aware that in fighting communism in the neighboring nations to the south, she is also defending the future of her own Country.

Born in Gordonsville, Tennessee, a town founded by her Scottish ancestors, Virginia pursued her studies in Cumberland University and New York University. After a brief apprenticeship with the American newspapers, she went off to Mexico in 1940. There she began to publish in newspapers and magazines and wrote the book "Reportaje sobre Méjico" [A Report on Mexico]. Her trips through South America produced a second book, "The Americas and Tomorrow" and also articles that appeared regularly in "The Washington Post" in 1943 and 44. As correspondent for the Chicago Sun from 1944 to 1947, her column, written from all the corners of the hemisphere, was published in more than 100 newspapers.

In Latin America Virginia Prewett did more than observe. She succeeded in participating. She bought land in Brazil: virgin land, in the heart of the jungle. There she lived for a year and with her machete in her hand and five peasants to help her, she worked the land. The three harvests she had while keeping "Fazenda Chavante" yielded more than corn and rice. In 1953 she published "Beyond the Great Forest". In this book the authoress made reference to human and international relations like "The New Frontier", "La Nueva Frontera" [The New Frontier]. Years later, using the phrase in a similar sense, President Kennedy made it famous.

It was in Argentina that Virginia Prewett met William R. Mizelle, United Press correspondent at that time and later, New York Times correspondent, whom she married in 1949. Mizelle is now President and Executive Director of H.O.A.S.A. (Hemisphere and Organization of American States Association).

Currently, Virginia Prewett travels frequently through Latin America, not only through cities, but also penetrating the continent to its most distant corners.

She knows Spanish perfectly, as well as French and Portuguese. But this American newspaper woman who handles the machete in the jungle as skillfully as a pen on paper, knows more than our languages. She knows our rich virgin soil. She knows our children, too often hungry for a better future. She knows our anxieties, our pride, our nationalistic sentiments. She has drunk sugar-cane liquor and eaten corn griddle cakes. She knows our customs, our defects, our ideals. She likes our painting, the rhythm of our music, which is the pulse beat of our soul. We are not just the object of study for her; we are a people, a people searching for itself and a better tomorrow.

Perhaps because the January cold, the bare trees, the snowy scenery, always tend to depress me and make nostalgia for the tropics all the more acute, last winter, after reading an article by Virginia Prewett on conditions of the political press in Cuba, I could not contain the impulse to write her. In a few lines I expressed my admiration for her newspaper work and as a Cuban woman, my gratitude for her devotion to our cause. Soon I received a call from her, and a few days later my husband and I visited her in her apartment on New Hampshire Avenue and 20th Street in Washington.

The warmth of the apartment struck us, decorated with many typical things from our countries. Virginia's study struck us, where the characteristic disorder reigned that surrounds all artists. We were taken with her husband, Mr. Mizelle, who speaks Spanish like an Argentinian . . . and shares our political ideology. We were taken with Virginia, no longer merely a newspaper woman and writer, but also a cordial personality.

Then it is not surprising that before leaving, it seemed as if we were taking leave of old friends. Something similar must have occurred to them since Virginia said to us: "You know, the same thing always happens when I am depressed, or the work load is heavy, some Cuban shows up, with this natural affection you have, and gives me strength and motivation to carry on."

Carry on, Virginia Prewett, carry on tirelessly in your fight for truth. Defend liberty and human rights. Fight with your skilled pen all that oppresses the liberty of man.

You have been our lawyer and friend in the difficult years of our exile. In the Cuba of tomorrow—because there will be such a Cuba—they will put up a monument to you as a token of our gratitude. In the heart of every Cuban, the monument already exists.

HYMIE MARKS' DEATH RECALLS KEY WEST OF BYGONE YEARS

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

Mr. PEPPER. Mr. Speaker, when a good man dies there is a great loss not only for his family and friends, but for innumerable other people. Recently a great and good man who left a distinguished and devoted family and an honored memory and innumerable friendships passed away in Miami. He was Herman—popularly known as Hymie—Marks. Hymie Marks' career is a typical American success story. He was born in Rumania and came with his family to Key West in 1892. He made a business success, but more importantly he made countless friends. He reared a family, the members of which have honored their State and country. Everywhere Hymie Marks went he cast a glow of warmth, of heart, kindness, helpfulness, and friendship. Such a man has left a better world behind him. I join in honoring his memory and his family. Mr. Speaker, I include a very fine article about Mr. Marks, appearing in the Key West Citizen of October 28, in the RECORD following my remarks:

HYMIE MARKS' DEATH RECALLS KEY WEST OF BYGONE YEARS

Herman (Hymie Markovitz) Marks, 88, died Wednesday morning in Cedars of Lebanon in Miami after a long illness.

Born in Jassi, Rumania, Dec. 19, 1882, he arrived in Key West with his mother and two brothers, Charles and Phillip, in 1892.

They joined here the husband and father, Jacob Markovitz, who came to Kew West in 1890. This family name (which means son of Mark) was to be changed in later years by Herman and members of his family to Marks.

Herman's father had a cattle ranch in Rumania and when about to be drafted in the Army for another war with Bulgaria sneaked out of the country at night. He made his way to New York and later to Key West.

He peddled scarves, clothing, etc., on city streets and saved enough to send for his family to come to Key West. He eventually opened a dry goods store and later a grocery store at Angela and Duval Streets.

About 1900, Herman opened his own grocery store at the corner of Greene and Duval Streets where the Le Mistral restaurant is today. From the day he opened its doors the place was known as "Hymies."

The elite families of Key West depended on Hymie for their celery, lettuce, strawberries, pears and apples.

Sales, however, as far as fresh vegetables and fruits to Key Westers were not enough to provide a living for Hymie and his family. He negotiated a contract to supply all Naval vessels visiting this port as well as the Naval Station, Marine Barracks and Marine Hospital with their fresh vegetables and fruits.

His sons the late Max, well known as a baseball player, and Paul, a practicing attorney of Miami and president of the Flagler Federal Savings and Loan Association of Miami, would help in the store after school and during vacation times.

Deliveries were first made by a horse-drawn truck owned and driven by Ivan Elwood, who later was to become Chief of Police. After Elwood joined the police force a picturesque character by the name of Bill Fagin made the deliveries.

Around the turn of the century the corner of Duval and Greene was a busy one. Wolkowsky's Men's shop was on one corner. Across from Hymie's where Sloppy Joe's is now was the Victoria Restaurant and Wolfe's Smoke Shop was directly in back of Hymie's on Greene Street. The City Electric System's office was on the other corner.

City Hall officials on their way to Pepe's Coffee Shop, next to Hymie's on Duval Street, would drop in to Hymie's for a chat and a free fruit. He sometimes would joke and say he could have been a millionaire if he could have collected for all the free fruit politicians and friends would pick up and eat while talking to him, or strolling by.

A close friend of Hymie's the late T. T. Thompson, one-time part owner of The Citizen, was one of the culprit's who would remove a strawberry, or cherry and thereby ruin the box display.

One day Hymie put some hot pepper on the top layer of strawberries in one of the boxes. "TT," as he was known, picked up one of the strawberries and plunked it into his mouth. He never again took a fruit from Hymie's.

A friend, the late Harry Gwynn, who operated a meat market, one month entered a bid with the Navy for fruits and vegetables as well as groceries and meats. The next month Hymie bid all items at cost to him. This resulted in a closer friendship between the two, and Gwynn never again bid on vegetables and fruit.

After the Navy ceased operation here, Hymie moved to Miami in 1925. He went broke in 1926 after the boom busted and a hurricane did considerable damage to that area. He started all over in the grocery business and did well for himself.

In 1904, Hymie married Peppi Rosenthal. The ceremony took place on the second floor of the building now occupied by the West Key Bar. They moved into a frame dwelling which stood where the main office of The Citizen office is today.

Hymie as well as his sons, Maxie and Paul, and daughters, Rose and Evelyn, never could shake the sand from their shoes. Evelyn, who died in 1965, and Rose both attended the Convent of Mary Immaculate, and Paul graduated Key West High School in 1925. Later Paul was to serve as attorney for the Overseas Road and Toll Bridge District.

When Hymie's father died, The Citizen head over the obituary said: "End of an Era." The passing of Hymie, or Herman as he was known in Miami, is the end of another era—a beloved old time Key Wester, who was part of the political and fun life of Key West back in the early years of this century.

Funeral services will be held at 2 p.m. Friday at Riverside Memorial Chapel, Alton Road, Miami Beach. Burial will be in Graceland Cemetery.

THE DREW PEARSON FOUNDATION AWARD

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

Mr. PEPPER. Mr. Speaker, at the National Press Club on December 13, which would have been the 74th birthday of Drew Pearson, the Drew Pearson Foundation Award for the Best Investigative Reporting of the Year was given to Mr. Neil Sheehan of the New York Times, for his reporting of the Pentagon papers. This was a momentous event in publishing history and led to one of the critical legal controversies of our Nation's history.

It will be recalled that the Department of Justice for the first time in the history of the United States attempted to enjoin the prepublication of material which the New York Times and other publications had determined to publish. Hearings were held in the U.S. District Courts and in Courts of Appeal of this country and finally the authoritative decision against such prepublication injunction was rendered by the Supreme Court of the United States.

It took courage and dedication on the part of a reporter to take the primary responsibility of reporting to his fellow citizens the Pentagon papers, which were assembled by representatives of the Department of Defense by the direction of the Secretary of Defense as to how the United States got into the Vietnam war. It took courage and dedication to a publisher's high duty for the New York Times and other newspapers to publish the material which the Government of the United States was attempting to prevent their publishing.

We all now agree that such publication was in the public interest, not inimical to the Nation's well-being. So again a free press, guarded by the first amendment to the Constitution of the United States, has served the national interest as our forefathers expected it to do and protected it in doing.

The response of Mr. Sheehan to the award reflected the character and the competence of the man who received the award. Such men, such publishers, are among America's heroic great. It is fitting that they be rewarded for such patriotic endeavors.

It is the consensus of all who were privileged to attend this moving ceremony, at which Mrs. Drew Pearson was present and movingly spoke, that this award was in the high tradition of dedicated, investigative reporting of which Drew Pearson was long the acknowledged master in our country. So it was gratifying to see the fearless and gallant spirit of Drew Pearson living in others who carry on the great tradition of fearless, dedicated investigative reporting after him.

Mr. Speaker, I am privileged to offer my colleagues and my fellow countrymen Mr. Neil Sheehan's address in response to the Drew Pearson Foundation Award, and that it be incorporated in the RECORD immediately following my remarks:

SPEECH FOR PEARSON AWARD CEREMONY, DECEMBER 13, 1971

Ours is not the highest of callings. We do not serve humanity with the selflessness of the priest or the life-saving gift of the physician. We frequently do evil. We publish falsehood, our own and that of others. We bring pain and embarrassment to those who are named in our often erroneous accounts of events. In his decision in June of 1971 upholding our right to publish the Pentagon Papers, Judge Murray Gurfein of New York spoke of "a cantankerous press, an obstinate press, a ubiquitous press." These are not pleasant words and I suspect that Judge Gurfein did not mean them to be entirely complimentary. Yet I choose to regard them as one of the finest compliments that can be paid free journalists. For those words imply that, whatever our faults, we seek, when we can, to do our duty as we see that duty to the best of our ability. Those words imply that whatever evil we do, we do a greater good. Drew Pearson was such a newspaperman—a cantankerous journalist, an obstinate journalist, a ubiquitous journalist. This award in his name therefore has special meaning to those of us who attempt to live by the same code that he did.

It is said these days that this code should be practiced at the pleasure of those in authority. We are told that in writing the First Amendment, that "Congress shall make no law . . . abridging the freedom of speech, or of the press," the Founding Fathers meant to give us a mere privilege to report and publish, a license that can be revoked or restricted when those who govern us see fit to revoke or restrict it for what they believe to the greater good of the nation. Those who hold this view will learn that journalists who take their work seriously will reject it, regardless of the personal consequences. The Founding Fathers did not give a privilege, a license that is held at the convenience of government. Rather, in writing the First Amendment, they imposed upon us a duty, a responsibility to assert the right of the American people to know the truth and to hold those who govern them to account. In the pursuit of this responsibility some of our colleagues, a number of them my friends, have given their lives in Vietnam. No one intimidated them and no one is going to intimidate us. When *The New York Times* printed the Pentagon Papers my publisher and my editors also sought to do that duty, to fulfill that responsibility. I can take great pride in this award today, not just because of my own contribution to the publication of these documents, whatever that may have been, but because in honoring me the Drew Pearson Foundation honors my newspaper and all of my colleagues who work for *The Times* for seeking to live up to the ideals of our craft. And I accept this award in their honor.

Some would have us believe that in publishing the Pentagon Papers we committed theft and treason. Words like theft and treason have a certain tiny ring in courtrooms and from political platforms. I believe that in publishing this history of the Vietnam war we gave to the American people, who had given to those who governed us 45,000 of their sons and $100 billion of their treasure, a small accounting of a debt that can never be repaid. But if to report now be called theft, and if to publish now be called treason, then so be it. Let God give us the courage to commit more of the same. Thank you very much, Mrs. Pearson.

CUTTING COSTLY REDTAPE IMPEDING WORLD TRADE

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

Mr. GIBBONS. Mr. Speaker, I am a stanch believer in the benefits that accrue to consumers and producers alike when we increase trade, and believe that we should remove every impediment that tends to decrease or hinder our international trade. In recent weeks, I have taken out special orders to discuss the benefits of world trade, and the costs and dangers involved in pursuing restrictive trade policies. I have spoken on the U.S. stake in world trade and continued international cooperation.

It was not until recently that I learned of a serious paperwork impediment to world trade—and that is the tremendous amount of redtape that is involved in complying with regulations in the export and import business. Apart from tariffs, quotas, preference systems, or other nontariff barriers, the sheer cost of documentation in our import and export trade has proven to be a serious impediment.

Documents for every type of trading transaction are demanded by the Government, by banks, insurance companies, and shipping firms in addition to the regular invoices, orders, and other papers, required by manufacturer, seller, and buyer.

Today more than a 1,000 different customs, credit, insurance and other documents are in use in the United States.

An average overseas shipment requires 360 copies of 46 separate documents.

Our total import and export trade creates 6.5 billion copies a year of 828 million documents.

These documents comprise 7.5 percent of the value of all our import and export shipments. The cost is around $6.5 billion a year.

These devastating statistics are so overpowering that one could scarcely believe them, were they not to be found in a 2-year study undertaken jointly and just released by the U.S. Department of Transportation—DOT—and the National Committee on International Trade Documentation—NCITD—30 East 42d Street, suite 1406, New York City.

The basic question of this study: "Paperwork or Profits?" is whether the paper barrier in international trade is becoming such an encumbrance as to inhibit many firms from participating in foreign trade or in reducing profits to an excessive extent.

Twenty-eight recommendations are proposed for cutting redtape by drastically reducing the documentation and by simplifying procedures.

I am all in favor of reducing the paper barrier in the interest of expanding our

international trade and increasing our profits.

I insert to have printed in the CONGRESSIONAL RECORD the article "Ways To Cut Paperwork Listed," by Arthur E. Baylis, national director of the NCITD, and published by the Journal of Commerce on November 15, 1971.

[From the Journal of Commerce, Nov. 15, 1971]

JOINT INDUSTRY-GOVERNMENT STUDY—WAYS TO CUT PAPERWORK LISTED

(By Arthur E. Baylis)

Be sure to attach a large question mark to any expected profits whenever a lot of paperwork is involved. In international trade, where papers often seem to outweigh the cargo, the paper barrier can be likened to an "iron curtain" both in restraining this trade and in making it unprofitable.

International traders have long recognized the need to reduce paperwork and the procedures and processes that result. But, because of the complexities caused by the many parties involved, age-old habits, geographic separation of the parties, government laws and practices, and the different individual requirements, any progress toward increasing profits by reducing paperworks has been too slow to be recognized.

NEW STUDY POINTS WAY

Now, at last, there may be a better chance to solve the international paperwork problem by fully identifying what it is. Such identification is contained in the results of a two-year research study just completed by the National Committee on International Trade Documentation and the office of facilitation of the United States Department of Transportation (DOT).

The title of this study "Paperwork or Profits?—In International Trade" raises the fundamental question, i.e., do you want paperwork or do you want more profits? Equally important for those companies that have found international trading to be too complex and risky to be attractive, the report aims at offering assistance through simplifying the papers and the procedures that they activate.

The study carefully analyzes 125 types of documents that were involved in the shipments studied. Such an analysis exposes each one of these documents in such a way as to identify each party that participated in the document, the high, the low, and the average dollar and man-hour costs for preparation and processing, and the specific other documents that were inter-related with the one being analyzed.

DROP 85 OF 125

The report concludes with the grouping of documents most frequently used, those less frequently used, and those used for special purposes. In such groupings the study concludes by identifying those documents recommended to be eliminated. These total 85 documents out of the initial 125 and result in total savings of about $1,165, representing the total cost for a single time use of each of the documents classified as being unnecessary.

The report contains 28 specific recommendations, and each are discussed in detail, and are followed by a list that shows the party or parties most responsible for implementing each recommendation. The summary of recommendations is listed in three categories: (1) General, (2) Government, and (3) Industry. In these categories, the summary of recommendations is as follows:

GENERAL

1. Accelerate programs in industry and governments to adopt the U.S. Standard Master format for trade and transportation documentation.

2. Develop a standard transportation commodity description and code system and apply the system to government and commercial international shipments.

3. Provide a designated area within each data block of the U.S. Standard Master and aligned forms for insertion of appropriate standard commodity and other codes.

4. Encourage countries requiring consular invoices to relax their requirements and accept authenticated commercial invoices instead.

5. Eliminate, by mutual consent, requirements for translation of information contained on documents into the language of destination country and agree that the language of the originating country will be accepted by consultates, customs, consignees, banks and other interested parties.

6. Apply the time required for preparation and processing of documents as one criterion in a program designed to simplify and eliminate documents.

7. Encourage exporters, shippers, forwarders and carriers to make wider use of the Department of Commerce's simplified export statistical reports.

8. Use a standard control number to identify documents throughout a transaction.

9. Replace the government bill of lading with the commercial bill of lading which now is aligned with the U.S. Standard Master for International Trade.

10. Review, sponsor and approve all existing, new or revised transport documents on a centrally coordinated basis.

11. Sponsor and encourage programs of statistical exchange between the U.S. and other countries on a bi-lateral basis to reduce documentation and simplify collection of import—export data.

12. Promote inter-government programs to eliminate "counter-documentation" imposed by one country in response to actions taken by another country.

13. Encourage other governments to grant reasonable tolerances between import license and actual shipment data.

14. Simplify, combine, standardize, and align import entry documentation with the U.S. Standard Master for International Trade to reduce the complexity of import documentation.

15. Increase the dollar ceiling for informal entry of merchandise.

16. Examine customs forms, practices and procedures involved in administering drawback to: (a) simplify the method by which applicants can qualify; and, (b) provide for payment of drawback to certified recipients on a current basis.

17. Provide that customs adopt commercially acceptable methods of payments for import duties.

18. Replace all special AID international forms with standard commercial documents.

19. Simplify regulations and procedures for the issuance of export licenses by the Office of Export Control.

20. Continue to align documents with the U.S. Standard Master, and update related procedures.

21. Permit certification statements on the sale or transport documents as substitutes for preparing separate documents.

22. Expand NCITD's role as industry's focal point for evaluating and coordinating new or revised trade and transportation documentation proposals.

23. Review prescribed documents and procedures with those introduced by new international transportation techniques to obtain maximum simplification, standardization and consolidation.

24. Develop compatible automated data processing (ADP) coding systems for data transmissions for international traffic.

25. Consolidate letter of credit documents and related procedures and use credit formalities based on financial criteria rather than on reliance on transportation documents.

26. Provide that financial and insurance interests establish modern documentation standards that will satisfy their requirements without reviewing shipment transport papers and without requiring originals of underlying papers.

27. Authorize using of copies of bills of lading for aircraft, ocean carrier and container outbound and inbound cargo manifests in lieu of separately prepared manifests.

28. Permit the seller, rather than the buyer, to assume major transport and commercial documentation responsibilities.

It may be of interest to describe why, at substantial expense, it was found to be necessary to embark on such a two-year tedium in the first place.

Just as an ailing individual may often be shunted from one specialized doctor to another in the process of diagnosing a physical problem, an international shipment, or a cargo, must pass the inspection and careful diagnosis of many "doctors" before its health, as shown by its safe and accepted delivery, can be assured.

MANY UNKNOWNS

Total human diagnosis is now routine, no matter how many doctors it may take, but international cargo diagnosis, up to now, has never been consolidated, and the total knowledge and expense of all that happens in the international paperwork sphere has never been catalogued.

In the attempt to identify all of the moving parts to any international transaction, each specific action that creates papers or causes them to be processed must be identified and analyzed. It was in an attempt to do this that the study was started. NCITD, representing all types of commercial interests, and the DOT, representing the governmental interests, had a common desire for complete information. This led NCITD and DOT to conduct the study jointly.

Through the employment of field research teams, a large number of individual cases representing specific shipments provided the input data for the study. The input data of the shipments studied was continued until all major world trade markets had been sampled on both U.S. exports as well as imports. This sampling also covered a broad spectrum of the major commodities moving in world trade. The shipment cases sampled included participation by many NCITD member companies as well as those who are not members, and in addition many U.S. government shipments were included.

In each case studied, attempts were made to analyze each piece of paper and its related procedures that resulted from the time an order was received until the shipment was delivered at destination. Such an analysis sought to find answers to such questions as: who prepared and processed the papers; what trade practices or procedures caused the papers to be necessary; what did they accomplish; how many others did they overlap or duplicate; and how much did they cost in dollars and man-hours?

Following such scrutiny of many thousands of papers and processes, the study then sought to consolidate all of the activity and to show how many of the papers and practices could be combined with others or eliminated entirely.

PAPERWORK DETAILED

Some of the startling statistics resulting from the study show that:

A total of 46 different types of firms and government agencies regularly are involved in international trade. . . . As many as 28 of these parties may have participated in a single export shipment.

A total of 125 different types of documents are in regular and special use. . . . The 125 types of documents represent more than 1,000 separate forms. . . . A total of 80 types of documents are in a regular as opposed to 45 in special use.

Average shipments involve 46 separate documents, with an average of more than 360 copies a shipment being employed. . . . U.S. international trade annually creates an estimated 828 million documents and these generate an estimated 6.5 billion copies.

Average export and import shipments, totaled together, required 64 man-hours to prepare and process, with 36½ man-hours needed for an average export shipment and 27½ man-hours for an average import shipment.

Average documentation cost per international shipment amounts to $351.04, $375.77 for exports and $320.58 for imports. . . . On the basis of current shipping volumes, total documentation costs aggregate almost $6.5 billion a year, and represent 7.5 per cent of the value of the total U.S. export and import shipments.

In this publication, "Paperwork or Profits? in International Trade," there appears to be something for everyone that is involved, or who wishes to become involved, in world trade. All of the data contained in the report is based on cases studied and therefore reflects accurately the true picture of what is happening with documents and paperwork procedures today.

Conclusions drawn from the facts developed, like all conclusions, may be subject to differences of opinion. They are not intended to be infallible, but instead have been presented in an effort to stimulate effective action.

Likewise, the resulting 28 recommendations may not be all-inclusive, but are believed to represent the framework around which progress is eliminating and simplifying documents can be made.

The guidelines set up in this new report may indeed provide the keys through which the annual documentation costs of U.S. international trade, now running more than $6.5 billion each year, can be drastically reduced and the procedures so simplified as to afford full advantage of modern systems of data transmission and high speed transportation.

BRIAN'S SONG

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

Mr. ARENDS. Mr. Speaker, I want to call to your attention an extraordinary film that was telecast on November 30 over the American Broadcasting Co. network. The film was "Brian's Song," and it told the true story of two Chicago Bears football players. One was white—Brian Piccolo, a southern boy out of Wake Forest College—the other was black, Gale Sayers from Kansas. While they were rivals for the same position they became the first players of different races to room together. They came to know one another as human beings—as members of the human race.

Two years ago, as their careers and friendship blossomed, Piccolo was tragically struck down by cancer. He died leaving a widow and three young daughters.

The Screen Gems production which told this story of death was, ironically, full of life. It was beautifully written by William Blinn. Its characters were fully-developed people facing real problems, and they were portrayed magnificently by two young actors, James Caan and Billy Dee Williams.

Leonard Goldberg, the vice president in charge of production for Screen Gems, his producer Paul Junger Witt and the director Buzz Kulik, are to be commended for this fine film.

We see and hear so much about hate on television, in dramas as well as in newscasts—it is time a few stories about friendship and love were told, too. Perhaps "Brian's Song" will encourage more young people to realize that there is love and compassion in America, if you seek it.

Screen Gems is to be commended, as is its parent corporation, Columbia Pictures, Inc., for having lavished such tender love and care on what is one of the truly moving television and screen achievements of recent years.

CONTRIBUTIONS OF DAVID PACKARD

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

Mr. SIKES. Mr. Speaker, it is with sincere regret that I take note of the resignation of David Packard as Deputy Secretary of Defense.

In the 3 years he has served in this vital position I have come to know Dave Packard as a dedicated and patriotic American whose every waking moment has been devoted to the strengthening of our Nation.

That he is leaving us now for personal reasons is a severe blow to all of those who have worked with him and have seen in his strength and his great contributions an inspiration for all of us to make the extra effort to keep our Nation free.

In his years as the No. 2 man at the Department of Defense, Dave Packard has left a record of distinguished service. The work he has done enables our Nation to obtain more defense, at less cost, than otherwise would be the case. The Defense Department works better because Dave Packard has worked so hard. The military defense of the United States is in a better positon to face the daily task of keeping us free than it was in the days before Dave Packard gave so fully of himself in the important work entrusted to him.

So, it is with sincere regret that I see Dave Packard leave his desk at Defense. It can truly be said that his service stands as a hallmark and he will be missed in government.

THE FIRST 1,000 DAYS—ONE LEGISLATOR'S VIEWPOINT

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

Mr. ASHBROOK. Mr. Speaker, on April 8, 1957, Senator BARRY GOLDWATER rose on the Senate floor to criticize the spending policies of the Eisenhower administration. At that time, the $71.8 billion budget was the largest peacetime budget in history. In the book, "Portrait of an Arizonan" by Edwin McDowell, he is quoted as saying:

I felt badly about it but it was something I felt I had to do. After all, we Republicans had promised a change from the big-spending policies of the Democrats and we were simply promising more of the same.

There is a concern among many of us today just as Senator GOLDWATER felt and expressed in 1957.

Mr. Speaker, my concern today is even greater. The world is far different from what it was in 1957. Our military superiority has dwindled. Inflation, only warned about then, is a reality. We are virtually on bended knees asking concessions from our erstwhile allies. Yet, the administration today charts a course much different than the change we promised in 1968, even though we promised changes a weary electorate sought.

The evidence to back this contention is extensive and well-nigh irrefutable, and the object of this speech in part will be to set this evidence on the record. At home and abroad, the Nixon administration has continued and even accelerated the drift of national policies to the left in many areas rather than moving the Nation toward a moderate conservatism which supporters of the President in 1968 had been led to expect. The President has made occasional forays to the right and been free with conservative language, but the record overall supports the celebrated dictum of liberal Senator HUGH SCOTT of Pennsylvania:

We get the action, and the conservatives get the rhetoric.

From the President's announcement of a revolutionary welfare program in a conservative-sounding speech to John Mitchell's advice to civil rights leaders to "watch what we do, not what we say," presentation of liberal policies in the verbal trappings of conservatism has become a distinguishing mark of this administration.

It is difficult at this stage to recall the statements the President made about domestic and foreign policy during the 1968 campaign—so abruptly has he departed from so many assertions and so great has been the alteration in political climate as a result of his reversal. Among other things, in 1968, Mr. Nixon said repeatedly that we needed a dispersal of Federal power, demanded restraints on Federal spending, flatly opposed wage and price controls, called for abolition of the Job Corps, attacked the idea of a guaranteed annual income, promised an end to the surtax, and so forth. Given the various nuances and balancing phrases, his domestic presentation was strongly conservative.

In foreign affairs, the story was much the same. Mr. Nixon attacked the idea of defense parity with the Soviets and said America must strive for strategic superiority, opposed credits to nations dealing with North Vietnam, recommended a tightening economic quarantine on Cuba, said Communist China should be neither admitted to the United Nations nor granted American recognition until it proved itself a law-abiding power, and in general assailed the incumbent administration for policies of cold war weakness. His stand on these issues, despite a softening of the old anti-Communist image, was in keeping with his reputation as a knowledgeable opponent of communism and attuned to the concerns of his conservative supporters.

On most of these issues, the President as of 1971 has reversed his stands of 1968. In matters of domestic policy, the most notable feature of President Nixon's performance has been his readiness not merely to continue but to expand upon the social and economic programs of his Democratic predecessors.

During the early phases of his administration, the President attempted marginal restraints on Democratic spending policies and concomitant long-term expansion of the money supply. Even here, however, the effort was half-hearted at best—an attempt to practice economy around the edges while refusing to challenge and, therefore, tacitly sanctioning the revolutionary domestic programs launched by the two previous administrations.

The first 3 years of this administration have produced enormous budgetary deficits which will amount by current estimates to something like $60 billion—a peacetime record for the American Government. Administration brochures boast that we are for the first time spending more money for social welfare than for defense. And, earlier this year, the President himself asserted that—

I am now a Keynesian in economics.

The $229 billion Federal budget and potential $30 billion deficit for this fiscal year are not, it should be stressed, immutable facts of nature which the administration is powerless to change. While spending authorizations must be voted by Congress, the administration has many weapons at its disposal—including its original budget recommendations, its lobbying and liaison activities on the Hill, its influence with Republican Congressmen, and the Presidential veto. With only sporadic exceptions such as the veto of the child development program, these weapons have not been used in behalf of economic conservatism; on many occasions, indeed, they have been thrown into the balance to insure that radical-liberal programs were continued or strengthened.

Thus administration pressures have been deployed to salvage such New Frontier-Great Society programs as OEO, model cities, and other projects which many of my conservative colleagues have pointed out are often little more than fronts for leftward politics.

Also, the President has proposed what only can be termed a radical family assistance plan which could double the number of people on welfare. He has come up with his own variant of "national health insurance"; launched a determined effort to override local zoning and building codes; and proposed an enlargement of Federal aid programs in a variety of fields, including higher education. We are informed that in several of these cases the President himself was indifferent to what happened to such programs—or even mildly opposed to their continuation—but that such administration appointees as Donald Rumsfeld, George Romney, and Daniel Moynihan insisted that the programs be continued and that the President simply acquiesced in these urgings, a passive victim of zealous subordinates. Since the subordinates were there because the President appointed them, however, this explanation does not alter the responsibility for what happened or conceal the fact that the President's campaign pledges on such issues have been flagrantly violated.

The President has capped the performance with his program of peacetime wage and price controls—a scapegoating tactic historically employed by inflationist governments to blame their own malfeasance on private citizens, a policy which he himself had repeatedly denounced on previous occasions. Nothing I am afraid better symbolizes his flight from conservative principle than this basic reversal of policy. The best commentary on the whole program is provided, in fact, by the President's statement of June 17, 1970:

Now, here is what I will not do. I will not take this nation down the road of wage and price controls, however politically expedient that may seem. Controls and rationing may seem like an easy way out, but they are really an easy way in—to more trouble, to the explosion that follows when you try to clamp a lid on a rising head of steam without turning down the fire under the pot. Wage and price controls only postpone a day of reckoning. And in so doing, they rob every American of a very important part of his freedom.

The area of domestic performance in which this administration has represented a clear improvement is in the realm of the "social issues"—law and order, social engineering, permissiveness, and so on. By far the most widely acclaimed of the President's initiatives has been his approach to the Supreme Court. Warren Burger and Harry Blackmun, his first two appointments, appear on the record to date as moderate "social issue" conservatives, and Nixon's more recent appointees, Lewis Powell and William Rehnquist, seem even more so. There is no question that court nominations by a Democrat President would have been far to the left of those selected by President Nixon, and this is an obvious consolation to conservatives. The court is exhibit A in the argument that conservatives should support the President.

Unfortunately, exhibit B is hard to come up with.

For example, while the President has talked against busing, the Justice Department has pressed suits requiring busing and the Department of Health, Education, and Welfare has issued orders requiring school districts to adopt racial balance formulas.

If the President's domestic performance is bad, the foreign policy record, save possibly for Vietnam, is far from what we had a right to expect in 1968. The principal impact of the President's cold war conduct has been to confirm and deepen the illusion of detente—again in direct defiance of his statements across the years and many specific pledges made when running for the Presidency 3 years ago. Considering the fact that his public reputation was made as a tough and knowledgeable anti-Communist, this has been his principal apostasy. And, because it involves the question of our national survival, it is also the most frightening.

Again, there are aspects of the administration's policy with which conservatives have found themselves in agreement—chiefly his refusal to bow to frenetic pressures for an immediate pullout in Vietnam and his limited foray into Cambodia and Laos for the sake of Vietnamization. While the Vietnamization formula seems successful at the present time, one cannot help but wonder how long it will remain viable as the administration begins to conciliate Red China and permits that Communist monolith to enter the power vacuum being created by our rapid withdrawal of forces from Southeast Asia.

The truly disturbing item, however, is the President's apparent belief that he can somehow cut a deal with the rival Communist powers of Red China and Russia as is evidenced by a multitude of actions, including his scheduled summit meetings in Peking and Moscow, and the SALT talks.

Stepping up of the volume of our trade with Communist countries everywhere, including a truck factory for Moscow, presiding over a further deterioration of our nuclear defense arsenal; standing by while Communist China entered the United Nations and Nationalist China was expelled; and in general extending the strategy of conciliation and retreat which constituted the Kennedy-Johnson foreign policy would be some of the actions we cannot possibly defend.

During the 1968 campaign, Mr. Nixon said of the Soviet Union, Communist China, and the Communist nations of Eastern Europe:

I believe, as far as those countries are concerned, the United States should not provide any credits or anything that could be treated as, or classified as, aid to those nations if they persist in trading or aiding the enemy in North Vietnam.

Now, in a $140-million deal with Moscow, his administration is providing food grains to the Soviets at less than the cost of production. On a trip to the U.S.S.R., Commerce Secretary Maurice Stans told Red trade officials:

Restrictions have been reduced greatly in the last year and we are in the constant process of reducing them.

That statement is supported by estimates that U.S. licenses for export of potentially defense-related items to the Soviets increased tenfold in 1971—$1.2 billion compared to $118 million the previous year.

Of particular interest, in view of the President's statement about Soviet bloc aid to North Vietnam, has been the administration's effort to secure construction of a massive truck factory complex by American firms for the Soviets. The Commerce Department has issued a host of licenses for this deal, despite stated objections to such transactions by the Pentagon and despite the fact that, according to an estimate last spring by U.S. News & World Report, the Kremlin is supplying some 350 trucks a month to Hanoi—trucks used to transport the materials of war down the Ho Chi Minh Trail for use in combat against American forces.

While building up its trade with the Communists, this administration continued the Johnson-instituted boycott of

anti-Communist Rhodesia. This policy, allegedly required to keep faith with Britain and adhere to the dictates of the United Nations, had the result of cutting off American access to Rhodesian chrome, a metal necessary to our defenses. The deficiency was supplied by purchasing chrome from the Soviet Union—at vastly inflated prices. The absurdity of the procedure prompted a bipartisan majority in Congress to vote through a commonsense requirement that importation of materials from an anti-Communist nation could not be barred so long as the same materials were imported from a Communist one. Until Congress moved, our administration had done nothing to alter this self-defeating policy.

Add to this the disaster area of our China policy—the master strategem by which the President and his chief foreign policy adviser, Henry Kissinger, managed to exalt Communist China in the councils of the world, acquiesce in Peking's admission to the United Nations, and permit our ally Nationalist China to be ousted. In the wake of this debacle, the administration helped inspire a surge of anger against the world body—anger which was thoroughly justified, but which, from the President's standpoint, had the advantage of diverting public displeasure from himself.

The administration's responsibility is manifest on several counts: The general softening of U.S. policy toward Peking, initiated by the President; the administration's acquiescence in Red China's entry, ignoring all legal questions concerning Peking's inadmissibility; its capitulation on the legal issue of whether the veto power could be used to block Red China's admission; Mr. Nixon's refusal to use our considerable economic leverage to bring the U.N. into line and, finally, the exquisite timing by which Mr. Kissinger was dispatched on yet another prestige-conferring trip to China precisely at the time the U.N. was getting ready for its crucial vote.

These maneuvers have been explained to unhappy conservatives as an example of realpolitik necessary to serve our self-interest. Just how our interests or those of the free world have been served, however, is difficult to determine. On the readings to date, our China policy has undercut the effective anti-Communist forces in Asia—not only the regime of Chiang Kai-shek on Taiwan, but also the anti-Communist Sato government in Japan and in South Korea. The President's strategy has dispirited anti-Communist leaders throughout the Pacific, and given the friends of Communist China enormous impetus. The administration has handed the Communists a monumental victory, gratuitously and with barely a sign of struggle.

If the China debacle has been the President's most specular cold war failure, it may not be the most serious. The most grievious default of the administration has apparently occurred in the realm of defense. Again inspection shows that the White House has made marginal gestures to conservative opinion, but these have been marginal indeed. The substance of his defense policy has been fully in keeping with the liberal approach to matters of defense and, insofar as such things are measurable, to the left of the stance assumed by President Johnson.

Long since abandoned in the administration's defense policy is any mention of "superiority" or strategic "edge." Instead, the talk is of "sufficiency"—a notion difficult to distinguish from the Johnsonian concept of "parity" attacked in 1968. Little if anything has been done to upgrade the condition of our arsenal which, as pointed out in a special study compiled by Dr. William Schneider for the American Conservative Union, represents in its delapidation a clear and present danger to American security.

As Dr. Schneider notes, our Strategic Air Command is the merest shadow of its former self—some 450 long-range bombers compared to 2,200 medium and long-range planes a few years back. There has been a simultaneous slowdown in the development of our missile technology, particularly antimissile defenses.

In the two previous administrations, disarmament theoreticians like Walt Rostow, Jerome Wiesner, and a coterie attached to the Institute for Defense Analysis devised the notion that we must get rid of weapons systems "provocative" to the Communists or "destabilizing" to the cold war balance of terror. The major point of this theory was that we should not try to be more powerful than the Communists, and that anything we could do to avoid the strengthening of our defenses was all to the good. Considered particularly anathema in this conception were manned bombers—first strike weapons and therefore "provocative"—and antimissile defenses, which by protecting our own people from potential destruction would make the Communists uneasy. Far better, from the standpoint of the disarmament buffs, to reassure the Communists by not protecting our own people from potential annihilation—a move which has the added benefit of keeping our population terrorized and therefore receptive to disarmament.

These notions are so close to clinical lunacy that it is hard to believe any administration, even one controlled by liberal Democrats, would predicate a national policy upon them. Still harder to believe, but true nonetheless, is that a supposedly conservative and anti-Communist administration would adopt such ideas and make them the basis for its policy as well. This is clearly indicated by the President's stance on ABM, formulated exactly along the lines of disarmament lobby reasoning. The President in his March 14, 1969, statement announcing replacement of the Johnson Sentinel program with the Safeguard system stressed that we were forsaking population defense and that Safeguard therefore was not "provocative." The point was driven home by former Deputy Secretary of Defense David Packard in an appearance before the Senate Foreign Relations Committee.

Safeguard, Mr. Packard asserted, had nothing to do with population defense. It was planned instead "to emphasize defense of our retaliatory forces. Further, those Safeguard sites planned for initial deployment in ICBM fields defend some of the most sparsely populated portions of the United States." As for protests against multiple-targeted reentry vehicles, Mr. Packard pointed out that—

> The small size of the MIRVed warheads resulted in a lower capability in our forces to destroy Soviet retaliatory forces than could otherwise have been the case.

Moreover, he disclosed, "this administration made a deliberate decision not"—note, not—"to improve the accuracy of our MIRV . . . to what was and is technically possible."

Thus we make certain our population is not protected from enemy attack, while simultaneously insuring that our own weapons cannot inflict too much damage on the enemy. Thus we talk of standing firm against Communist aggression in Asia, while moving to provide the Kremlin with implements required to prosecute that aggression. And thus we speak of peace and international amity while presiding over the admission of the world's principal aggressor into the United Nations.

Spokesmen for the President attempting to explain such matters to distressed conservatives have a fairly stock set of answers, all of which boil down to the assertion that what the President is doing is the best conservatives can expect and they should be well content with the policies we have enumerated.

It is argued that while the President shares conservative concerns on the issues, he is faced with intractable conditions. He must confront, in the first place, a hostile Congress which wants to go much further in the liberal-left direction than does the administration, and the administration's half-measures are intended to prevent even worse things from occurring. In addition, there is the fact that certain things must be done for political reasons even though President Nixon himself may not like them. There is the further fact that the President has to face up to hostile pressure from the media and from marching mobs, and that some of these things must be done to placate these forces. The invariable clincher is that any imaginable alternative to what the President is doing would be infinitely worse, so conservatives should back the President even as he is heading to the left.

On examination, each of these extenuations for the President's policies appears to be mistaken. It is not true, for example, that many of the Chief Executive's leftward initiatives are forced on him by a hostile Congress. On several occasions, indeed, as my colleagues are well aware, there have been indications that Congress was quite willing to take a conservative stand on some issue and representatives of the administration have stepped in to prevent such an outcome.

This is exactly what happened in 1969 when there was considerable sentiment here in Congress for permitting Governors to have effective veto power over poverty projects in their States. Heavy lobbying by Donald Rumsfeld and a resulting cross-over of some Republican votes prevented this reform from occurring. As a result of the administration performance, according to my esteemed colleague from Oregon (Mrs. GREEN):

Congress did not achieve a single change in the . . . program in terms of administration—in terms of structure—in terms of all the abuses that have occurred—and in terms of what I think are outright violations . . . of congressional intent . . . The only change in the bill was to say to OEO, "We will give you an additional $295 million to spend in the way you want to spend it."

Equally to the point, Mr. Nixon has repeatedly failed to use the considerable leverage of his office in other ways. Assuming a continuing tension between the White House and Congress, the obvious course for a President seeking maximum conservative results would be to make vigorous demands—a total end to OEO, deep slashes in Federal spending, a "thick" ABM, and so on. The resulting compromise with the legislature would fall somewhere between the President's view and that of Congress. This administration's course has been quite different—the White House proposes its own variant of liberalism to be matched against the liberalism of Congress, with the resulting compromise being a matter of administrative detail rather than of substance.

The nature of this process has been well stated by the National Observer, which comments that—

Unlike earlier conflicts of ideology in Washington, there is now no fundamental dispute over commitments, only a narrow haggling over techniques. There are artificial liberal positions and less liberal positions, with the pulling and hauling largely between Senate Democrats and the White House, but the conservatives have been foreclosed from debate. Because the liberals have been surprisingly efficient in organizing the loyal opposition, congressional conservatives have no choice but to join in support of the somewhat "less liberal" White House.

The argument that the President must head left for political reasons is even less persuasive. If the things he is doing are what the American people want, and if these are imperative steps for a presidential politician—why did he not campaign on them? Or, conversely, since he campaigned on exactly the opposite premises while his Democrat opponent campaigned on issues approximating the President's current stand, why did not the American people elect the gentleman from Minnesota?

The excuses offered for this administration's performance leave out yet another factor, perhaps the most important of all—the factor of presidential leadership. While on certain matters like taxation and rising prices public attitudes seem relatively stable, on others they are responsive to cues provided by the White House. This is particularly true on foreign policy and defense questions where information levels are low, issues complex, and the whole business remote from the man in the street. On issues such as these, strong presidential advocacy can shape and alter public opinion.

In the case of Red China, to take the obvious instance, there was little or no pressure of public opinion on this administration to pursue a course of appeasement. To the extent that the American people had any settled notions on the issue, they were decidedly the reverse. And, of course, on the defense philosophy professed by the President and outlined in detail by former Deputy Defense Secretary Packard, there would be massive consternation among the American people if they clearly understood that their leaders were leaving them exposed to potential attack in order to "reassure" the Soviets.

The net effect of these observations is to deny the assertion of administration spokesmen who attempt to justify the President's policies to conservatives by saying that the President shares conservative principles and is doing the best he can amidst difficulties to put them into practice. The emerging perception is something different: That, whatever the reason for his performance, and whatever the affirmations of his heart of hearts, he clearly does not share conservative convictions—or what I would call traditional Republican convictions—on a day-to-day operational basis. And for every realistic purpose, that unfortunately is the perception which counts. Feelings the President has which do not issue in public policy are regrettably beside the point.

One sad consequence of the administration's policies has been the effective silencing of all but a small handful of conservative spokesmen in the Congress. I have spoken out often but, unfortunately, I have been joined very few times, particularly on the other side of the Capitol. What many viewed with alarm under President Johnson they now seem willing to point with pride to under a Republican President. This, I fear, is one of the basic reasons why the public places us in such collective low esteem. I still believe it is in the best American tradition to speak out, even when it is in criticism of your own party's actions. I have not and will not retreat from that role, regardless of the consequences.

If a Democratic administration, for example, had proposed the family assistance plan, one could have counted on most Republicans in Congress—and certainly all of the conservatives—to have opposed it solidly, and in combination with the Southern Democrats perhaps to have brought about its defeat. With the same proposal coming from a Republican President, GOP opposition was largely nullified and the measure passed the House with the majority of my Republican colleagues voting in its favor, 93 to 83 to be exact.

What has happened here in the House—and in the other body—has happened on a broader front to the conservative movement. In terms of public debate and articulate leadership, the Nixon administration has nearly decapitated American conservatism. By promoting its own variant of liberal proposals and foreclosing Republican opposition, this administration has gone far to stifle ideological debate. When a Republican President proposes FAP, or a form of national health insurance, or a softening stance toward Communist China, the fundamental point the liberals want to make is removed from the realm of controversy. Since both Democrats and Republicans are suddenly wedded to liberal assumptions, the phenomenon noted by the National Observer emerges: The liberals win the point of principle by default.

This effect is nowhere more apparent than in the silence of conservatism's political leaders. This result, of course, cannot be blamed entirely on the President. Conservative leaders could speak out against his policies if they chose to do so, but they have chosen otherwise. While each has voiced muted disagreement with administration programs here and there, the sum total of this dissent has amounted to very little. My good friend, Senator GOLDWATER, for his part, has not only generally endorsed the President's moves but gone out of his way to criticize rank and file conservatives who speak up in opposition. In a political sense, therefore, this administration has left American conservatives bereft of big-name political leadership. There have been some countervailing efforts here in the House and freshman Senator JAMES BUCKLEY of New York has made a notable effort to speak out on some of the principal issues on which the White House has veered left, but at this point such efforts can hardly overcome the almost unanimous silence of other conservative leaders.

The assumption of the congressional and other leaders who tell conservative rank and filers to support the President appears to be that, by staying close to the administration, withholding criticism, and not breaking party ranks, they can maximize their influence and help steer the White House on a conservative course. While that approach may be useful in getting occasional appointments for political friends, where larger policy questions are concerned it would on the record seem to be almost completely mistaken. With the evidence we have concerning the decisionmaking process in the White House, such an approach amounts indeed to a virtual suicide pact for conservatives.

Two episodes detailed by Rowland Evans and Robert Novak in their new book, "The Nixon Years," give some good insight into the workings of this administration. One concerned the announced White House policy on food stamps which were supposedly to be abandoned under FAP. However, the President's consultant on hunger, Prof. Jean Mayer, threatened to quit the administration unless food stamps were restored; he made similar threats concerning a conference on hunger the administration wanted to avoid. In both cases, the Nixon regime backed down under the threat of Professor Mayer's attack.

A similar story on a larger scale was written at the time of Cambodia-Kent State when the President went on the air with his "tough" line, followed up by describing some student demonstrators as "bums." He then changed course under the onslaught of the marchers and the liberal media. He ended up attempting to "rap" with "the kids" during a dawn foray to the Lincoln Memorial and asserting in a press conference that—

I agree with everything that they are trying to accomplish.

The hard line turned to soft line overnight, only to wander back to hard line again when the immediate pressures

eased. These are, I think, instructive episodes.

They tell us, for one thing, that the do-not-make-waves approach of conservative political leaders is precisely wrong. The President's continued assurance that he will have the support of these leaders, no matter what, makes it certain he will move left to absorb the insistent pressures pounding in from that quarter. Since almost all of the noted conservative leaders have virtually stated they will not jump ship even when the President engages in the most overt liberal initiatives, the President may assume he has the conservatives in his pocket. He is free to move as far left as he wishes in order to placate the liberals. The performance of the conservative leaders is thus, in itself, a major contribution to the leftward drift of the administration.

There is also another curious phenomenon here in the Washington landscape: The pervasive defeatism which afflicts the administration and its congressional Republican supporters. There is plenty of evidence to suggest such defeatism is unjustified. There is to begin with the fact that Richard Nixon and George Wallace in 1968, both running on emphatically antiliberal platforms, between them secured no less than 57 percent of the vote. That outcome was universally and correctly interpreted as a stinging repudiation of the liberal way of doing things in Washington and a mandate for moving the country back to the right. If we had nothing but that statistic to go on, we would have reason to believe that Washington's assumption of inevitable liberal victory is mistaken. But in fact we have much more.

There are many other indices which show liberalism to be a declining political force, but a few examples will have to suffice. We may note, for one thing, the explosive growth of the suburbs and their army of homeowning, taxpaying voters who do not want handouts from Government, but who do want restraint on Government spending. In the 1970 census, for the first time in our history, the suburban population outstripped in total size the population of the central cities. Repeated election results show these suburban voters can be successfully appealed to by a Republican Party which stands for econin Government and low taxes.

We may note as well the complementary fact that members of labor unions are more and more susceptible to conservative appeal on economic as well as "law and order" grounds. Much of the suburban population explosion involves members of unions, and an AFL–CIO survey in the late 1960's disclosed no less than 50 percent of the union's members now live in the suburbs, and that as economic status and place of residence have changed so have political attitudes. Anyone who works with union members on a regular basis can testify to this alteration from his own experience. The political opportunities for an effective conservative appeal presented by this change are truly enormous.

These demographic generalizations are fully supported by recent surveys of public opinion. Americans are up in arms against excessive spending, welfarism, and taxation—to the point where seven out of 10 would sympathize with a tax revolt and Louis Harris surmises that—

> The prevailing mood of New Deal days . . . has now reversed almost 180 degrees.

That conclusion is underscored by the surveys of Dr. Gallup, which show the level of popular anxiety over big government as "the biggest threat to the country in the future" more than tripled during the decade of the 1960's—from 14 percent in 1960 to 49 percent in 1967.

Harris and Gallup surveys likewise reveal a steady increase in explicitly conservative sentiment in the country. In the wake of the 1968 election, Harris found his respondents choosing the designation "conservative" to describe themselves by a 2-to-1 margin over the designation "liberal"—38 to 17 percent. In the spring of 1970, Gallup found for the first time in 30 years that the self-designated conservatives in his poll results far outdistanced the self-designated liberals. In Gallup's inquiry, the conservatives outstripped the liberals by a margin of 52 to 34.

Such data, taken together, present a major opportunity to the Republican Party and the conservative cause. With effective leadership they could be molded into a powerful political majority, and it was widely assumed that the President as politician would sense this fact and act to assemble the constituent elements of the latent new majority. The result of such leadership could well have been a period of conservative and Republican ascendancy to match the Democratic era that followed upon the victory of Franklin Roosevelt. Instead, the net result of this administration may be to frustrate for years to come the emergence of the conservative majority.

The lessons to be drawn and the course of policy for rank-and-file conservatives are nonetheless clear. It is apparent first of all that conservatives do have the power even now to alter the conduct of our Government for the better—if they will use it. Exercise of that power depends on throwing off the delusion that the American conservative right must be bound hand and foot to this administration. The hope of conservatism, and of the Nation in turn, rests not in supporting the President's liberal policies but in opposing them through all effective and proper political means.

There will be criticism of any course of action which criticizes this adminstration, even I fear, from many who nonetheless know that the future of our party and of the Nation demands our earnest efforts to reassert our basic historic party mandate, our principles, platforms, and promises. Recall the words of a great man who properly noted not too long ago:

> Robert A. Taft: "If you permit appeals to unity to bring an end to criticism, we endanger not only the constitutional liberties of our country, but even its future existence."

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ESHLEMAN (at the request of Mr. GERALD R. FORD), for today, on account of illness.

Mr. ADAMS, for December 16, on account of official business.

Mr. HAGAN (at the request of Mr. VAN DEERLIN), for today, on account of official business.

Mr. KASTENMEIER (at the request of Mr. MCFALL), for today, on account of illness in the family.

Mr. KEE (at the request of Mr. BOGGS), for Wednesday, December 15 and Thursday, December 16, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. MATSUNAGA, today, for 15 *minutes*, and to include extraneous material.

(The following Members (at the request of Mr. STEELE), to revise and extend their remarks, and to include extraneous matter:)

Mr. HALPERN, today, for 5 minutes.

Mr. KEMP, today, for 15 minutes.

Mr. BLACKBURN, today, for 5 minutes.

Mr. FRELINGHUYSEN, today, for 5 minutes.

Mr. EDWARDS of Alabama, today, for 5 minutes.

Mr. DON H. CLAUSEN, today, for 15 minutes.

Mr. CRANE, today, for 5 minutes.

Mr. SMITH of New York, today, for 15 minutes.

Mr. VEYSEY, today, for 15 minutes.

Mr. RUPPE, today, for 15 minutes.

Mr. MILLER of Ohio, today, for 5 minutes.

Mr. CLEVELAND, today, for 15 minutes.

(The following Members (at the request of Mr. DENHOLM) and to revise and extend their remarks and include extraneous matter:)

Mr. GONZALEZ, for 10 minutes today.

Mr. ASPIN, for 5 minutes, today.

Mr. RUNNELS, for 15 minutes, today.

Mr. HOLIFIELD, for 5 minutes, today.

Mr. VANIK, for 10 minutes, today.

Mr. BURKE of Massachusetts, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. YATES and to include extraneous matter in two instances.

Mr. VANIK in five instances and to include extraneous matter.

(The following Members (at the request of Mr. STEELE) and to include extraneous matter:)

Mr. MCKINNEY in three instances.

Mr. DERWINSKI in five instances.

Mr. ZWACH.

Mr. HALPERN in three instances.

Mr. HOSMER in four instances.

Mr. ESCH.

Mr. MCDONALD of Michigan in two instances.

Mr. MCCLOSKEY in two instances.

Mr. SCOTT.

Mr. WYMAN in six instances.

Mr. STEIGER of Arizona.

Mr. MILLER of Ohio in four instances.
Mr. JONAS.
Mr. JOHNSON of Pennsylvania in two instances.
Mr. SCHMITZ in two instances.
Mr. ARENDS in two instances.
Mr. MORSE in two instances.
Mr. DON H. CLAUSEN in six instances.
Mr. HORTON in six instances.
Mr. COUGHLIN in two instances.
Mr. CRANE in five instances.
Mr. SCHERLE in 10 instances.
Mr. WHITEHURST in two instances.
Mr. LLOYD.
Mr. VEYSEY in two instances.
Mr. REID of New York in three instances.
Mr. ASHBROOK in three instances.
Mr. BROYHILL of Virginia in two instances.
Mr. SHRIVER in two instances.
Mr. MICHEL.
Mr. MAILLIARD in two instances.
Mr. KEMP in 10 instances.
Mr. BROOMFIELD in five instances.
Mr. SCHWENGEL.
Mr. O'KONSKI in seven instances.
Mr. ANDERSON of Illinois in five instances.
Mr. PRICE of Texas in two instances.
Mr. TALCOTT in five instances.
Mr. HARVEY in five instances.
Mr. GROSS.
Mr. SANDMAN.
Mr. BELL in two instances.
Mr. HUTCHINSON.
Mr. GERALD R. FORD.
Mr. CARTER in two instances.
Mr. HUNT in two instances.
Mr. FRENZEL.
Mr. HANSEN of Idaho.
Mr. DUNCAN in three instances.
Mr. WHALLEY.
Mr. BROWN of Ohio.
Mr. MAYNE in two instances.

(The following Members (at the request of Mr. DENHOLM) and to include extraneous matter:)

Mr. MINISH.
Mrs. HICKS of Massachusetts in two instances.
Mr. CORMAN.
Mr. CULVER in seven instances.
Mr. CARNEY.
Mr. BEVILL in two instances.
Mr. GONZALEZ in two instances.
Mr. RARICK in three instances.
Mr. ROGERS in five instances.
Mr. METCALFE in two instances.
Mr. PATMAN in five instances.
Mr. JONES of Tennessee in eight instances.
Mr. ALEXANDER in five instances.
Mr. JACOBS in five instances.
Mr. RODINO in seven instances.
Mr. LONG of Maryland in five instances.
Mr. VANIK in eight instances.
Mr. DRINAN in two instances.
Mr. THOMPSON of New Jersey in four instances.
Mr. FRASER in five instances.
Mr. JOHNSON of California in three instances.
Mr. HARRINGTON in three instances.
Mr. HUNGATE in four instances.
Mr. DINGELL.
Mr. BRASCO in two instances.
Mr. BROOKS.
Mr. PREYER of North Carolina.
Mr. PATTEN in three instances.
Mr. DELANEY in two instances.
Mr. BURKE of Massachusetts in three instances.
Mr. GALLAGHER.
Mr. FASCELL in four instances.
Mr. DIGGS in five instances.
Mr. ANDERSON of Tennessee in four instances.
Mr. BEGICH in five instances.
Mr. HÉBERT.
Mr. STOKES in two instances.
Mr. KYROS.
Mr. NIX in five instances.
Mr. DELLUMS in five instances.
Mr. SMITH of Iowa in four instances.
Mr. DULSKI in six instances.
Mr. BADILLO in five instances.
Mr. FISHER in three instances.
Mr. SEIBERLING in 10 instances.
Mr. MAZZOLI in two instances.
Mr. WALDIE in six instances.
Mr. JAMES V. STANTON.
Mr. DONOHUE in six instances.
Mr. RYAN in three instances.
Mr. KLUCZYNSKI in two instances.
Mr. MURPHY of New York in two instances.
Mr. PICKLE in five instances.
Mr. BINGHAM in five instances.
Mr. SARBANES in three instances.
Mr. RANGEL in two instances.
Mr. EDWARDS of California.
Mr. EVINS of Tennessee in two instances.
Mr. DANIELS of New Jersey in two instances.
Mr. ABBITT.
Mr. BARING.
Mr. ROONEY of Pennsylvania in five instances.
Mr. EILBERG.
Mr. PURCELL in two instances.
Mr. MOORHEAD in five instances.
Mr. DAVIS of South Carolina in three instances.
Mr. MATSUNAGA in five instances.

ENROLLED BILL SIGNED

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 8312. An act to continue for 2 additional years the duty-free status of certain gifts by members of the Armed Forces serving in combat zones.

SENATE ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The SPEAKER announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

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

S. 2429. An act to amend the District of Columbia Unemployment Compensation Act in order to conform to Federal law, and for other purposes;

S. 2891. An act to extend and amend the Economic Stabilization Act of 1970, as amended, and for other purposes; and

S.J. Res. 184. Joint resolution extending the dates for transmission of the Economic Report and the report of the Joint Economic Committee.

BILL 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, a bill of the House of the following title:

H.R. 8312. A bill to continue for 2 additional years the duty-free status of certain gifts by members of the Armed Forces serving in combat zones.

ADJOURNMENT

Mr. DENHOLM. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 13 minutes p.m.), the House adjourned until tomorrow, Thursday, December 16, 1971, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1363. A letter from the Associate Director, Office of Management and Budget, Executive Office of the President, transmitting a draft of proposed legislation to transfer the Teacher Corps to Action; to the Committee on Education and Labor.

1364. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation 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.

1365. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated October 27, 1971, submitting a report, together with accompanying papers and an illustration, on Indian Pass, Apalachicola Bay, Fla., requested by resolutions of the Committees on Public Works, U.S. Senate and House of Representatives, adopted September 24, 1965 and May 5, 1966; to the Committee on Public Works.

1366. A letter from the Secretary of Transportation, transmitting the first annual report on the special bridge replacement program, authorized by the Federal-Aid Highway Act of 1970, pursuant to 23 U.S.C. 144; to the Committee on Public Works.

1367. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to establish a Federal Financing Bank, to provide for coordinated and more efficient financing of Federal and federally assisted purposes; to the Committee on Ways and Means.

RECEIVED FROM THE COMPTROLLER GENERAL

1368. A letter from the Comptroller General of the United States, transmitting a report on the examination of the financial statements of Federal Prison Industries, Inc., Department of Justice, for fiscal year 1971 (H. Doc. No. 92-186); to the Committee on Government Operations and ordered to be printed.

1369. A letter from the Comptroller General of the United States, transmitting a report that improvements are needed in the contract award procedures and practices of the Office of Economic Opportunity; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Mr. NATCHER: Committee of conference. Conference report on H.R. 11932. (Rept. No. 92–755). 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. GARMATZ (for himself, Mr. CLARK, Mr. DINGELL, Mr. DOWNING, Mr. LEGGETT, Mr. PELLY, Mr. GROVER, Mr. KEITH, and Mr. BRAY):

H.R. 12324. A bill to amend the Cargo Preference Act of 1954, for certain purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. HANSEN of Idaho (for himself, Mrs. ABZUG, Mr. BEVILL, Mr. DELLUMS, Mr. EILBERG, Mr. FULTON of Tennessee, Mr. HALPERN, Mrs. HANSEN of Washington, Mr. HARRINGTON, Mrs. HICKS of Massachusetts, Mr. HORTON, Mr. HOSMER, Mr. JOHNSON of California, Mr. KEMP, Mr. MATSUNAGA, Mr. MCDADE, Mr. METCALFE, Mr. MORSE, Mr. RANGEL, Mr. ROE, Mr. SCHWENGEL, Mr. SHOUP, Mr. STOKES, Mr. TALCOTT, and Mr. WYMAN):

H.R. 12325. A bill to amend section 161 of the Vocational Education Act of 1963 to utilize a portion of the funds for homemaking and consumer education programs to assist the elderly; to the Committee on Education and Labor.

By Mr. BIAGGI (for himself, Mr. HAWKINS, and Mr. WOLFF):

H.R. 12326. 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. BRADEMAS (for himself, Mr. DONOHUE, Mr. O'NEILL, Mr. DANIELSON, Mr. HUNGATE, and Mr. ADAMS):

H.R. 12327. A bill to strengthen and improve the Older Americans Act of 1965; to the Committee on Education and Labor.

By Mr. DELLUMS:

H.R. 12328. A bill to strengthen and improve the Older Americans Act of 1965; to the Committee on Education and Labor.

H.R. 12329. A bill to amend section 161 of the Vocational Education Act of 1963 to utilize a portion of the funds for homemaking and consumer education programs to assist the elderly; to the Committee on Education and Labor.

By Mr. DELLUMS (for himself and Mr. CONYERS):

H.R. 12330. A bill to terminate the exploitative activities of the U.S. business concerns in the Republic of South Africa, South-West Africa, Rhodesia, or any African territory under Portuguese control and to end certain violations of the United Nations Universal Declaration of Human Rights by such businesses, and for other purposes; to the Committee on Foreign Affairs.

By Mr. DELLUMS:

H.R. 12331. A bill to provide for posting information in post offices with respect to registration, voting, and communicating with lawmakers; to the Committee on Post Office and Civil Service.

H.R. 12332. A bill to allow a credit against Federal income taxes or a payment 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. DENT (for himself, Mr. BYRNE of Pennsylvania, Mr. COUGHLIN, Mr. EILBERG, Mr. FLOOD, Mr. JOHNSON of Pennsylvania, Mr. ROONEY of Pennsylvania, Mr. VIGORITO, Mr. WARE, Mr. WHALLEY, and Mr. YATRON):

H.R. 12333. A bill to amend the tariff and trade laws of the United States to promote full employment and restore a diversified production base; to amend the Internal Revenue Code of 1954 to stem the outflow of U.S. capital, jobs, technology, and production, and for other purposes; to the Committee on Ways and Means.

By Mr. DINGELL:

H.R. 12334. A bill to amend the act of May 19, 1948, with respect to the use of real property for wildlife conservation purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. ECKHARDT (for himself, Mr. WRIGHT, and Mr. YOUNG of Texas):

H.R. 12335. A bill to authorize the establishment of the Big Thicket National Park in the State of Texas, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. EILBERG:

H.R. 12336. A bill to allow certain service with international organizations to be considered creditable service for Federal retirement purposes; to the Committee on Post Office and Civil Service.

By Mr. ERLENBORN (for himself, Mr. QUIE, Mr. GERALD R. FORD, and Mr. DENT):

H.R. 12337. A bill to amend the Welfare and Pension Plans Disclosure Act; to the Committee on Education and Labor.

By Mr. GUDE:

H.R. 12338. A bill to authorize pilot field-research programs for the control of agricultural and forest pests by integrated biological-cultural methods; to the Committee on Agriculture.

By Mr. HANSEN of Idaho (for himself and Mr. FRASER):

H.R. 12339. A bill to amend section 161 of the Vocational Education Act of 1963 to utilize a portion of the funds for homemaking and consumer education programs to assist the elderly; to the Committee on Education and Labor.

By Mr. JOHNSON of California (by request):

H.R. 12340. A bill to provide for the establishment of the Guam National Seashore, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. KEMP:

H.R. 12341. A bill to amend title 10 of the United States Code to permit the appointment by the President of certain additional persons to the service academies; to the Committee on Armed Services.

H.R. 12342. A bill to amend chapter 44 of title 18, United States Code, to strengthen the penalty provision applicable to a Federal felony committed with a firearm; to the Committee on the Judiciary.

H.R. 12343. A bill to amend section 112 of the Internal Revenue Code of 1954 to exclude from gross income the entire amount of the compensation of members of the Armed Forces of the United States and of civilian employees who are prisoners of war, missing in action, or in a detained status during the Vietnam conflict; to the Committee on Ways and Means.

By Mr. KOCH (for himself, Mr. BURTON, Mr. FORSYTHE, Mr. HELSTOSKI, Mr. THOMPSON of New Jersey, and Mr. STOKES):

12344. A bill to amend the Urban Mass Transportation Act of 1964 to authorize certain emergency grants to assure adequate rapid and commuter railroad service in urban areas, and for other purposes; to the Committee on Banking and Currency.

By Mr. MCKEVITT:

H.R. 12345. A bill to amend chapters 31, 34, and 35 of title 38, United States Code, to increase the rates of vocational rehabilitation, education assistance, and special training allowance paid to eligible veterans and persons, and to automatically adjust educational assistance and training assistance upward annually, to provide a cost-of-living subsistence allowance for certain veterans; to provide for advance educational assistance payments to certain veterans; to make improvements in the educational assistance programs; and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MATSUNAGA:

H.R. 12346. A bill to amend the National Labor Relations Act to make its provisions applicable to certain additional territories of the United States; to the Committee on Education and Labor.

By Mr. MICHEL:

H.R. 12347. A bill to amend the Economic Stabilization Act of 1970; to the Committee on Banking and Currency.

By Mr. MILLS of Maryland (for himself and Mr. HOGAN):

H.R. 12348. A bill to authorize the Secretary of Commerce to designate areas of the oceans, coastal, and other waters, as far seaward as the outer edge of the Continental Shelf, for the purpose of preserving or restoring the ecological, esthetics, recreation, resource and scientific values of and related to such areas; to the Committee on Merchant Marine and Fisheries.

By Mr. NICHOLS:

H.R. 12349. A bill to provide for the compensation of innocent victims of violent crime in need; to make grants to States for the payment of such compensation; to authorize an insurance program and death and disability benefits for public safety officers; to provide civil remedies for victims of racketeering activity; and for other purposes; to the Committee on Ways and Means.

By Mr. PERKINS (for himself, Mr. PUCINSKI, Mr. DANIELS of New Jersey, Mr. MEEDS, Mr. BURTON, Mr. GAYDOS, Mr. CLAY, Mrs. CHISHOLM, Mrs. GRASSO, and Mr. MAZZOLI):

H.R. 12350. A bill to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, and for other purposes; to the Committee on Education and Labor.

By Mr. PICKLE:

H.R. 12351. A bill to amend the Occupational Health and Safety Act of 1970 to exempt certain small nonmanufacturing businesses, from the Federal standards created under such act; to the Committee on Education and Labor.

By Mr. ROE:

H.R. 12352. A bill to amend title XVII of the Social Security Act to provide financial assistance to individuals suffering from chronic kidney disease who are unable to pay the costs of necessary treatment, and to authorize project grants to increase the availability and effectiveness of such treatment; to the Committee on Ways and Means.

By Mr. RUNNELS:

H.R. 12353. A bill to repeal the Gun Control Act of 1968, to reenact the Federal Firearms Act, to make the use of a firearm to commit certain felonies a Federal crime where that use violates State law, and for other purposes; to the Committee on the Judiciary.

By Mr. SCHEUER:

H.R. 12354. A bill to amend the Manpower Development and Training Act of 1962 to assist the development of manpower in the field of corrections; to the Committee on Education and Labor.

By Mr. SPENCE:

H.R. 12355. A bill to amend title 10 of the United States Code in order to deem certain defense-related civilian service during World War II as "active duty" for purposes of eligibility for retired pay for nonregular service; to the Committee on Armed Services.

By Mr. TERRY (for himself, Mrs. ABZUG, Mr. ADDABBO, Mr. HALPERN, Mr. HASTINGS, Mr. HOSMER, Mr. MCCOLLISTER, Mr. MCDADE, Mr. ROY, Mr. RUPPE, and Mr. WILLIAMS):

H.R. 12356. A bill to amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize design standards for schoolbuses, and to require the establishment of certain standards for schoolbuses; to the Committee on Interstate and Foreign Commerce.

By Mr. YOUNG of Florida:

H.R. 12357. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ZWACH:

H.R. 12358. 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; to the Committee on the Judiciary.

By Mr. BRADEMAS:

H.R. 12359. A bill to designate the Department of Health, Education, and Welfare South Building in Washington, D.C., as the "Mary Switzer Memorial Building"; to the Committee on Public Works.

By Mr. DANIEL of Virginia:

H.R. 12360. A bill to amend the Occupational Safety and Health Act of 1970 to exempt nonmanufacturing businesses, in States having laws regulating safety in such businesses, from the Federal standards created under such act; to the Committee on Education and Labor.

By Mr. MCCORMACK (for himself, Mr. ADAMS, Mr. BEGICH, Mr. FOLEY, Mr. BERGLAND, and Mr. MEEDS):

H.R. 12361. A bill to establish the Cougar Lakes Recreational Area, to provide for a study of the potential of Mount Aix and surrounding lands within the Snoqualmie and Gifford Pinchot National Forests in the State of Washington for inclusion in the national wilderness preservation system, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MATSUNAGA:

H.R. 12362. A bill to protect the public health, safety, and welfare from the deteriorating effects of prolonged cessation or disruption of the normal flow of maritime interstate commerce between the State of Hawaii and the continental United States as the results of strikes, lockouts, or other forms of labor strife or discord in either the maritime or longshore industry; to the Committee on Education and Labor.

By Mr. NIX:

H.R. 12363. A bill to provide for the control of sickle cell anemia; to the Committee on Interstate and Foreign Commerce.

By Mr. RODINO:

H.R. 12364. 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.

By Mr. SCHEUER:

H.R. 12365. A bill to amend title 38, United States Code, to provide for the payment of tuition, subsistence, and education assistance allowances on behalf of or to certain eligible veterans pursuing programs of education under chapter 34 of said title; to apply automatic cost-of-living increases to subsistence allowances; to authorize advance education assistance allowance payments to eligible veterans, and establish an optional work-study program for repayment; and for other purposes; to the Committee on Veterans' Affairs.

By Mr. DELLUMS:

H.J. Res. 1014. Joint resolution to assure continued eligibility of recipients of food stamp benefits and to maintain present levels of bonuses for these recipients; to the Committee on Agriculture.

By Mr. PRICE of Texas:

H.J. Res. 1015. Joint resolution to establish a Joint Committee on Aging; to the Committee on Rules.

By Mr. QUIE (for himself, Mr. SCHEUER, Mr. PRYOR of Arkansas, Mr. PREYER of North Carolina, Mr. BETTS, and Mr. HICKS of Washington):

H.J. Res. 1016. Joint resolution to establish a Joint Committee on Aging; to the Committee on Rules.

By Mr. DENT (for himself, Mrs. HICKS of Massachusetts, Mr. JONAS, Mr. KEMP, Mr. MANN, Mr. NIX, Mr. RARICK, Mr. ROY, Mr. SANDMAN, Mr. SAYLOR, Mr. SCHMITZ, Mr. SCOTT, Mr. SNYDER, Mr. WAGGONNER, Mr. WOLFF, and Mr. YATRON):

H. Con. Res. 493. Concurrent resolution expressing the sense of Congress respecting Federal expenditures; to the Committee on Government Operations.

By Mr. DENT (for himself, Mr. BARING, Mr. BIAGGI, Mr. BLACKBURN, Mr. BRINKLEY, Mr. BYRNE of Pennsylvania, Mr. CARNEY, Mr. COLLIER, Mr. DANIEL of Virginia, Mr. DANIELS of New Jersey, Mr. DENHOLM, Mr. DERWINSKI, Mr. DONOHUE, Mr. GAYDOS, Mr. HALPERN, and Mr. HECHLER of West Virginia):

H. Con. Res. 494. Concurrent resolution expressing the sense of Congress respecting Federal expenditures; to the Committee on Government Operations.

By Mr. ANDERSON of California:

H. Res. 750. Resolution to express the sense of the House of Representatives that U.S. fishing industry representatives be included in the U.S. delegation to the 1973 United Nations Law of the Sea Conference; to the Committee on Foreign Affairs.

By Mr. FRASER (for himself, Mr. HUNGATE, Mr. MIKVA, and Mr. FAUNTROY):

H. Res. 751. Resolution to amend the Rules of the House to create a Select Committee on the District of Columbia; to the Committee on Rules.

By Mr. HELSTOSKI (for himself, Mrs. ABZUG, Mr. DELLUMS, Mr. EILBERG, Mr. LEGGETT, Mr. MITCHELL, and Mr. REES):

H. Res. 752. Resolution expressing the sense of the House of Representatives relative to the crisis in South Asia; to the Committee on Foreign Affairs.

By Mr. ROE:

H. Res. 753. Resolution calling for peace in northern Ireland and the establishment of united Ireland; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of the rule XXII,

290. The SPEAKER presented a memorial of the Assembly of the State of California, relative to the national transportation planning study, which was referred to the Committee on a Banking and Currency.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mrs. ABZUG:

H. Con. Res. 495. 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. HORTON:

H. Con. Res. 496. 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. KOCH:

H. Con. Res. 497. Concurrent resolution relating to the status of Sylva Yosifovna Zalmanson Kuznetsov, a citizen of the Soviet Union; to the Committee on Foreign Affairs.

EXTENSIONS OF REMARKS

MRS. KREMER'S KITCHEN MAGIC

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 14, 1971

Mr. HUNGATE. Mr. Speaker, the first issue of a new quarterly magazine called Missouri Today contains an article about an interesting place and some interesting people in my district.

The article follows:

MRS. KREMER'S KITCHEN MAGIC

(By Muffie Wheeler)

Mrs. Theresa Kremer lives alone in a small, white, two-story house in Westphalia, Mo. But almost every evening she has about 70 dinner guests—and she does all the cooking.

Her day begins like many homemakers. She sweeps and dusts, washes and waxes, undisturbed except by an occasional phone call. But rather than an old friend wanting to chat, her callers usually are asking for dinner reservations at Kremer's Place.

Many of the guests will travel miles to sample her country cooking. And while they're getting ready for the drive to Westphalia, Mrs. Kremer is scurrying around her kitchen getting ready for them.

"After I finish my chores I go right to the kitchen," she smiles. "My light and dark bread takes a while to make." And with two large dining rooms, each seating 35 people, she has a lot of table-setting to do.

But Mrs. Kremer doesn't cook anything except the side dishes until her guests actually arrive. "Food is much better hot—right off the stove," she explains.

After her guests arrive and give their orders to one of the three waitresses, Mrs. Kremer starts frying country ham and chicken, using "nothing but good old lard."

In a short time, waitresses are piling the tables with large bowls of mashed potatoes and steamy vegetables, heavy platters of fried chicken and ham, and plates with tall stacks of homemade bread.

If she's not too busy, Mrs. Kremer slips out of the kitchen about halfway through the meal to welcome her guests.

"I used to greet all my guests at the door," she says. "I just can't get good cooks anymore, though, so when I do it all myself, I can only come out to see everybody when things aren't too busy."

If the idea of "doing it all herself" boggles the mind, understand that Mrs. Kremer's been cooking since she was 13. She developed her knack for country cooking by watching